

Mr. GARMATZ. Mr. Speaker, title XI of the Merchant Marine Act of 1936, authorizes Government insurance of mortgages and loans made to finance the construction, reconstruction, and reconditioning of U.S.-flag vessels. The purpose of H.R. 9756 is to amend title XI to improve its responsiveness to the current needs of the shipping industry for investment capital, and to simplify the mechanics of issuing and marketing obligations under the program. H.R. 9756 passed the House on February 7, 1972.

The Senate made six amendments to the legislation, most of which are technical, clarifying, or conforming in nature.

The first Senate amendment amended revised section 1101(b), to clarify that pollution treatment, abatement, or control vessels are "vessels" for purposes of the act and qualify for assistance under title XI if they meet the other applicable requirements. This is a technical amendment.

The second and third Senate amendments amended revised section 1101(f), to clarify that only amounts paid or to be paid by or for the account of the obligor for construction, reconstruction, or reconditioning of a vessel are included in the definition of "actual cost." This conforms to the present statute and makes clear that, for example, amounts paid for construction-differential subsidy by the Government are not included in actual costs. These are technical amendments only.

The fourth Senate amendment amended revised section 1104(a) (1), to clarify that the words "foreign trade" are used in the more expansive sense of the section 905 definition with respect to title V relating to construction-differential subsidy. Thus, any vessel engaged in a foreign trade eligible for construction-differential subsidy under title V of the Merchant Marine Act, would also be eligible for financing guarantees under title XI. This is a clarifying amendment.

The fifth amendment is the only substantive amendment made by the Senate. The House-passed bill would have authorized a title XI guarantee of up to 87½ percent of the actual cost or depreciated actual cost of barges to be carried on vessels, but only 75 percent of such cost of other barges. Thereafter, representatives of the inland waterways operators argued that such a distinction would result in a competitive disadvantage for inland waterway barges in instances where they are in competition with barges on vessels. The Senate could find no persuasive reason in policy for this distinction, and amended the final proviso of revised section 1104(b) (2), to eliminate the distinction and put all such barges on an equal footing at the 87½-percent level. This amendment would not increase the number of barges eligible for title XI financing, but would permit guarantees of obligations with respect to a higher percentage of the actual cost or depreciated actual cost of a barge—87½ percent—as in the case of barges carried on a vessel. This amendment would not increase the aggregate amount authorized to be guaranteed under the title XI program.

The final Senate amendment is a new section 8 providing that the act may be cited as the "Federal Ship Financing Act of 1972."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 405]

Abernethy	Evans, Colo.	McMillan
Abzug	Foley	Mikva
Addabbo	Gallagher	Mitchell
Badillo	Gialmo	Mollohan
Baring	Goodling	Murphy, N.Y.
Bell	Green, Oreg.	Nichols
Bevill	Gross	O'Konski
Bow	Gubser	Peyser
Byrne, Pa.	Hagan	Powell
Byron	Halpern	Purcell
Carey, N.Y.	Hawkins	Rangel
Chisholm	Jones, Tenn.	Reid
Clark	Lloyd	Rhodes
Clay	Lujan	Rooney, N.Y.
Culver	McClure	Scheuer
Davis, S.C.	McCormack	Schmitz
Dowdy	McDonald,	Scott
Dwyer	Mich.	Teague, Calif.
Edmondson	McKevitt	Terry

The SPEAKER. On this rollicall 374 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON H.R. 12652, COMMISSION ON CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (H.R. 12652) to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 26, 1972.)

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

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

There was no objection.

Mr. CELLER. Mr. Speaker, I yield myself such time as I may consume.

On May 1 of this year, the House overwhelmingly suspended its rules and passed H.R. 12652.

As reflected in its title, the bill extends the life of the Civil Rights Commission, extends the jurisdiction of the Commission to embrace sex discrimination, and authorizes annual appropriations.

In passing the legislation on August 4—without a dissenting vote—the Senate accepted the bill in every detail save one. It reduced the appropriation authorizations for each of the fiscal years in which the Commission is to operate. The Senate also added to the bill non-germane material pertaining to a very important subject—the protection of executive branch employees and applicants against unwarranted invasions of their privacy.

The conference committee met on two occasions; on both occasions our discussion was lengthy, serious, and reasonable. Acting as reasonable men can be expected to act following a full and frank exchange of views, the House managers agreed to the Senate authorization figures, and the Senate managers agreed to recede from the Senate amendment which had added the non-germane material to the bill.

As reported by the conference committee, the bill authorizes the appropriation of \$5½ million for fiscal year 1973 instead of \$6½ million as originally provided by the House. Also, in place of the House authorization of \$8½ million for each fiscal year from 1974 through 1978, the bill authorizes \$7 million as provided in the Senate version.

In summary, the bill reported back by the conference committee is the same bill that passed the House last May, except for modest reductions in the appropriations authorizations.

On September 26, the Senate adopted the conference report. I urge similar action in the House so that this important legislation may be cleared to the President and promptly signed into law.

Mr. McCULLOCH. Mr. Speaker, in the last few days of my quarter century of service in this body, it gives me great satisfaction to see the life of the U.S. Commission on Civil Rights extended an additional 5 years and 5 months. As cosponsor of this legislation together with the distinguished chairman of the Committee on the Judiciary, I am pleased to tell the House that this bill, agreed to in conference, is almost identical to the bill that passed the House on May 1, 1972. The only difference is that the authorization ceiling has been lowered for fiscal year 1973 from \$6.5 to \$5.5 million and for the remaining 4 years from \$8.5 to \$7 million. I realize that this reduction may restrict some of the Commission's planned activities. This is unfortunate in view of the Commission's added responsibilities in the area of sex discrimination. However, I believe that the reduction should not hamper the Commission's primary responsibilities regarding denials of equal protection based on race, color, or national origin.

Since its inception in 1957, the Commission has been the conscience of the Nation. It has guided us in enacting landmark civil rights legislation in 1960, 1964,

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1965, 1968, and 1970. But it is yet to be seen whether these laws remain only as cold tombstones of lifeless hopes or whether they breathe life into the ever-unfolding promise of equality for which this Nation stands.

