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to leave the country and who have been seeking to exercise that right for years and for decades at the cost of endless difficulty and humiliation.

You know that prisons, labor camps and mental hospitals are full of people who have sought to exercise this legitimate right.

You surely know the name of the Lithuanian, Simas A. Kudirka, who was handed over to the Soviet authorities by an American vessel, as well as the names of the defendants in the tragic 1970 hijacking trial in Leningrad. You know about the victims of the Berlin Wall.

There are many more lesser known victims. Remember them, too!

For decades the Soviet Union has been developing under conditions of an intolerable isolation, bringing with it the ugliest consequences. Even a partial preservation of those conditions would be highly perilous for all mankind, for international confidence and detente.

In view of the foregoing, I am appealing to the Congress of the United States to give its support to the Jackson Amendment, which represents in my view and in the view of its sponsors an attempt to protect the right of emigration of citizens in countries that are entering into new and friendlier relations with the United States.

The Jackson Amendment is made even more significant by the fact that the world is only just entering on a new course of detente and it is therefore essential that the proper direction be followed from the outset. This is a fundamental issue, extending far beyond the question of emigration.

Those who believe that the Jackson Amendment is likely to undermine anyone's personal or governmental prestige are wrong. Its provisions are minimal and not demeaning.

It should be no surprise that the democratic process can add its corrective to the actions of public figures who negotiate without admitting the possibility of such an amendment. The amendment does not represent interference in the internal affairs of socialist countries, but simply a defense of international law, without which there can be no mutual trust.

Adoption of the amendment therefore cannot be a threat to Soviet-American relations. All the more, it would not imperil international detente.

There is a particular silliness in objections to the amendment that are founded on the alleged fear that its adoption would lead to outbursts of anti-semitism in the U.S.S.R. and hinder the emigration of Jews.

Here you have total confusion, either deliberate or based on ignorance about the U.S.S.R. It is as if the emigration issue affected only Jews. As if the situation of those Jews who have vainly sought to emigrate to Israel was not already tragic enough and would become even more hopeless if it were to depend on the democratic attitudes and on the humanity of OVIR [the Soviet visa agency]. As if the techniques of "quiet diplomacy" could help anyone, beyond a few individuals in Moscow and some other cities.

The abandonment of a policy of principle would be a betrayal of the thousands of Jews and non-Jews who want to emigrate, of the hundreds in camps and mental hospitals, of the victims of the Berlin Wall.

Such a denial would lead to stronger repressions on ideological grounds. It would be tantamount to total capitulation of democratic principles in face of blackmail, deceit and violence. The consequences of such a capitulation for international confidence, detente and the entire future of mankind are difficult to predict.

I express the hope that the Congress of the United States, reflecting the will and the traditional love of freedom of the American people, will realize its historical responsibility before mankind and will find the strength

to rise above temporary partisan considerations of commercialism and prestige.

I hope that the Congress will support the Jackson Amendment.

(signed) A. SAKHAROV.

September 14, 1973.

Mr. JACKSON. Mr. President, let me quote from another part of the letter because there has been such misunderstanding of the Jackson amendment—one paragraph from Dr. Sakharov's letter—and he is referring here to the right of Jews to leave:

But, as you know, there are tens of thousands of citizens in the Soviet Union—Jews, Germans, Russians, Ukrainians, Lithuanians, Armenians, Estonians, Latvians, Turks and members of other ethnic groups—who want to leave the country and who have been seeking to exercise that right for years and for decades at the cost of endless difficulty and humiliation.

Mr. President, I mention that, only in the context of our understanding here, that we are talking about something very fundamental which is now international law. In 1948 the United Nations adopted a Universal Declaration of Human Rights, under article XIII, which provided for the right of any citizen to leave the country and to return to that country; 25 years later we are talking about the very same point, not really having done anything about it, unless and until the Jackson amendment is adopted.

