

H 12198

CONGRESSIONAL RECORD—HOUSE

Mills
Mize
Monagan
Montgomery
Morton
Moss
Murphy, Ill.
O'Konski
O'Neal, Ga.
Ottinger
Patman
Pelly
Pettis
Pollock
Powell
Price, Tex.
Rarick
Reifel

Reuss
Rhodes
Rivers
Roe
Rostenkowski
Roudebush
Rousselot
Ruppe
Ruth
St Germain
Satterfield
Saylor
Scherle
Shipley
Sikes
Snyder
Steele
Steiger, Ariz.

Stephens
Stokes
Sullivan
Taft
Tunney
Waggonner
Waldie
Weicker
Wilson, Bob
Wilson,
Charles H.
Winn
Wold
Wolf
Wylder
Young
Zwach

Mr. O'Konski with Mr. Pelly.
Mr. Taft with Mr. Wold.
Mr. Weicker with Mr. Reifel.
Mr. Coughlin with Mr. Cowger.
Mr. Don H. Clausen with Mr. Button.
Mr. Steele with Mr. Roudebush.
Mr. Meskill with Mrs. May.
Mr. Morton with Mr. Lukens.

Mr. WILLIAM D. FORD changed his vote from "nay" to "yea."
Mr. ECKHARDT changed his vote from "nay" to "yea."
Mr. BURTON of California changed his vote from "yea" to "nay."
Mr. HAGAN changed his vote from "nay" to "yea."

reducing the amount by \$125,000 from the amount contained in the House-approved bill.

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

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

There was no objection.
The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Brooks for, with Mr. St Germain against.

Mr. Fallon and Mr. Shipley for, with Mrs. Chisholm against.

Mr. Waggonner and Mr. Devine for, with Mr. Barrett against.

Mr. Montgomery and Mr. Long of Louisiana for, with Mr. Edwards of California against.

Mr. Abbutt and Mr. Rivers for, with Mr. Hawkins against.

Mr. Caffery and Mr. Fäscell for, with Mr. Moss against.

Mr. Fulton of Tennessee and Mr. Rarick for, with Mr. Roe against.

Mr. Sikes and Mr. Stephens for, with Mr. Stokes against.

Mr. Cabell and Mr. Dowdy for, with Mr. Waldie against.

Mr. Patman and Mr. O'Neal of Georgia for, with Mr. Wolf against.

Mr. Satterfield and Mr. Haley for, with Mr. Charles H. Wilson against.

Mr. McMillan and Mr. Landrum for, with Mr. Delaney against.

Mr. Evins of Tennessee and Mr. Camp for, with Mr. Brown of California against.

Mr. Latta and Mr. Lujan for, with Mr. Clay against.

Mr. Martin and Mr. Price of Texas for, with Mr. Diggs against.

Mr. Saylor and Mr. Rhodes for, with Mr. Farstein against.

Mr. Dent and Mr. Wylder for, with Mr. McCarthy against.

Mr. Andrews of North Dakota and Mr. Del Clawson for, with Mr. Ottinger against.

Mr. Corbett and Mr. Pettis for, with Mr. Powell against.

Mr. Zwach and Mr. Pollock for, with Mr. Gilbert against.

Mr. Mills and Mr. Burton of Utah for, with Mr. Collins of Illinois against.

Mr. Burke of Florida and Mr. Hastings for, with Mr. Tunney against.

Mr. Snyder and Mr. Scherle for, with Mr. Miller of California against.

Mr. Ruth and Mr. Steiger of Arizona for, with Mr. Murphy of Illinois against.

Mr. Aspinall with Mr. Bob Wilson.

Mrs. Sullivan with Mr. Fish.

Mr. Hull with Mrs. Dwyer.

Mr. Galifianakis with Mr. Michel.

Mr. Gibbons with Mr. McCulloch.

Mr. Rostenkowski with Mr. Mathias.

Mrs. Griffiths with Mr. Horton.

Mrs. Hansen of Washington with Mr.

Belcher.

Mr. Reuss with Mr. Adair.

Mr. Young with Mr. Mize.

Mr. Hungate with Mr. Rousselot.

Mr. Burlison of Missouri with Mr. Ruppe.

Mrs. Daddario with Mr. Brock.

Mr. Monagan with Mr. Winn.

Mr. Hall with Mr. Denney.

Mr. Crane with Mr. Cramer.

Mr. Clancy with Mr. Halpern.

Mr. Berry with Mr. Ayres.