We like to think that we, as a nation, have made progress. But we cannot overlook the fact that we have moved from a nation divided by region to a nation divided by race. A nation so divided cannot stand.

In the days ahead the challenge to America will come from within. Thus when our grandchildren look back to those days, they may well conclude that the few million dollars we spent to perpetuate the Commission were as important to our common good as the billions we spent on military defense.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 7378, COMMISSION ON REVISION OF APPELLATE COURT SYSTEM

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (H.R. 7378) to establish a Commission on Revision of the Judicial Circuits of the United States, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, before we wheel these conference reports through here too rapidly, I wonder if the distinguished chairman of the Committee on the Judiciary would like an opportunity, and I would be delighted to yield for that purpose, to explain to the House in what areas the House receded from its position on our relatively simple bill which passed the House for an amount of \$50,000, and I understand it is now up to \$270,000. We had a unique purpose as the bill passed the House to simply perform one function. Now I understand there is a dual function on the part of the Commission. Particularly Mr. Speaker, I would like to know from the distinguished chairman of the Committee on the Judiciary, my friend the gentleman from New York (Mr. CELLER), whether or not this Commission would come within the prospectus of the bill we passed in this House just last week on an Advisory Commission.

Mr. Speaker, I yield to the gentleman from New York for an answer.

Mr. CELLER. Mr. Speaker, I would like to make just a brief statement on the work of the committee of conference. Primarily the bill deals with redrawing the boundary lines of the Federal courts of appeals. Those lines have remained largely unchanged since the beginning of the century and they have been rendered obsolete by changes in population, growth in Federal litigation, and so on. We passed the bill overwhelmingly on May 15 (317 yeas; 25 nays). In pass-

ing the bill, the Senate struck all after the exacting clause and substituted a new text which expanded the scope of studies to be undertaken and extended the Commission's term to 2 years. The Senate amendment authorized various studies concerning substantive and procedural aspects of the Federal appellate process.

When the conferees met the House conferees emphasized that the thrust of the bill was to redraw the geographic lines and not to change any substantive law, so the Senate receded on the question of broad studies into appellate changes substantive law and accepted our view with reference to requiring the Commission to report back on circuit realignment in 6 months of the appointment of the ninth Commission member.

The conference substitute however also authorizes the Commission to study and recommend changes in the structure and internal procedures of the courts of appeals and to file a second report within 15 months of the appointment of the ninth member.

The Congress would have to work it will on these recommendations.

Thus, the Commission is to report back to the Congress within 6 months as to proposed changes in geographic boundaries of the courts of appeals, but with reference to changes in structure and internal procedures in the appeals courts the Commission is given 9 more months to file a second report.

The House bill authorized appropriations up to \$50,000. No special Commission staff was authorized. We felt that the Federal Judicial Center and the administrative office of U.S. courts could provide sufficient staffing, but now the Senate has added these changes to add burdens onto the Commission to look into the caseloads subject to our final approval.

The conference substitute authorizes the Commission to study and recommend changes in the structure and internal procedures of the appellate courts, and to file its report within 15 months of the ninth member's appointment.

Same limited a staff would have to be established for that purpose. The Senate amendment authorized appropriations of \$370,000. The conference report reduced that to \$270,000. The authorization in excess of the \$50,000 contained in the House bill is needed to cover the expenses of the additional 9-month term of the Commission and of conducting the additional studies authorized by the conference report.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's explanation. I should like to recapitulate it and see if he will confirm that I am stating it correctly or not.

No. 1, we have receded, but only on the germane additions and the procedures of the other body.

Mr. CELLER. That is correct.

Mr. HALL. And, there is nothing in this conference report which would be considered nongermane to the House-passed bill?

Mr. CELLER. That is correct. I was very, very careful on that. I have been careful with all these conferences to try to repudiate nongermane amendments, which to my mind often are obnoxious.

Mr. HALL. I agree, plus raids on personnel supergrades.

Second, Mr. Speaker, as I understand the conference report, we have yielded from 90 days for the Commission to act up to 15 months. We have yielded, to put it in another context, from a resolution of the other body's \$370,000 down to \$270,000; we in the House position have gone up from \$50,000 to \$270,000; but in return we get a review of Federal Court Appellate system in addition to the purpose assigned by the House-passed bill, which was only for review of the Judicial Circuit Court; is that correct?

Mr. CELLER. The gentleman is correct.

Mr. HALL. And in the opinion of the dean of the House, this is a worthwhile payoff?

Mr. CELLER. It is a meritorious bill.

Mr. HALL. Mr. Speaker, in view of the gentleman's explanation, I withdraw my reservation.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 28, 1972.)

Mr. CELLER (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

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

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the two conference reports just agreed to.

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

There was no objection.

SENATOR EDWARDS OF LOUISIANA

(Mr. BOGGS asked and was given permission to address the House for 1 minute.)

Mr. BOGGS. Mr. Speaker, I should like to note the presence on the floor of the House of the distinguished junior Senator from Louisiana, who happens to be also the wife of our former colleague, now the Governor of the State of Louisiana, Governor Edwards.

Senator EDWARDS is here with us. I wish she would take a bow.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED RE- PORT

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee

~~SECRET~~

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25X1

25X1

6. [redacted] Met with Herbert Hoffman, House Judiciary Committee staff, who told me what had transpired at the Senate/House conference on the Civil Rights Commission bill (H. R. 12652). I thanked Mr. Hoffman on behalf of the Director and the Agency for his cooperation in killing the Ervin amendment.

25X1

25X1

8. [redacted] Mr. Robert Blum, Senate Foreign Relations Committee staff, met with Messrs. O'Neill and Harry Little and reviewed the portion of the OSS files relating to the Dixie mission. He did not review any of the files relating to Indochina. Since his review of the items selected from the Dixie files was necessarily sketchy, it was agreed that he will return to Headquarters at his first opportunity to review them in detail and refine his selection to minimize the number of documents to be reviewed for declassification.

Mr. Blum indicated that after identifying the specific Dixie mission documents for declassification, he would like to have them cleared but will have to delay any identification of the Indochina documents for declassification until the press of other work on his desk slackens.