Mr. President, I have been dismayed to learn that a high American official, the Deputy Assistant Secretary of Commerce for East-West trade, recently sent an intermediary to meet with a group of Russian Jews—brave men who have been waging a heroic struggle for the right to emigrate freely—to advise them to lobby American citizens against my amendment to the trade bill that would make trade concessions to the Soviet Union contingent on free emigration. But what is perhaps most shameful is the indication, in a statement by 12 Jewish scientists in Moscow, that this American official warned that the Soviet Government would "wreak vengeance" on its Jewish citizens and that "no one would be able to come to [their] aid" if the Jackson amendment were to be approved by the Congress.

In contrast to the ugly spectacle of a high administration official conveying a Soviet warning of reprisals, there is this response from the brave Jews of the Soviet Union:

Apprehension for our future fate must not become a . . . pretext to abandon the fight for our human rights.

And, of course, as Sakharov well understands, the Jackson amendment and the struggle for free emigration extend to citizens in the Soviet Union, Jews and non-Jews alike, who, in Sakharov's words:

Want to leave the country and who have been seeking to exercise that right for years and for decades at the cost of endless difficulty and humiliation.

Mr. President, Andrei Sakharov, in his open letter to us, has courageously and eloquently urged that the Congress agree to my amendment to the trade bill and to its companion measure, the Mills-Vanik provision in the House. It is ironic that Sakharov's forceful argument

should come to us at a moment when the trade bill is before the House Committee on Ways and Means and when there is a move underway—which I am certain will not succeed—to kill the Mills-Vanik measure by a hastily drafted administration-backed Corman-Pettis alternative that would disappoint the hopes of thousands of people to whom we are trying to help bring just a little bit of freedom. I am confident that the House of Representatives, and the 18 co-sponsors of the Mills-Vanik amendment on the Ways and Means Committee, will reject this or any such maneuver and keep their promise to those innocent men and women who desire only to emigrate to the free world.

Withholding most-favored-nation treatment and subsidized credits from nonmarket countries until they implement the right to emigrate is the most effective action the Congress can take in the area of human rights. The Mills-Vanik amendment in the House and the Jackson amendment in the Senate do just that. As a nation of immigrants, we can do no less.

Mr. President, Andrei Sakharov, by speaking out at this moment when both he himself and the movement for human rights in the Soviet Union are gravely threatened by the full power of the Soviet state, has challenged each of us to higher levels of conscience and responsibility. Let me conclude with his words—and with my affirmation that we shall meet our responsibilities before history:

The abandonment of a policy of principle would be a betrayal of the thousands of Jews and non-Jews who want to emigrate, of the hundreds in camps and mental hospitals, of the victims of the Berlin Wall.

Such a denial would lead to stronger repressions on ideological grounds. It would be tantamount to total capitulation of democratic principles in face of blackmail, deceit and violence. The consequences of such a capitulation for international confidence, detente and the entire future of mankind are difficult to predict.

I express the hope that the Congress of the United States, reflecting the will and the traditional love of freedom of the American people, will realize its historical responsibility before mankind and will find the strength to rise above temporary partisan considerations of commercialism and prestige.

I hope that the Congress will support the Jackson Amendment.

STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1974

The Senate continued with the consideration of the bill (H.R. 8916) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

Mr. MONDALE. Mr. President, I send to the desk an amendment and ask unanimous consent that its reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and reading of the amendment will be dispensed with. It will be printed in the RECORD at this point.

The text of the amendment is as follows:

On page 14, between lines 3 and 4, insert the following new section:

Sec. 105. (a) The Senate finds that—

(1) physicist Andrei Sakharov, novelist Alexander Solzhenitsyn, historian Pyotr Yakir, economist Viktor Krasin, and other citizens of the Soviet Union have demonstrated enormous courage and intellectual honesty in advocating and defending the importance of fundamental civil and political liberty, the necessity for the free and unrepressed dissemination of ideas, and the meaning of basic human decency although faced with increasing harassment and imminent danger of criminal sanction;

(2) the intensive and thorough campaign of the Soviet Government to intimidate and deter those who have spoken out against repression of political and intellectual dissent profoundly offends the conscience of a free people; and

(3) recent incidents of Soviet Government-sanctioned anti-Semitism violate internationally agreed-upon principles of human rights, including free emigration and free expression of ideas.