Mr. Langen with McClory.

The result of the vote was announced as above recorded.
The doors were opened.
A motion to reconsider was laid on the table.

CORRECTION OF VOTE

Mr. DERWINSKI. Mr. Speaker, on rollcall No. 416 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.

Mr. SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING SPEAKER TO DECLARE RECESS MONDAY, TUESDAY, AND WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it be in order during Monday, Tuesday, and Wednesday of this week for the Speaker to declare a recess at any time subject to the call of the Chair.

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

There was no objection.

SOUTH PACIFIC COMMISSION

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 1161) to amend Public Law 403, 80th Congress, of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "\$325,000" and insert "\$250,000".

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

Mr. GROSS. Mr. Speaker, reserving the right to object, did I hear that this is being increased from \$25,000 to \$250,000?

Mr. GALLAGHER. No; that is not correct. The executive request was \$325,000. The House approved the request for the full \$325,000. The Senate approved a cut in that, and they voted out the measure for \$250,000. So what we are doing is

AMENDING CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4571) to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

The Clerk read as follows:

S. 4571
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

SECTION 1. Section 204(b) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note), is amended by striking subsection (3) and inserting the following in lieu thereof:

"(3) 'Child', for the purposes of sections 221 and 232 of this Act, means an unmarried child, including (i) an adopted child, and (ii) a stepchild or recognized natural child who lived with the participant in a regular parent-child relationship, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support, or such unmarried child between eighteen and twenty-two years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution. A child whose twenty-second birthday occurs prior to July 1 or after August 31 of any calendar year, and while he is regularly pursuing such a course of study or training, shall be deemed for the purposes of this paragraph and section 221(e) of this Act to have attained the age of twenty-two on the first day of July following such birthday. A child who is a student shall not be deemed to have ceased to be a student during any interim between schools years if the interim does not exceed five months and if he shows to the satisfaction of the Director that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately following the interim. The term 'child', for purposes of section 241, shall include an adopted child and a natural child, but shall not include a stepchild."

Sec. 2. Section 221(e) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended to read as follows:

"(e) The commencing date of an annuity payable to a child under paragraph (c) or (d) of this section, or (c) or (d) of section 232, shall be deemed to be the day after the annuitant or participant dies, with payment beginning on that day or beginning or resuming on the first day of the month in which the child later becomes or again becomes a student as described in section 204 (b) (3), provided the lump-sum credit, if

tion there is for sale—.22-caliber rimfire. To make a long story short, both the Justice Department and the Treasury Department say this exemption or exception as to recordkeeping will not in any way weaken the bill as passed in the 90th Congress.

Last year, we wisely accepted and exempted certain types of sporting ammunition; to-wit, shotgun ammunition and the component parts of ammunition. We relieved at that time one unwarranted burden on sportsmen. Let us now remove another. Let us give back to the lads in our rural areas the privilege to once again shoot some coyotes, squirrels, and civet cats.

The clincher of all arguments in favor of the exemption as to recordkeeping of these small-caliber cartridges is the fact this exemption has the support of two departments downtown. Both Justice and Treasury says there is no single instance up to now in which the present recordkeeping has led to a successful investigation or prosecution of the gun-control law that was passed in the 90th Congress. Up to this point, recordkeeping has been self-defeating because well-meaning citizens have enjoyed a false sense of security in the belief their security has been enhanced by the law. Rising crime statistics prove the contrary is true. Now is the time to eliminate the ineffective, unproductive and foolishness of recordkeeping.

Mr. ULLMAN. Mr. Speaker, to close debate, I yield the balance of my time to the gentleman from Wisconsin (Mr. BYRNES).

(Mr. BYRNES of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 14233, a bill which adds .22-caliber rimfire bullets to the ammunition which is exempt from reporting requirements of the Gun Control Act of 1968.

The Congress in 1969 exempted shotgun ammunition, ammunition suitable for use in rifles which are generally available in commerce, and component parts of this ammunition from the recordkeeping requirements of the Gun Control Act of 1968. The primary aim of this exemption was, as the Members will recall, to relieve the Treasury Department—as well as hunters and firearms dealers—of the unusually heavy burden of keeping extensive records on transactions involving ammunition used by sportsmen. The 1969 exemption did not include .22-caliber rimfire ammunition, which remains subject to reporting requirements of the act.

The committee, in its consideration of this bill, was told that .22-caliber rimfire ammunition is the most popular of all sporting ammunition, and that the recordkeeping requirements impose substantial burdens on the Government and the public without offsetting advantages of law enforcement.