~~SECRET~~

THE WASHINGTON POST

DATE 27 Sep 72 PAGE 22

Senate Passes Rights Compromise

United Press International

The Senate yesterday passed and sent to the House a compromise bill extending the life of the Civil Rights Commission for five years and giving it authority to protect the rights of women.

The measure was adopted with little discussion. In previous years, such a measure would have touched off weeks of acrimonious debate.

A House-Senate conference committee which wrote the compromise version dropped a Senate-passed section cre-

ating a "bill of rights" for government employees.

Among other things, that section outlawed psychological testing of government employees and forbade lie detector questioning about their religious beliefs or sex lives.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 385]

Abourezk	Garmatz	O'Konski
Anderson, Ill.	Gettys	Patten
Anderson,	Glaumo	Pelly
Tenn.	Grasso	Peyster
Badillo	Green, Oreg.	Pike
Baring	Griffiths	Pirnie
Betts	Gubser	Powell
Beyll	Halpern	Pryor, Ark.
Biaggi	Hébert	Pucinski
Blanton	Heckler, Mass.	Reid
Blatnik	Hosmer	Rhodes
Byrnes, Wis.	Howard	Rooney, N.Y.
Byron	Hunt	Runnels
Clark	Jonas	Saylor
Clay	Jones, Tenn.	Scheuer
Conyers	Kuykendall	Schmitz
Crane	Latta	Sikes
Dellums	Lujan	Springer
Derwinski	McClory	Stokes
Devine	McCloskey	Symington
Dorn	McCormack	Teague, Calif.
Dow	McCulloch	Teague, Tex.
Dowdy	McDonald,	Thompson, Ga.
Dwyer	Mich.	Thomson, Wis.
Edmondson	McMillan	Wiggins
Eilberg	Macdonald,	Wilson.
Erlenborn	Mass.	Charles H.
Evans, Colo.	Mailliard	Wolff
Findley	Minshall	Wyllie
Frenzel	Mitchell	Yatron
Galtfanakis	Monagan	Young, Tex.
Gallagher	O'Hara	

The SPEAKER. On this rollcall 339 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON H.R. 12652, COMMISSION ON CIVIL RIGHTS

Mr. CELLER submitted the following conference report and statement on the bill (H.R. 12652) to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92-1444)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12652) to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 8 and 9, and agree to the same.

EMANUEL CELLER,
JACK BROOKS,
WILLIAM L. HUNGATE,
WILLIAM M. MCCULLOCH,
EDWARD HUTCHINSON,

Managers on the Part of the House.

PHILIP A. HART,
ROMAN L. HRUSKA,
HUGH SCOTT,
HIRAM L. FONG,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12652) to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

Amendments numbered 1 through 7: Delete technical renumbering changes proposed by the Senate and appropriate only if amendment numbered 10 had been retained.

Amendment numbered 8: Authorizes Civil Rights Commission appropriation for fiscal year 1973 of \$5,500,000, as proposed by the Senate, instead of \$6,500,000, as proposed by the House.

Amendment numbered 9: Authorizes annual Civil Rights Commission appropriation for fiscal years 1974 through 1978 of \$7,000,000, as proposed by the Senate, instead of \$8,500,000, as proposed by the House.

Amendment numbered 10: Senate recedes.

EMANUEL CELLER,
JACK BROOKS,
WILLIAM L. HUNGATE,
WILLIAM M. MCCULLOCH,
EDWARD HUTCHINSON,

Managers on the Part of the House.

PHILIP A. HART,
ROMAN L. HRUSKA,
HUGH SCOTT,
HIRAM L. FONG,

Managers on the Part of the Senate.

PERSONAL ANNOUNCEMENT

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

Mr. MIKVA. Mr. Speaker, I regret that I was necessarily absent when the House voted on several matters recently. Had I been present I would have voted as follows:

"Yes" on rollcall No. 372, final passage of H.R. 16654, fiscal year 1973 appropriations for the Departments of Labor and HEW;

"No" on rollcall No. 370, adoption of an amendment to H.R. 16654 exempting certain employers from the safety and health requirements of the Occupational Safety and Health Act;

"Yes" on rollcall No. 371, adoption of an amendment to H.R. 16654, increasing funds for bilingual education;

"Yes" on rollcall No. 375, final passage of H.R. 15003, the Consumer Product Safety Act;

"Yes" on rollcall No. 376, adoption of the rule for consideration of H.R. 16705, foreign aid appropriations for fiscal year 1973;

"No" on rollcall No. 380, adoption of an amendment to the foreign assistance appropriations bill (H.R. 16705) ending guarantees of private overseas investments;

"Yes" on rollcall No. 382, adoption of the rule for consideration of H.R. 16754, military construction appropriations for fiscal year 1973;

"Yes" on rollcall No. 383, final passage of the military construction appropriations bill;

"Yes" on rollcall 384, final passage of House Joint Resolution 1227, approving

the interim SALT agreement with the U.S.S.R.

PERMISSION TO FILE CONFERENCE REPORT ON S. 2770, WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that the managers have until midnight tonight, September 26, 1972, to file the conference report on S. 2770, the Water Pollution Control Act Amendments of 1972.

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

There was no objection.

CORRECTION OF VOTE

Mr. PEPPER. Mr. Speaker, on rollcall No. 384 I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

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

There was no objection.

SECOND ANNUAL REPORT ON HEALTH MATTERS COVERED BY FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I am pleased to submit to you the second annual report on health matters covered by the Federal Coal Mine Health and Safety Act of 1969, Public Law 91-173.

The report covers the implementation of the health program carried out by the National Institute for Occupational Safety and Health of the Department of Health, Education, and Welfare. The report provides a compendium of coal mine health research, medical examinations of coal miners, and other activities of 1971.

It is encouraging to note that, in 1971, the Department of Health, Education, and Welfare completed the first round of medical examinations of coal workers required in the act. Many of the X-rays taken in the examination have been completely processed and those miners with abnormal chest conditions have been notified of these conditions and of their rights under the act.