(b) It is, therefore, the sense of the Senate that the President should take immediate and determined steps to—

(1) impress upon the Soviet Government the grave concern of the American people with the intimidation of those within the Soviet Union who do not adhere to prevailing ideology;

(2) call upon the Soviet Government to permit the free expression of ideas and free emigration by all its citizens in accordance with the Universal Declaration of Human Rights; and

(3) use the medium of current negotiations with the Soviet Union as well as informal contacts with Soviet officials in an effort to secure an end to repression of dissent.

Mr. MONDALE. Mr. President, this is a sense of the Senate resolution in the form of an amendment, and follows the comments of the distinguished Senator from Washington (Mr. JACKSON) concerning the outrageous and repressive treatment by the Soviet Government of many distinguished critics in the Soviet Union, led by such great world citizens as Mr. Alexander Solzhenitsyn, the Nobel laureate, and Dr. Sakharov, the father of the Soviet hydrogen bomb, and many other men of letters and science, as well as literally millions of minorities and others in the Soviet Union who have been intimidated and repressed, as the Senator from Washington (Mr. JACKSON) so clearly and eloquently just described earlier.

Mr. President, I was offended, astounded, and shocked the other day when, following a most moving resolution by the National Academy of Sciences, under the direction of Dr. Handler, condemning the harassment and detention of Sakharov and the other repressive acts to which we have made reference, our own Secretary of Health, Education and Welfare, Mr. Weinberger, upon his return from a tour of health facilities in the Soviet Union—I wish he would visit some of our own—incredibly criticized the National Academy of Sciences for taking this position on behalf of humanity and condemned it as being contrary to the policy of the United States.

Mr. President, on many occasions our country has made clear its support of article 5 of the United Nations, which

calls for an international convention on the elimination of all forms of racial discrimination—which, incidentally, was ratified by the Soviet Union in 1969—and article 19, the so-called Universal Declaration of Human Rights, which says:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of subject.

It is not only these articles, but also such things as the recent public humiliation of Mr. Yakir and Mr. Krasin, who, in an appearance that was remindful of the sham trials described by Arthur Koestler in "Darkness at Noon," were forced to appear in front of western journalists and plead guilty to phony charges which had been placed against them by the Soviet Government.

These practices, it seems to me, require at least an expression of outrage by the Senate and some of the other steps to which Senator JACKSON and others have made reference. That is what this sense of the Senate resolution is designed to do, and I hope the distinguished floor manager will accept it.

Mr. President, I ask unanimous consent that the name of the Senator from Massachusetts (Mr. KENNEDY) be added as a cosponsor.

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

Mr. PASTORE. Mr. President, there is a relevancy between this amendment and the State Department, although it is not binding. It is merely a sense of the Senate resolution. We all feel as strongly about this as does the Senator from Minnesota, and I do not think anybody in the Chamber is opposed to it—at least, so far as I know. I am going to accept it.

Mr. HRUSKA. I have no objection.

Mr. PASTORE. I yield back the remainder of my time.

Mr. MONDALE. I wish to make one modification, so that the amendment will read "section 106." It is a technical change.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota, as modified.

The amendment, as modified, was agreed to.

Mr. HUMPHREY. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 47, line 24, strike out "\$40,000,000" and insert in lieu thereof "\$45,934,000".

Mr. HUMPHREY. Mr. President, the amendment merely adds \$5 million to the Radio Free Europe appropriation. This still would be below the authorization. It would make the sum of \$45,934,000 instead of \$40 million.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. The House cut the es-

timate by \$5 million. We cut it further \$5 million. I understand that this amendment brings it back to the House figure.

Mr. HUMPHREY. That is correct.

Mr. PASTORE. If that is the case, I am perfectly willing to accept it, if the Senator from Nebraska is.

Mr. HRUSKA. Mr. President, the suggestion is agreeable to this Senator.

The PRESIDING OFFICER. Is all time yielded back?

Mr. HUMPHREY. I yield back the remainder of my time.

Mr. PASTORE. I yield back the remainder of my time.

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

The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors of the amendment: Mr. MATHIAS, Mr. PERCY, Mr. MCGEE, Mr. RIBICOFF, Mr. SCHWEIKER, Mr. COOK, Mr. BUCKLEY, and Mr. BROCK.