The Treasury and Justice Departments agreed that they know of no instance where the recordkeeping requirement relating to sporting ammunition—including .22-caliber rimfire—has been helpful to law enforcement. Additionally, the Treasury Department pointed out

that because sales of .22-caliber rimfire ammunition are so heavy, the recordkeeping is particularly burdensome, consuming time that would be more profitably in the enforcement of other sections of the firearms law. The Department of Justice, while in general deferring to the Treasury Department views, also told the committee that—

There is not a single known instance, as we have learned from our discussions with IRS, with the firearms people there, not a single known instance where any of this recordkeeping has led to a successful investigation and prosecution of a crime.

We must ask ourselves whether or not the recordkeeping burden imposed on purchasers, sellers, and the Government, relative to .22-rimfire ammunition, is of any value to our law enforcement efforts. Since the law enforcement agencies agree the recordkeeping requirements in the cure of .22-caliber rimfire ammunition are valueless—indeed the Treasury Department suggested they may be counterproductive—we can no longer justify the burden that is imposed. I want to make it absolutely clear that this bill does not affect existing controls on sales to juveniles, drug addicts, felons, and others subject to the provisions of the Gun Control Act of 1968.

Mr. Speaker, this bill is consistent with action taken earlier by the Congress to exempt other sporting ammunition. It was approved unanimously by the committee, and I recommend it to the House for endorsement now.

The SPEAKER. The question is on the motion of the gentleman from Oregon (Mr. ULLMAN) that the House suspend the rules and pass the bill, H.R. 14233, as amended.

The question was taken.

Mr. BINGHAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 246, nays 59, not voting 128, as follows:

[Roll No. 435]

YEAS—246

| | | |
|----------------|----------------|-----------------|
| Abernethy | Broyhill, Va. | Dorn |
| Albert | Buchanan | Downing |
| Alexander | Burleson, Tex. | Dulski |
| Anderson, | Bush | Duncan |
| Calif. | Byrnes, Wis. | Eckhardt |
| Anderson, Ill. | Carney | Edmondson |
| Anderson, | Carter | Edwards, Ala. |
| Tenn. | Casey | Edwards, La. |
| Andrews, Ala. | Cederberg | Erlenborn |
| Annunzio | Chamberlain | Esch |
| Arends | Chappell | Eshleman |
| Baring | Clark | Evans, Colo. |
| Beall, Md. | Cleveland | Feighan |
| Bennett | Collier | Findley |
| Betts | Collins, Tex. | Fisher |
| Bevill | Coimer | Flood |
| Blackburn | Conable | Flowers |
| Blanton | Conte | Flynt |
| Blatnik | Culver | Foley |
| Boggs | Cunningham | Ford, Gerald R. |
| Boland | Daniel, Va. | Ford, |
| Bow | Davis, Ga. | William D. |
| Bray | Davis, Wis. | Foreman |
| Brintkley | de la Garza | Forsythe |
| Broomfield | Dellenback | Fountain |
| Brotzman | Dennis | Frelinghuysen |
| Brown, Mich. | Derwinski | Frey |
| Brown, Ohio | Dickinson | Friedel |
| Broyhill, N.C. | Dinwiddie | Fulton, Pa. |