A comprehensive research program, which has as its basic objective the determination of the development and progression of coal workers' pneumoconiosis, continued in 1971 along the lines established in 1970. Significant progress was made in 1971 toward the attainment of this goal.

I commend this report to your attention.

RICHARD NIXON.
THE WHITE HOUSE, September 26, 1972.

PROVIDING FOR CONSIDERATION OF H.R. 1121, GATEWAY NATIONAL SEASHORE, NEW YORK AND NEW JERSEY

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1135 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1135

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1121) to provide for the establishment of the Gateway National Seashore in the States of New York and New Jersey, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against said substitute are hereby waived for failure to comply with the provisions of clause 7, Rule XVI. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions. After the passage of H.R. 1121 the Committee on Interior and Insular Affairs shall be discharged from the further consideration of the bill S. 1852, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 1121 as passed by the House.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1135 provides an open rule with 2 hours of general debate for consideration of H.R. 1121 to establish the Gateway National Seashore. It shall be in order to consider the committee substitute as an original bill for the purpose of amendment and, because the substitute would not be germane to the original bill, points of order are waived for failure to comply with clause 7 of rule XVI. After passage of H.R. 1121, the Committee on Interior and Insular Affairs shall be discharged from further consideration of S. 1852 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The purpose of H.R. 1121 is to establish a national seashore in the States of New York and New Jersey to be known as the Gateway National Seashore. This unit of the national park system will provide a recreational area for more than

20 million people within a four-State region and 2 hours travel time. The prime recreation resource in the area is its beaches.

The total size of the area is 26,172 acres, of which 403 acres are privately owned. The city of New York owns approximately 16,980 acres; the State of New York owns approximately 2,090 acres; New Jersey owns approximately 2,962 acres; the Federal Government owns 3,737 acres.

About \$11,450,000 are authorized for land acquisition and \$92,813,000 are authorized for development of the recreation area.

There is no comparable recreation area at the present time.

Mr. Speaker, I urge the adoption of the rule in order that the legislation may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, the distinguished gentleman from New York (Mr. DELANEY) has explained the rule precisely in accordance with the manner and in the way I understand it. Accordingly I associate myself with his remarks. I will not take additional time from that standpoint.

I might add or emphasize that there is some controversy on this housing that is being built on Floyd Bennett Field, in that area and, as has been indicated, as I recall, there are no sewers or streets or lighting at the present time.

I simply mention this so the Members can be prepared from that standpoint.

There are four provisions in this bill that are subject to a point of order, in view of clause 7, rule XVI.

The original bill was amended—and it comes in as a substitute in the nature of an amendment. There are four parts therein which are in violation of clause 7, rule XVI. These are section 2(d), authorizing housing on Floyd Bennett Field; section 3(c), which permits the Secretary of the Interior to cooperate with the Secretary of the Army on Corps of Engineers projects; the third is 3(d), which provides that the Secretary of Interior may cooperate with the Secretary of Transportation on operating airway facilities.

Section 4 sets up a new advisory committee. All points of order were waived as to clause 7, rule XVI, to cover these matters.

At this time, Mr. Speaker, I yield 3 minutes to the distinguished minority leader (Mr. GERALD R. FORD).

(By unanimous consent, Mr. GERALD R. FORD was allowed to speak out of order.)

FOREIGN AID APPROPRIATION BILL

Mr. GERALD R. FORD. Mr. Speaker, last Thursday during our consideration of the foreign aid appropriations the gentleman from Ohio (Mr. VANIK), with the very best of motives and intentions, offered an amendment to bar any funds to finance or guarantee investments in any country which charges its citizens more than \$50 for the right to emigrate.

The gentleman and others argued eloquently that by adding this language the House would utter a "moral outcry" against the reprehensible practice of the Soviet Union in forcing its Jewish citizens to pay as much as \$25,000 ransom—more than most people in Russia can legally earn or save in a lifetime—for an exit permit to emigrate to Israel or any other country. After very brief debate the amendment was agreed to by voice vote.

Both the distinguished chairman of the subcommittee handling the bill, Mr. PASSMAN, and I cautioned at the time that the amendment was badly drawn and unnecessary, although we were wholly sympathetic with its symbolic purpose. It has now turned out that the amendment was actually harmful to the very cause its sponsors sought to help. The State of Israel, among other governments friendly to us, charges a travel tax of \$140 plus 10 percent of travel ticket costs for persons leaving the country. So this well-meaning but hastily considered floor amendment would, if concurred in by the Senate, have the effect of cutting off all the funds and assistance we voted for Israel in this year's foreign aid appropriation.

In this rare instance the other body appears to have saved us from our folly. The Senate subcommittee considering foreign aid appropriations, upon learning the facts, deleted this provision, and I trust the conferees on the part of the House will go along. I would say that there are other proper ways for this body and the Congress to express our disgust and disapproval of such shameful Soviet exploitation of its Jewish citizens.

Mr. DELANEY. I yield 1 minute to the gentleman from Ohio (Mr. VANIK).

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

VANIK AMENDMENT

Mr. VANIK. Mr. Speaker, I would like to take this time to speak out of order and address myself to the comments just made by the minority leader (Mr. GERALD FORD).

Mr. VANIK. Mr. Speaker, I violently disagree with the distinguished gentleman from Michigan (Mr. GERALD FORD), and his interpretation of the Vanik amendment to the foreign aid bill adopted by the House of Representatives last Thursday evening. This amendment was designed to prohibit trade credits and loans to any nation charging an excessive visa fee on emigrating citizens. The amendment was designed to manifest America's indignation at Soviet policy in selling liberty to departing citizens at prices up to \$37,000.

The adoption of this amendment was telegraphed immediately to the Kremlin, which desperately needs American wheat and other commodities.

I question the interpretation of the State Department which contends that the amendment would deprive aid to nations which impose a travel tax on their citizens. A travel tax is imposed by many nations to protect their balance of payments and to discourage tourism by their own citizens. In the legislation history on this bill, the amendment is applicable

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there will be conference reports in the meantime.

Somewhere in between these measures, H.R. 13915 will be called up.

Mr. AIKEN. I thank the majority leader. Hopefully, all the work he has laid out may be accomplished in less time than he has indicated.