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

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. PASTORE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized, in the engrossment of the Senate amendments to H.R. 8916, to correct any technical or clerical errors.

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

Mr. HATHAWAY. Mr. President, I shall be brief but I do wish to express my concern at the continuing low level of support we are giving to the Antitrust Division of the U.S. Department of Justice. I am aware that our distinguished committee did see fit to raise the Division's appropriation from \$13 million in the budget request to \$14 million, and I commend the committee on this action. Unfortunately, however, this is not enough.

I am becoming more and more convinced, as our economic troubles pile up, that a renewed emphasis on antitrust—both new legislation and enforcement—is critical if the traditional American economic system is to survive. Since 1950, our GNP has grown from \$285 billion to well over a trillion dollars, an increase in the "size" of the economy of 312 percent. During this same period, the professional staff of the Antitrust Division grew from 314 to 354, an increase of only 12 percent. Meanwhile, the country's 200 largest industrial corporations increased their share of manufacturing assets from 46 to 66 percent, the bulk of the increase attributable to mergers, not internal corporate growth. Those 354 staffers at the Justice Department, plus a somewhat smaller contingent at the Federal Trade Commission, are being asked to police the activities of 1.5 million corporations, 245 of which have assets of more than

a billion dollars and more than 85,000 of which have assets of over a million dollars.

I submit that in a free enterprise economy, where the basic decisions on resource allocation, prices, and production are supposedly made by the market mechanism through the force of competition, this paltry amount to keep competition alive is scandalous. As the Nader report on antitrust enforcement pointed out, this amount represents one-twentieth of Procter & Gamble's advertising budget, one-tenth of the cost of a C-5A transport plane, and one-fifth of the appropriation of the Bureau of Commercial Fisheries. To put it in another perspective, it has been estimated that IBM will spend in the neighborhood of \$20 million in defense of the antitrust charges presently pending against it—an amount equal to the total antitrust enforcement expenditures of the entire U.S. Government.

Still another way to assess this problem is to consider that we spend over \$30 billion a year—local, State, and Federal—on the prevention of ordinary "street crime" while the threat of "business crime" merits only a few million dollars. And lest anyone think that business crime is not significant, I would point out that the electrical conspiracy of 1961 stole more from the consumers that year than the total of all the conventional robberies in the Nation that year. I could go on and on with examples to dramatize the inadequacy of our antitrust effort; suffice it to say that if we are serious about preserving competition, we are going to have to start paying some attention to—and spending some money on—antitrust.

I realize that even if we give them an extra \$1 million the administration is not likely to spend it. This is not like other types of appropriations. One of the reasons we do not have better enforcement of our antitrust laws is that the Antitrust Division of the Department of Justice is grossly understaffed. About 80 percent of the cases coming before the Antitrust Division are settled; they do not have the manpower to take them all to court. Many large corporations in this country spend more money defending themselves in antitrust cases than we are spending in the Antitrust Division. If we are going to restore competition in our society which will go a long way toward bringing down higher prices that we are suffering from today we should beef up the Antitrust Division.

Mr. PASTORE. Mr. President, I assure my distinguished colleague from Maine that the committee gave very serious consideration to this matter of antitrust. The request was made that we increase the amount over and above the budget estimate by \$3 million. We talked on that matter hard and long for a long time and we finally decided to make it \$1 million. I think it will be sufficient. It will allow them to engage 56 additional employees on a 9-month basis during this fiscal year.

By the time this gets to the President, it will be the end of September or October before it is signed. Practically one-half of the fiscal year has passed. Let

us give it a trial with the \$1 million additional. I do not know how we are going to make out in the House, but we will do the best we can.

Mr. HATHAWAY. I thank the Senator from Rhode Island.

Mr. HATFIELD. Mr. President, I wish to call attention to some budget additions made by our committee that I believe to be wise investments. They are all ocean or coastal related items, and are of great interest in my State of Oregon.

The important aspect of this also can be seen when we see that even with these budget additions of \$14.9 million, our overall bill as we sent it to the floor is some \$52 million under the administration budget request. I think we have beefed up programs with obvious benefits, while cutting needless expenses elsewhere in the budget. The Oregon programs that will be increased all are people-centered ones I support strongly.

