

Mr. McCORMACK. That is the only expense I can see.

I may say that the gentleman from Virginia [Mr. SMITH] introduced a companion resolution, House Joint Resolution 412, and I want the RECORD to show that while it is a pleasure for me to submit this request because the late Admiral Byrd and I were very close friends, and he was a very great American, yet I am doing so at the request of and for the gentleman from Virginia [Mr. SMITH].

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

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

There was no objection.

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

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FILE

### ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. FOUNTAIN submitted the following conference report and statement on the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations:

#### CONFERENCE REPORT (H. REPT. NO. 1184)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

#### "ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

"SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the 'Commission'.

#### "DECLARATION OF PURPOSE

"SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

"It is intended that the Commission, in the performance of its duties, will—

"(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

"(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

"(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

"(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

"(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

"(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

"(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

#### "MEMBERSHIP OF THE COMMISSION

"SEC. 3 (a) The Commission shall be composed of twenty-six members, as follows:

"(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

"(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

"(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

"(4) Four appointed by the President from a panel of at least eight Governors submitted by the Governors' Conference;

"(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

"(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

"(7) Three appointed by the President from a panel of at least six elected county officers submitted by the National Association of County Officials.

"(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), (6), and (7) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5), (6) and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

"(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

#### "ORGANIZATION OF THE COMMISSION

"SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting.

"(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

"(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

"(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

"(e) Thirteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

#### "DUTIES OF THE COMMISSION

"SEC. 5. It shall be the duty of the Commission—

"(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

"(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

"(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

#### "POWERS AND ADMINISTRATIVE PROVISIONS

"SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

"(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

"(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

"(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

"(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary;

"(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed \$50 a day for individuals.

"(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d) (1) of this section shall be considered to be Federal employees for all purposes, including—

"(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251-2267),

"(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091-2103),

"(3) annual and sick leave, and

"(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835-842).

"(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of \$20,000 per annum.

#### "COMPENSATION OF COMMISSION MEMBERS

"SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Ex-

pense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835-842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

"(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of \$50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

#### "AUTHORIZATION OF APPROPRIATIONS

"Sec. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

And the Senate agree to the same.

L. H. FOUNTAIN,  
OVERTON BROOKS,  
FLORENCE P. DWYER,

*Managers on the Part of the House.*

EDMUND S. MUSKIE,  
HUBERT H. HUMPHREY,  
KARL E. MUNDT,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendment of the Senate strikes out all of the House bill after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is substitute for both the House bill and the Senate amendment.

Except for clerical and conforming amendments, the conference substitute is substantially the same as the House bill, except as follows:

The House bill provided for a membership of 25 members on the Advisory Commission on Intergovernmental Relations; the Senate amendment provided for a membership of 27 members. The conference substitute provides for a membership of 26 members on the Commission.

The House bill provided that two members of the Commission were to be appointed from a panel of at least four elected county officers submitted by the National Association of County Officials; the Senate amendment provided that four members were to be appointed from a panel of at least eight elected county officers so submitted. The conference substitute provides that three members of the Commission are to be appointed from a panel of at least six elected county officers submitted by such association. Under the conference substitute, not more than two of the three members appointed from such panel may be from any one political party.

The conferees express the hope that in selecting a panel of county officers for submission to the President, the National Association of County Officials will give consideration to all qualified county officers, regardless of whether or not they are affiliated with the association.

L. H. FOUNTAIN,  
OVERTON BROOKS,  
FLORENCE P. DWYER,

*Managers on the Part of the House.*

Mr. FOUNTAIN. Mr. Speaker, I call up the conference report on the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the statement.

The conference report was agreed to, and a motion to reconsider was laid on the table.

#### DATE OF MEETING OF SECOND SESSION

Mr. McCORMACK. Mr. Speaker, I offer a House joint resolution and ask unanimous consent for its immediate consideration.

The Clerk read the House joint resolution as follows:

##### HOUSE JOINT RESOLUTION 531

*Resolved*, That the second regular session of the Eighty-sixth Congress shall begin at noon on Wednesday, January 6, 1960.

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

There was no objection.

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

#### DOCUMENTARY EVIDENCE IN SESSION OF THE HOUSE OF REPRESENTATIVES

Mr. McCORMACK. Mr. Speaker, I offer a House resolution and ask unanimous consent for its immediate consideration.

The Clerk read the House resolution, as follows:

##### HOUSE RESOLUTION 389

Whereas by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

*Resolved*, That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

*Resolved*, That during any recess or adjournment of the Eighty-sixth Congress, when a subpoena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, be authorized to appear before said court at the place and

time named in any such subpoena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

*Resolved*, That when any said court determines upon the materiality and the relevancy of the papers or documents called for in the subpoena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant (except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto be disclosed or copied), nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

*Resolved*, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpoena or other orders are issued and served as aforesaid.

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

There was no objection.

The House resolution was agreed to, and a motion to reconsider was laid on the table.

#### AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS

Mr. McCORMACK. Mr. Speaker, I offer a House concurrent resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

##### HOUSE CONCURRENT RESOLUTION 439

*Resolved by the House of Representatives (the Senate concurring)*, That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

#### ADJOURNMENT OF CONGRESS SINE DIE

Mr. McCORMACK. Mr. Speaker, I offer a preferential House concurrent resolution for immediate consideration.

The Clerk read as follows:

##### HOUSE CONCURRENT RESOLUTION 440

*Resolved*, That the two Houses of Congress shall adjourn on Monday, September 14, 1959, and that when they adjourn on said day, they stand adjourned sine die.

The House concurrent resolution was agreed to.