Mr. MANSFIELD. I hope so.

Mr. ALLEN. Will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLEN. Reserving the right to make comment, if I say, I would like to point out to the distinguished majority leader that the practice of maintaining a second track, as the Senators from Alabama has pointed out to the distinguished majority leader, could well prevent the Senate from being given an opportunity to vote on H.R. 13915.

Mr. MANSFIELD. It is the intention of the joint leadership to put the so-called equal educational opportunity bill on the first track when it is called up.

Mr. ALLEN. Does the Senator mean by "first track" the unfinished business, which would come from its having been once the pending business?

Mr. MANSFIELD. The Senator is correct.

Mr. ALLEN. It is the intention of the leadership to make the equal educational opportunity bill the pending business at a time when there is no unfinished business?

Mr. MANSFIELD. The Senator is correct.

Mr. ALLEN. So that it could then move to the status of unfinished business?

Mr. MANSFIELD. The Senator is correct.

Mr. ALLEN. If the distinguished majority leader would bear with the junior Senator from Alabama one moment more, could the distinguished majority leader give the junior Senator from Alabama and those who are greatly interested in this measure some indication of what would be left for consideration by the Senate at the time this bill is made the unfinished business?

Mr. MANSFIELD. No, I cannot. It would depend on what the situation is at the time. It could be the debt ceiling. It could be an appropriation bill. It could be a continuing resolution. It could be a number of bills. But the Senator need have no concern that there will not be enough, at least in the leadership's opinion, to make sure that the leadership is not attempting an end run around the proponents of this measure.

Mr. ALLEN. Then, "must" legislation will be on the Calendar, and by must legislation, the junior Senator from Alabama means legislation that must of necessity pass the Senate prior to sine die adjournment. Must legislation will be on the Calendar at the time the equal educational opportunity bill is made the unfinished business?

Mr. MANSFIELD. Yes. It would come from the listing of the legislation I have just given the Senate.

Mr. ALLEN. But some must legislation would be back of this bill?

Mr. MANSFIELD. Yes. The Senator is correct.

Mr. ALLEN. I thank the distinguished majority leader for that assurance. At a somewhat later date, then, the majority leader could be a little more specific, could he not, in all likelihood, on this point?

Mr. MANSFIELD. Yes, indeed. As the Senator knows, the joint leadership has indicated that it will endeavor to give him and the Senate sufficient notice.

Mr. ALLEN. I thank the distinguished majority leader for the cooperation he has given us in connection with this matter and his firm assurances that we will be given an opportunity to have this matter considered by the Senate as the unfinished business before the Senate, so that it could not be cut off by the plea of one Senator.

Mr. MANSFIELD. Yes, and before sine die adjournment.

Mr. ALLEN. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the Record a letter addressed by me to the distinguished majority leader on September 25, 1972, in connection with H.R. 13915.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. SENATE,
Washington, D.C., September 25, 1972.
Re H.R. 13915.

HON. MIKE MANSFIELD,
Majority Leader, U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: I greatly appreciate the Joint Memorandum of understanding between you and Senator Scott which was inserted in the Congressional Record on September 15, 1972, and also the statements that you made in colloquy with me on that occasion, all having to do with the scheduling for consideration by the Senate of the Equal Educational Opportunity Bill, H.R. 13915. The Joint Leadership has a tremendous responsibility in scheduling legislation, especially in the closing days of a Congress, and I recognize and appreciate this.

H.R. 13915 is a most important piece of legislation that directly affects school children throughout the nation, the quality of education they receive and their health and welfare. Millions of people throughout the country, in my judgment, place this piece of legislation at or near the top in priority of all the measures now pending before the Congress.

In looking forward and considering the possible order of scheduling of the remaining legislation, it occurs to me that by use of the two track system, any bill which is not the unfinished business, but on the second track, is in daily jeopardy, for it would have to have its life or pendency before the Senate renewed each day by unanimous consent. Thus, if H.R. 13915 is presented on the second track, one Senator could, on any day, prevent further consideration of the measure on the next day. Such a situation would make it impossible for a practical standpoint to bring the bill to a vote.

I would like to see the two track system continue if it would expedite the business of the Senate. However, if its continued use would jeopardize full consideration and a possible vote on the merits of H.R. 13915, then I respectfully submit that I would like to see an end put to the use of the two track system for the remainder of this session.

If we could be sure that H.R. 13915 will be made the unfinished business (either by making it the pending business at a time when there is no unfinished business or by

the leadership moving to supplant the unfinished business with this measure), at a time when there are several "must" bills remaining on the Senate calendar, this would prevent the measure being withdrawn from Senate consideration by one Senator desiring to do so, and it is the only way to assure a fair chance of a vote thereon.

I hope that an agreement can be reached whereby H.R. 13915 will move to *unfinished business* status at an early date. In my judgment, such action on the part of the leadership would be in line with your memorandum and the colloquy following it.

Respectfully,

JAMES B. ALLEN.

Mr. MANSFIELD. Mr. President, I now yield to the Senator from Nebraska (Mr. HRUSKA).

EXTENSION OF LIFE OF THE COMMISSION ON CIVIL RIGHTS—CONFERENCE REPORT

Mr. HRUSKA. Mr. President, I submit a report of the committee of conference on H.R. 12652, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. ROTH). The report will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12652) to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12652) to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 8 and 9.

PHILIP A. HART,
ROMAN L. HRUSKA,
HUGH SCOTT,
Hiram L. Fong,

Managers on the Part of the Senate.

EMANUEL CELLER,
JACK BROOKS,
WILLIAM L. HUNGATE,
WILLIAM M. MCCULLOCH,
EDWARD HUTCHINSON,

Managers on the Part of the House.

Mr. HRUSKA. Mr. President, this bill is designed to extend the life of the Commission on Civil Rights, to expand its jurisdiction in some respects, and to au-

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effort of his life." The Christianization of China under Chiang Kai-shek was "a dream that glowed like the Grail. It represented the consummation of the work his father and mother had begun when they sailed for China in 1897." Luce's infatuation with the Chiangs was irreverently known as "Harry's mania" among his colleagues. Swanberg argues that by putting Chiang on Time's cover a record seven times between 1927 and 1948, by tireless lobbying on his behalf, Luce was the prime mover in U.S. support for the Kuomintang. In furnishing scapegoats for the "loss of China," he further suggests, "probably more than any other single force, the Lucepress channeled the groping and disorganized emotions of American distress into McCarthyism."