I refer specifically to the budget additions of \$1 million for the sea-grant college program, \$348,000 for the monitoring of foreign fishing activities off our coasts, and \$10 million for funding of the Coastal Zone Management Act.

The sea-grant program at Oregon State University has been one of the real leaders in the country, and I am advised that the million-dollar increase nationwide should provide funds for some beneficial programs at OSU that have been shelved, because of budgetary restraints.

While I was a member of the Senate Commerce Committee, we considered the coastal zone bill, and it is one I support. I need not point out that without funds, however, it is only ink in the books—doing no good. I believe Congress must provide the funding for the laws we enact, for it is not being candid with people to enact legislation and then fail to follow it up with funding. There were no funds at all requested when the bill was considered by the House. Then, on August 15, 1973, the administration did request \$5 million to implement the act. In my opinion, and I know I speak for others on the Appropriations Committee, more funds are needed if the Coastal Zone Act is to bear fruit and help save our coastal resources. Therefore, we are in the debt of Senators MAGNUSON and HOLLINGS, who led efforts to step up this funding.

I certainly support this higher level, and I would point out that the estuarine sanctuary program would receive funding if this higher funding level is retained. Yaquina Bay, in my hometown of Newport, is one of the bays under consideration in this aspect of the program, and I believe it would be a wise expenditure of funds.

Also, I need not repeat the concerns we have in the Northwest about the depletion of our fishery resources by foreign fishing fleets that vacuum up fish off Oregon and Washington. The \$348,000 budget addition here will help provide better monitoring.

Mr. TUNNEY. Mr. President, I rise to congratulate the chairman of the Appropriations Subcommittee on State-Justice-Commerce Appropriations, Mr. PASTORE, for increasing funds for two

important items: the budget of the Antitrust Division and the budget of the Community Relations Service of the Justice Department. The subcommittee has recommended an increase of \$1 million for each item over the administration requests, and over the amounts appropriated by the House.

Both issues have concerned me for some time. Last year, I offered a floor amendment to increase the Antitrust Division budget by \$2 million. Unfortunately, a point of order against the floor amendment was sustained. This year, Senator HART, myself, and other members of the Judiciary Committee sent a letter to subcommittee Chairman PASTORE requesting a budget increase of \$3 million. Fortunately, the subcommittee has partially acceded to our request, and increased the budget request by \$1 million.

With respect to the Community Relations Service, I wrote to the subcommittee chairman on July 17 requesting that the \$4 million in funds slashed from this division's request by the administration be restored. Again, the subcommittee has attempted to meet this request by adding back \$1 million.

Both issues are extremely important.

I ask unanimous consent to print in the Record the letters to which I have referred.

There being no objection, the letters were ordered to be printed in the Record, as follows:

JULY 17, 1973.

HON. JOHN O. PASTORE,
Chairman, Senate Appropriations Subcommittee on State, Justice, Commerce, the Judiciary, Washington, D.C.

DEAR JOHN: It is my understanding that your subcommittee currently is marking-up appropriations that include funding for the Community Relations Service of the Justice Department. The service was set up under the Civil Rights Act of 1964 to help reduce racial tensions and conflicts, but it will all but be dismantled under the administration's 1974 budget, which slashes funds for the service from \$6.8 to \$2.8 million. This goes beyond cutting to the bone. It cuts through the bone in a meat-axe amputation of the one federal agency charged with conciliating racial disputes. The service, which has shunned publicity, has been spectacularly successful in behind-the-scenes negotiations in preventing violence and settling conflicts. It has worked in major cities in California and in troubled farm lands in the Central Valley. My state would be particularly hard hit by the drastic cut-back, and its two-man Los Angeles office would be closed. I'm sure other areas throughout the United States would be similarly affected and I would urge you and your subcommittee to restore funding to this vital service. Thank you for your consideration.

Sincerely,

JOHN V. TUNNEY,
U.S. Senator.

U.S. SENATE,
Washington, D.C., June 28, 1973.