Swanberg is both amusing and humane about Luce's personality: his relentless curiosity, his humorlessness, his absentmindedness about food and dress (the first Mrs. Luce once called his secretary to ask, "Would you see if Mr. Luce is wearing one brown shoe and one black?"—he was). Working for Luce could be nerve-racking; at luncheons Luce would pick out a hapless staffer and fire questions at him until he became absorbed in his own thoughts and lapsed into a monologue, "dreadfully boring but better than being on the witness stand." A summons to his office for quick answers to tough questions was known as the Terror, the Rack or the Last Judgment.

"For some goddam reason Republicans can't write," the conservative Luce replied when asked why he had so many liberals on his staff. He drove some of the best of them away during the '40s, notably John Hersey and Theodore White, and at a dinner in 1952 for the entire Time staff, many of whom had supported Stevenson against the Boss's choice, Eisenhower, he delivered a swaggering, resentful speech: "I introduce myself to you as your boss . . . I guess that means I could fire any of you . . ."

His lonely, irritable last years were brightened by experiments with LSD, in which his wife, Clare, joined him.

Good as it is, "Luce and His Empire" is disfigured by polemic. While Swanberg says it would be "excessive" to say that without Luce there would have been no China Lobby, no Sen. Joseph McCarthy, no national hysteria over Asian Communism, in effect he seems to attribute every national mistake in more than three decades to Luce's unascertainable power over the American mind. A portentous purple passage worthy of Time at its Lucest describes "the Luce-press . . . permeating the atmosphere with an informational smog so expertly generated that for a time the only smarting eyes and protesting lungs seemed those of a few discerning Democrats, radicals, collegians and labor leaders." Swanberg rhetorically asks "how much of the cost to America in its staggering decay of democracy, law, national unity and spirit" can be laid to Luce's journalism, then leaves the question hanging. Once he even allows himself to call Vietnam "his war"—that is, Luce's.

In indicting Luce for the manipulation of opinion, his biographer should be above reproach. When the German Der Spiegel referred to Luce as one of the U.S.'s seven most powerful men, Swanberg comments: "That business of being among the seven most powerful must have interested Luce. Who in hell were the other six?" And who in hell, a reader may wonder, is the authority for that last sentence? Swanberg here invents a sentiment for Luce in the style of the notorious unidentified bystander in Time stories who used to speak conveniently for the management. I don't admire Luce any more than Swanberg does. I'm only sorry to see Swanberg resorting to some of Luce's techniques.

Mr. FULBRIGHT. It is a very fascinating observation about how it is that we

find ourselves in this extremely serious foreign policy situation.

Mr. President, does the Senator from Pennsylvania wish to take the floor at this time? I was going to comment rather loosely upon some of his previous remarks, but I do not wish to inconvenience the Senator.

Mr. SCOTT. No, I have no objection. The Senator can go right ahead and be loose, and I shall be back in a moment.

Mr. FULBRIGHT. Perhaps, since the Senator is leaving the floor, I should reserve these remarks until he returns so I shall delay just a moment.

Since I was speaking of "Luce and His Empire," it is rather interesting that in the insertion I put in the Record yesterday at page S15787, it will be noted that among the commodities approved for funding under U.S. grant agreements with Cambodia through March 1972, Time magazine was one of the commodities which the foreign aid bill helped to pay for, to send into Cambodia.

There are many other things: air-conditioning equipment, of course, and battery chargers and all kinds of accounting machines, padlocks, brewery supplies, bottle tops—\$19,000 worth of bottle tops—cellophane tape, cigarette manufacturing materials is a very minor one, garden hose, adding machines, calculators, typewriters, pen refills—4 million pen refills for the 7 million people in Cambodia. Colored plumbing fixtures, and so on. I presume that it is a sort of self-perpetuating empire we build: We put so much money into these countries under the aid bills that then they are in a position to order colored plumbing fixtures from the United States as in the case of Cambodia, where I am sure they are great status symbols.

So there are many other things besides bribes to opposition legislators that this bill will pay for, and we ought to be very proud of the great contributions we make to the societies of these various countries, especially in Southeast Asia.

(This marks the end of the proceedings which occurred during the debate on the Foreign Assistance Act of 1972 and which by unanimous consent were ordered to be printed at this point in the Record.)

CONSUMER PROTECTION ORGANIZATION ACT OF 1972

The PRESIDING OFFICER (Mr. ROTH). Under the previous order, the Chair now lays before the Senate the unfinished business, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 3970) to establish a Council of Consumer Advisers in the Executive Office of the President, to establish an independent Consumer Protection Agency, and to authorize a program of grants, in order to protect and serve the interests of consumers, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Alabama without relinquishing my right to the floor.

VISIT TO THE SENATE BY MEMBERS OF THE SWEDISH RIKSDAG

Mr. SPARKMAN. Mr. President, I would like to introduce a distinguished group of visitors to the U.S. Senate. This lady and these gentlemen are participants in a study visit to the United States and Canada and are members of the Committee on Constitutional Matters of the Swedish Riksdag.

I might say they came in just as we started on this series of votes on the foreign assistance bill, so they have had quite a remarkable experience, I think, in seeing how Senators vote.

I present: Mr. Erik Adamsson, Mr. Erik Nelander, Mr. Allan Hernelius, Mrs. Gunbjörg Thunvall, Mr. Karl Boo, Mr. Hilding Johansson, Mr. Holger Mossberg, Mr. Mårten Werner, Mr. Olof Svensson, Mr. Bertil Fiskesjö, Mr. Gusti Gustavsson, Mr. Björn Molin, Mr. Martin Olsson, Mr. Bernt Nilsson, and Mr. Åke Wictorsson.

[Applause, Senators rising.]

RECESS

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate stand in recess in order that my colleagues may have the opportunity to greet these distinguished foreign visitors.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess subject to the call of the Chair.

Whereupon, at 2:49 p.m., the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2:54 p.m. when called to order by the Presiding Officer (Mr. ROTH).

PROGRAM

Mr. AIKEN. Mr. President, may I ask the majority leader what the schedule is for the rest of the day, the rest of the week, the rest of the month, and possibly the rest of the year?

Mr. MANSFIELD. Mr. President, the question raised is too all-encompassing, but I believe the pending business now is S. 3970. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. It is the intention of the joint leadership on tomorrow to call up H.R. 1 and make it the first track in legislation.

We hope, also, that it will be possible to get to the rivers and harbors bill this week.

The pension bill is in a state of limbo at the present time. We do not know what the situation is.

It is anticipated that the foreign assistance appropriations bill will be reported to the full committee probably on Wednesday, that the Labor-HEW appropriations will be reported on Monday or Tuesday to the full committee, and that the Defense appropriations will be reported to the full committee on Thursday of this week.

Military construction appropriations will come up next week.

Supplemental appropriations will come up the week after that.

The debt ceiling will come in there, and

thorize appropriations for the Commission's work.

In all, 10 amendments were considered in the conference. Seven were technical and consisted chiefly of renumbering amendments. The Senate receded on all seven of those amendments.

On amendments 8 and 9, the House receded. The amendments authorized appropriations for the fiscal year 1973 in the amount of \$5.5 million, and in the case of fiscal years 1974 through 1978 in annual amounts of \$7 million. The House figures in those instances were \$6.5 million and \$8.5 million, respectively. But the House receded on those two amendments.

Amendment 10 consisted of title II, which was a bill for the protection of the constitutional rights of Government employees. That was one of the chief subjects of discussion during the course of the conference sessions. The parliamentary difficulties which would have been encountered, had that amendment been retained in the other body, would have been quite difficult. There would have been obstacles of a substantial nature at this late hour in the congressional session which might have worked even a greater hardship than they normally would.

It was chiefly out of deference, and not a shortage of conviction on the part of some of the conferees, that the Senate did recede on that amendment, and proceeded to reach an agreement.

Mr. President, I ask unanimous consent that the requirement to print the conference report as a Senate report be waived.

The PRESIDING OFFICER (Mr. ROY). Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I should like to make one observation with respect to the conference report. I cannot agree to it, but I should like to thank the conferees on the part of the Senate who participated in the conference for the fact that they stood by the Senate amendment which consisted of title II until it became apparent to them that if they continued to do so it might jeopardize passage of the legislation entirely and then, and then only, the Senate voted to recede on title II.

This title is one that I hope to get passed in the next session. It embodies what is called the civil rights of Federal employees. I think it is legislation of great importance. It has passed the Senate several times, the last two times without opposition. Thus far, we have been unable to get the House to take action on it. The Senate conferees stood as long as they reasonably could for the position of the Senate and I want to thank them for doing so.

Mr. JAVITS. Mr. President, may I ask the Senator from Nebraska a question? Could we know how the money authorization for the commission stands?

Mr. HRUSKA. Yes. For fiscal year 1973 the House had asked \$6.5 million. The Senate version was \$5.5 million. The House receded, so the \$5.5 million is authorized for this current fiscal year.

For fiscal years 1974 through 1978, the

House version was \$8.5 million. The Senate version was \$7 million—the latter figure prevailed, the House having receded.

Mr. JAVITS. In each case, the Senate figure prevailed.

Mr. HRUSKA. That is correct.

Mr. JAVITS. Does the Senator know whether the agency itself or the commission itself is restive, or that they indicated any opposition?

Mr. HRUSKA. The commission itself? Mr. JAVITS. Yes.

Mr. HRUSKA. I think it would be safe to say that the Commission on Civil Rights would have preferred the higher figure but the wisdom of the conference was that it should not be so.

Mr. JAVITS. What I meant was, did they react in any way?

Mr. HRUSKA. No, not since the conference.

Mr. JAVITS. Not since the conference. May we know how that compares with what they got in fiscal 1972?

Mr. HRUSKA. I do not have that exact figure available to me right now, but it is an increase.

Mr. JAVITS. The Senator does not know how much, or what the amount is, or anything else? If the Senator would not mind, I should like to find out, so if the Senator would indulge me, it will take only a few minutes, I should like to suggest the absence of a quorum.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HRUSKA. Mr. President, I yield further to the distinguished Senator from New York (Mr. JAVITS).

Mr. JAVITS. Mr. President, I have ascertained that the figure for 1972, according to the veto of the appropriation bill for HEW, et cetera, was \$4,820,000. And the same figure is contained in the so-called new HEW appropriations bill.

I regret that the lowest figure was accepted. I think that the work of the commission is critically important. However, in view of the fact that the commission itself has not seen fit to utter any particularly decided complaint and that the figures exceed \$7 million annually and \$5.5 million for the first year and exceed the figures provided in the appropriations bill, I shall interpose no further objection.

The PRESIDING OFFICER (Mr. ROY). The question is on agreeing to the conference report (putting the question).

The conference report was agreed to.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in recess until 9 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATORS BELLMON, CHURCH, MOSS, AND BAYH TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, following the remarks of the two leaders tomorrow under the standing order, the following Senators be recognized, each for not to exceed 15 minutes and in the order stated: Senators BELLMON, CHURCH, MOSS, and BAYH.

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

ORDER FOR RECOGNITION OF SENATOR ROBERT C. BYRD AND SENATOR SCOTT TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of the aforementioned orders, the following Senators be recognized tomorrow for not to exceed 10 minutes: Senators ROBERT C. BYRD and SCOTT.

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

LEGISLATIVE PROGRAM

Mr. ROBERT C. BYRD. Mr. President, for the information of the Senate, at some time in the afternoon the leadership may, depending on the movement with respect to S. 3970 at that time, decide to take up any one or more of the following measures, on each of which there is a time limitation agreement:

H.R. 10729, an act to amend the Federal Insecticide, Fungicide, and Rodenticide Act.