HON. JOHN O. PASTORE,
Chairman, Subcommittee for the Departments of State, Justice, Commerce, the Judiciary, and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is to request an increase of \$3 million in the budget for the Antitrust Division of the Department of Justice.

We make this request mindful of wide-

spread concern about inflation and the effect of government spending on the economy.

Economists of various persuasions, including Dr. Arthur Burns, Chairman of the Federal Reserve Board, and Dr. Pierre Rinfret, formerly Special Economic Advisor to President Nixon, have stated that the most effective way to control prices is to increase competition in the marketplace.

The antitrust laws are designed to do just that, and effective enforcement of those laws remain the nation's best defense against unhealthy economic concentration. Certainly, we do not suggest that an additional \$3 million for the Antitrust Division will solve the problem of inflation, but we do believe it could help. Equally important, potential savings to consumers from successful antitrust actions could more than offset the increase.

For example, antitrust action against five drug companies has directly reduced prices of the important antibiotic tetracycline to consumers by 95 percent. The antitrust action against a number of electrical equipment manufacturers led to treble damage settlements which resulted in more than \$500 million being returned to consumers through reduced utility rates. The electrical equipment conspiracy settlements alone would meet the division's current budget for more than 40 years.

Surprisingly enough, despite such success, the budget for the division—when measured in 1958 dollars—has decreased since 1950, while the size of the economy has more than doubled. So in the face of a well-documented trend toward economic concentration, the division employs fewer persons to enforce the antitrust laws than it did 23 years ago.

As a result, cases which are brought drag on longer; and many actions are not filed because the division is reluctant to take on "big cases" which would tie up a large percentage of its resources. About ten percent of the division's manpower is now working full time on the IBM case. That case was filed over four years ago and has yet to come to trial. Even more striking, Control Data Corporation's private suit against IBM was settled in a pretrial stage with a \$15 million payment from IBM to cover Control Data's legal expenses alone. This sum exceeds the division's entire budget.

Unhappily, the hard fact is that to a great extent the cases brought today must be made against giant defendants whose resources swamp those of the Antitrust Division. In 1950, there were only a dozen manufacturing corporations with assets in excess of \$1 billion; as a group, they held 18 percent of all manufacturing assets. By 1972, 52 percent of all manufacturing assets were held by 115 "billion dollar" firms.

The Administration has requested about \$13 million for the division for fiscal year 1974, a small and clearly inadequate increase over last year's total. An increase of \$3 million would allow the division to hire 50 more lawyers and support personnel, including economists. It is our understanding that the division could usefully absorb such an increase.

It seems to us then that our request is consistent with congressional concern about inflation and federal spending. Further, our request should enjoy the support of all of us who believe competition in the marketplace is the best way to control prices and of those who recognize that successful antitrust actions can save consumers many times over the cost to the Federal Government.

With best wishes,
Sincerely,

EDWARD M. KENNEDY,
BIRCH BAYH,
EDWARD J. GURNEY,
PHILIP A. HART,
JOHN V. TUNNEY.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. PASTORE. I yield back my time.

Mr. HRUSKA. I yield back my time.

The PRESIDING OFFICER. All time has been yielded back. The question is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from South Dakota (Mr. ABOUREZK), the Senator from Texas (Mr. BENTSEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Idaho (Mr. CHURCH), the Senator from California (Mr. CRANSTON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Hawaii (Mr. INOUE), and the Senator from Louisiana (Mr. LONG) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON) and the Senator from Kansas (Mr. PEARSON) are absent because of illness.

The Senator from Utah (Mr. BENNETT) and the Senator from New York (Mr. JAVITS) are absent on official business.

The Senator from Oklahoma (Mr. BARTLETT) and the Senator from Vermont (Mr. STAFFORD) are detained on official business.

The Senator from Illinois (Mr. PERCY) is necessarily absent, and, if present and voting, would vote "yea."

The result was announced—yeas 85, nays 0, as follows:

[No. 394 Leg.]

YEAS—85

Aiken	Gravel	Moss
Allen	Griffin	Muskie
Baker	Gurney	Nelson
Bayh	Hansen	Nunn
Beall	Hart	Packwood
Bible	Hartke	Pastore
Biden	Haskell	Pell
Brock	Hatfield	Proxmire
Brooke	Hathaway	Randolph
Buckley	Helms	Ribicoff
Byrd,	Hollings	Roth
Harry F. Jr.	Hruska	Saxbe
Byrd, Robert C.	Huddleston	Schweiker
Cannon	Hughes	Scott, Pa.
Case	Humphrey	Scott, Va.
Chiles	Jackson	Sparkman
Clark	Johnston	Stennis
Cook	Kennedy	Stevens
Cotton	Magnuson	Stevenson
Curtis	Mansfield	Symington
Dole	Mathias	Taft
Domenici	McClellan	Talmadge
Dominick	McClure	Thurmond
Eagleton	McGee	Tower
Ervin	McGovern	Tunney
Fannin	McIntyre	Welcker
Fong	Metcalf	Williams
Fulbright	Mondale	Young
Goldwater	Montoya	

NAYS—0

NOT VOTING—15

Abourezk	Burdick	Javits
Bartlett	Church	Long
Bellmon	Cranston	Pearson
Bennett	Eastland	Percy
Bentsen	Inouye	Stafford

So the bill (H.R. 8916) was passed.

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. McCLELLAN, Mr. MANSFIELD, Mr.

HOLLINGS, Mr. MAGNUSON, Mr. EAGLETON, Mr. FULBRIGHT, Mr. HRUSKA, Mr. FONG, Mr. BROOKE, Mr. COTTON, and Mr. YOUNG conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, before the distinguished Senator from Rhode Island leaves the floor, I want to commend him for the outstanding job which he has done today in having passed the appropriations bill dealing with State, Commerce, the Judiciary, and related agencies.

I think it is worthy of note that the bill which has just been passed unanimously by the Senate is \$63,522,750 under the budget request of the President. This is only another indication of the attitude of economy of the distinguished Senator from Rhode Island not only in this particular instance, but I also point out that very few people know of the part he has played over the past 4 years in making possible an overall reduction below the President's budget requests during that period of time of something over \$20 billion.

Too often, the people who are the workhorses and not the show horses do not get the credit which is their due. But I want the Record to show that Senator JOHN PASTORE has once again done a great job in the field of economy for the people of this country, and done it in a way which was able to achieve a unanimous vote of approval from the Senate as a whole.

Mr. GRIFFIN. Mr. President, I rise to join the distinguished majority leader in paying tribute to the chairman of the subcommittee, the distinguished Senator from Rhode Island (Mr. PASTORE), and also to the distinguished ranking minority member of the subcommittee, the Senator from Nebraska (Mr. HRUSKA) and others who worked so hard to hold the line on spending in this appropriation bill.

In the light of remarks made by the distinguished majority leader, and others from time to time that Congress appropriates less than the President requests, it needs to be emphasized that what really counts is how much is actually spent under all the bills that Congress passes.

Over and over again, back door spending legislation is ignored in the assessment of what Congress does. The fact is as members of the Appropriations Committee know very well that because of more and more backdoor spending bills which require expenditure of funds without the approval of the Appropriations Committee, we are finding that less and less of the money spent is actually under the control of the committee. The fact that the Appropriations Committee is able to hold appropriation bills down below the budget requests does not mean that this Nation is not going into debt.

As the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.) has pointed out over and over again, the debt of this Nation is getting out of control. So every time a speaker seeks to impress this body or the Nation about how Congress is saving money, I hope they will not only add up the appropriation bills but will also add up how much money is being spent through the backdoor spend-

ing process. That is where the trouble is really getting out of hand.

I yield to the distinguished Senator from Virginia, if he seeks the floor.

Mr. HARRY F. BYRD, JR. I thank the distinguished Senator from Michigan.

Mr. President, I just wanted to point out that there are two large appropriation bills yet to be acted on—the two largest, incidentally—the defense appropriation and the appropriation for HEW. Each of those will be in the tens of billions of dollars, and I rise now only to express the hope that before either of those bills is called up for consideration, adequate time will be given for individual Senators to study the committee reports.