S. 3987, the Vocational Rehabilitation Act.

S. 3994, a bill to assure that the public is provided with an adequate quantity of safe drinking water.

Mr. President, I just state this as a possibility so that Senators will not feel that all the yea-and-nay votes have been completed for today and that there will be no more. It is possible, even likely, that there could be other yea-and-nay votes today.

Mr. ALLEN. Mr. President, will the Senator yield for a moment?

Mr. ROBERT C. BYRD. Yes. I yield gladly.

Mr. ALLEN. Do I understand that the distinguished and able assistant majority leader mentioned the possibility that the leadership would call up on tomorrow H.R. 10729?

Mr. ROBERT C. BYRD. No. Either the Senator misunderstood or I misspoke myself. I said there was a possibility, later on today, that the leadership would call it up.

Mr. ALLEN. I did misunderstand and thank the Senator. There is a chance, then, that the bill will be called up and there has been a compromise reached on it. It will take only a short time to pass the bill. Possibly later on this afternoon it will be brought up, then?

Mr. ROBERT C. BYRD. Yes.

Mr. ALLEN. I thank the distinguished and able assistant majority leader.

CONSUMER PROTECTION ORGANIZATION ACT OF 1972

The Senate continued with the consideration of the bill (S. 3970) to establish a Council of Consumer Advisers in the Executive Office of the President, to establish an independent Consumer Protection Agency, and to authorize a program of grants, in order to protect and serve the interests of consumers, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. MOSS. Mr. President, I urge the rejection of the amicus amendment. It has been discussed to death. It has been voted down by the Government Operations Committee in executive session. It was defeated by a vote of 240 to 149 in the House during its consideration of the Consumer Protection Agency bill. Let us now give this amendment the fitting burial it deserves, and join with those who have previously considered the amicus amendment and rejected it.

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays on the pending Allen amendment.

The yeas and nays were not ordered. Mr. RIBICOFF. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HANSEN. Mr. President, I ask unanimous consent that during the debate and the vote on the pending bill, a member of my staff, Miss Joann Reed, be given the privilege of the floor.

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

Mr. RIBICOFF. Mr. President, I move to lay the pending Allen amendment on the table.

I ask for the yeas and nays.

The PRESIDING OFFICER. There is not a sufficient second.

CALL OF THE ROLL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

(No. 473 Leg.)		
Allen	Cooper	Hruska
Bayh	Eastland	Hughes
Byrd, Robert C.	Ervin	Javits
Cannon	Hansen	Magnuson
Cook	Hart	Mansfield

Moss
Muskie
Pastore
Pearson
Percy

Randolph
Ribicoff
Roth
Smith
Sparkman

Stennis
Talmadge
Young

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Aiken	Curtis	Long
Allott	Dole	Mathias
Anderson	Dominick	McClellan
Beall	Edwards	Miller
Bellmon	Fannin	Mondele
Bennett	Fong	Montoya
Bentsen	Fulbright	Nelson
Bible	Gambrell	Packwood
Boggs	Gravel	Proxmire
Brooke	Gurney	Schweiker
Burdick	Harris	Stevens
Byrd	Hartke	Steverson
Harry F., Jr.	Hatfield	Symington
Case	Hollings	Thurmond
Chiles	Inouye	Tower
Church	Jackson	Tunney
Cotton	Jordan, Idaho	Weicker
Cranston	Kennedy	

The PRESIDING OFFICER. A quorum is present.

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Alabama. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Minnesota (Mr. HUMPHREY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Rhode Island (Mr. PELL), the Senator from Virginia (Mr. SPONG), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that the Senator from Wyoming (Mr. MCGEE) and the Senator from North Carolina (Mr. JORDAN) are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from New Jersey (Mr. WILLIAMS) would each vote "yea."

Mr. COTTON. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from New York (Mr. BUCKLEY), the Senator from Arizona (Mr. GOLDWATER), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Pennsylvania (Mr. SCOTT) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senators from Ohio (Mr. SAXE

and Mr. TAFT) and the Senator from Vermont (Mr. STAFFORD) are absent on official business to attend the Interparliamentary Union meetings.

The result was announced—yeas 49, nays 31, as follows:

(No. 474 Leg.)
YEAS—49

Anderson	Harris	Nelson
Bayh	Hart	Packwood
Bentsen	Hartke	Pastore
Bible	Hatfield	Pearson
Boggs	Hollings	Percy
Brooke	Hughes	Proxmire
Burdick	Inouye	Randolph
Byrd, Robert C.	Jackson	Ribicoff
Cannon	Javits	Roth
Case	Kennedy	Schweiker
Chiles	Magnuson	Smith
Church	Mansfield	Stevens
Cook	Mathias	Steverson
Cranston	Mondale	Symington
Ervin	Montoya	Tunney
Fulbright	Moss	
Gravel	Muskie	

NAYS—31

Aiken	Dole	Long
Allen	Dominick	McClellan
Allott	Eastland	Miller
Beall	Edwards	Sparkman
Bellmon	Fannin	Stennis
Bennett	Fong	Talmadge
Byrd	Gambrell	Thurmond
Gurney	Hansen	Tower
Harry F., Jr.	Hruska	Weicker
Cooper	Jordan, Idaho	Young
Cotton		
Curtis		

NOT VOTING—20

Baker	Jordan, N.C.	Saxbe
Brock	McGee	Scott
Buckley	McGovern	Spong
Eagleton	McIntyre	Stafford
Goldwater	Metcalf	Taft
Griffin	Mundt	Williams
Humphrey	Pell	

So the motion to table Mr. ALLEN's amendment (No. 1568) was agreed to.

Mr. ERVIN. Mr. President, I move to reconsider the vote by which the amendment was laid on the table.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. ROTH). The question is on agreeing to the motion to table the motion to reconsider the vote by which the Allen amendment was laid on the table.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Rhode Island (Mr. PELL), the Senator from Virginia (Mr. SPONG), the Senator from New Jersey (Mr. WILLIAMS), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from New Mexico (Mr. MONTOYA) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. JORDAN) and the Senator from Wyoming (Mr. MCGEE) are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY), the Senator from South Dakota (Mr. MCGOVERN), the Senator