I happen to be reasonably familiar with the Defense bill, and I am not concerned about that. But many others who are not on the Armed Services Committee should be concerned about the size of the Defense bill. I am not on the committee handling the HEW appropriation, so that will require a great deal of study for me to know how much is in that appropriation when it comes to the floor, the justifications for it, and so forth.

My only purpose in commenting today is to say that the Senate will have before it, before it adjourns, two tremendous appropriation bills. The Defense bill will total, when it is all added together, somewhere around \$80 billion, and the HEW bill will be even more than that, when you add to it all of the component parts. So I do not think we want to be in the position of having to act too hastily on either of those gigantic appropriation bills, and I would hope that the Appropriations Committee, when it reports out each of those bills, will make available to the Senate the legislation from the committee and the committee report at the earliest possible time, so that each Senator will have an opportunity to examine it with some care before it comes to the floor.

Mr. PASTORE. Mr. President, first of all, I want to thank the majority leader for his complimentary remarks, and also the minority whip (Mr. GRIFFIN).

I think I should observe at this time that over the years I have been an antagonist of backdoor spending, and one thing that has surprised me more than anything else was the part the administration played 2 years ago, because it was election year, in advocating a revenue-sharing bill that submitted the taxpayers of this country to a cost of \$30 billion, and when some of us here in the Senate tried to subject that bill to the scrutiny of the Appropriations Committee, we were told that was not the way the administration wanted it done. That, to me, was the biggest travesty in my recollection upon the appropriations process that was adopted by this Congress, because all we tried to do at that time was say, "Put it before the Appropriations Committee and let them determine, year in and year out, as to whether or not the money is being wasted or well spent."

When we tried to do that, Mr. President, we were told that the White House—wanted to eliminate the appropriations process, and that the money had to go forthwith—forthwith—and all we had to be satisfied with was that some

department downtown was going to audit the books—not the Congress of the United States, but someone downtown in the administration was going to audit the books. And that is where we started.

Yes, it is all wrong. There should not be any backdoor financing, because that is where your big money goes. I agree with the minority whip. But I am telling you that when we were allowed to vote for \$30 billion—and that is no trifling amount—\$30 billion, in order to give it to every State and every community, without the scrutiny of the Appropriations Committee, that was a grievous mistake, in my opinion, because the Appropriations Committee, over the years, has been very, very careful, and the best example we have is before us today.

We fought hard. Yes, we increased some few items where we thought they should be increased, and we cut other items where it should have been cut, but we came back to the Senate with a bill that was \$52,368,500 under the request of the President, and I think that was a hard feat to accomplish.

Mr. GRIFFIN. Mr. President, will the distinguished Senator yield?

Mr. PASTORE. I yield.

Mr. GRIFFIN. I want to say that the Senator from Rhode Island has made an excellent point—a point which is not in conflict, as he well understands, with the point that I made.

When you talk about how much money Congress has approved, you do not just add up the appropriation bills, but the backdoor spending bills as well.

Mr. PASTORE. I know.

Mr. GRIFFIN. We agree on that.

Mr. PASTORE. But, if the Senator will yield, all those bills were signed by the President.

Mr. GRIFFIN. Oh, yes.

Mr. PASTORE. Not one of those was vetoed; not one of them. And he advocated some backdoor spending, too; and that is the complaint I am making. We should have done without it all, and we would have been a lot better off. Rely on the Appropriations Committee, and we will keep this budget in order.

Since Mr. Nixon has been President of the United States, and we are talking about the debt, we have added more than \$100 billion to the national debt of this country. That is much more than three Democratic administrations before him ever did.

Mr. GRIFFIN. Mr. President, I think the Senator from Rhode Island knows very well that the division on that question was not along party lines. He had some allies on this side of the aisle on the question of whether they should go through the Appropriations Committee. In the final analysis, it seems to me we both agree on that. When someone wants to get up and tell the country about what Congress has done or has not done in terms of spending, let us add it all up and not just talk about appropriations bills.

RETIREMENT INCOME SECURITY FOR EMPLOYEES ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No.

119, S. 4, that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER (Mr. HELMS). The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 4) to strengthen and improve the protections and interests of participants and beneficiaries of employee pension and welfare benefit plans.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Retirement Income Security for Employees Act".

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