| | | |
|-----------------|---------------|----------------|
| Fuqua | McCloskey | Rooney, Pa. |
| Garmatz | McClure | Roth |
| Gaydos | McDade | Sandman |
| Gettys | McDonald, | Schadeberg |
| Giaino | Mich. | Schmitz |
| Goldwater | McEwen | Schneebeli |
| Gonzalez | McFall | Schwengel |
| Goodling | Macdonald, | Scott |
| Gray | Mass. | Sebellus |
| Green, Oreg. | MacGregor | Shriver |
| Griffin | Madden | Sisk |
| Gross | Mahon | Skubitz |
| Grover | Mailliard | Slack |
| Gubser | Mann | Smith, Calif. |
| Hagan | Marsh | Smith, Iowa |
| Hamilton | Mayne | Smith, N.Y. |
| Hammer- | Meeds | Springer |
| schmidt | Melcher | Stafford |
| Hanley | Miller, Ohio | Staggers |
| Hanna | Minshall | Stanton |
| Hansen, Idaho | Mizell | Steed |
| Harsha | Mollohan | Steiger, Wis. |
| Harvey | Moorhead | Stratton |
| Hays | Morgan | Stubblefield |
| Heckler, Mass. | Myers | Stuckey |
| Henderson | Natcher | Stuccott |
| Hicks | Nedzi | Taylor |
| Hogan | Neisen | Teague, Calif. |
| Hosmer | Nichols | Teague, Tex. |
| Hunt | Obey | Thompson, Ga. |
| Hutchinson | O'Hara | Thomson, Wis. |
| Ichord | Olsen | Udall |
| Jacobs | Passman | Ullman |
| Jarman | Patten | Van Deerin |
| Johnson, Calif. | Pepper | Vander Jagt |
| Johnson, Pa. | Perkins | Vigorito |
| Jonas | Pickle | Wampler |
| Jones, Ala. | Pirnie | Ware |
| Jones, N.C. | Poage | Watson |
| Jones, Tenn. | Poff | Watts |
| Karh | Preyer, N.C. | Whalen |
| Kazen | Price, Ill. | Whalley |
| Kee | Pryor, Ark. | White |
| Keith | Pucinski | Whitehurst |
| King | Purcell | Whitten |
| Kleppe | Quile | Widnall |
| Kluczynski | Quillen | Wiggins |
| Kuykendall | Railsback | Williams |
| Kyl | Randall | Wright |
| Kyros | Reid, Ill. | Wyatt |
| Landgrebe | Riegle | Wylie |
| Leggett | Roberts | Wyman |
| Lennon | Robison | Yatron |
| Lloyd | Rogers, Colo. | Zablocki |
| Long, Md. | Rogers, Fla. | Zion |

NAYS—59

| | | |
|----------------|-----------------|----------------|
| Adams | Eilberg | Murphy, N.Y. |
| Addabbo | Frazer | Nix |
| Ashley | Gallagher | O'Neill, Mass. |
| Bell, Calif. | Green, Pa. | Philbin |
| Blaggi | Gude | Pike |
| Biester | Harrington | Podell |
| Bingham | Hathaway | Rees |
| Bolling | Hechler, W. Va. | Reid, N.Y. |
| Brademas | Helstoski | Rodino |
| Brasco | Hollifield | Rooney, N.Y. |
| Burke, Mass. | Howard | Rosenthal |
| Burton, Calif. | Kastenmeier | Roybal |
| Byrne, Pa. | Koch | Ryan |
| Carey | Lowenstein | Scheuer |
| Celler | Matsunaga | Symington |
| Cobelan | Mikva | Thompson, N.J. |
| Conyers | Minish | Tiernan |
| Corman | Mink | Vanik |
| Daniels, N.J. | Morse | Yates |
| Donohue | Mosher | |

NOT VOTING—128

| | | |
|---------------|-----------------|----------------|
| Abbutt | Collins, Ill. | Hall |
| Adair | Corbett | Halpern |
| Andrews, | Coughlin | Hansen, Wash. |
| N. Dak. | Cowger | Hastings |
| Ashbrook | Cramer | Hawkins |
| Aspinall | Crane | Hébert |
| Ayres | Daddario | Horton |
| Barrett | Delaney | Hull |
| Belcher | Denney | Hungate |
| Berry | Dent | Landrum |
| Brock | Devine | Langen |
| Brooks | Diggs | Latta |
| Brown, Calif. | Dowdy | Long, La. |
| Burke, Fla. | Dwyer | Lujan |
| Burlison, Mo. | Edwards, Calif. | Lukens |
| Burton, Utah | Evins, Tenn. | McCarthy |
| Button | Fallon | McClary |
| Cabell | Farbstein | McCulloch |
| Caffery | Fascell | McKeeally |
| Camp | Fish | McMillan |
| Chisholm | Fulton, Tenn. | Martin |
| Clancy | Galifianakis | Mathias |
| Clausen, | Gibbons | May |
| Don H. | Gilbert | Meskill |
| Clawson, Del | Griffiths | Michel |
| Clay | Haley | Miller, Calif. |

paid, is returned to the fund. Such annuity shall terminate on the last day of the month before (1) the child's attaining age eighteen unless he is a student as described or incapable of self-support, (2) his becoming capable of self-support after attaining age eighteen unless he is then such a student, (3) his attaining age twenty-two if he is then such a student and not incapable of self-support, (4) his ceasing to be such a student after attaining age eighteen unless he is then incapable of self-support, (5) his marriage, or (6) his death, whichever first occurs."

Sec. 3. Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting the last two sentences of paragraph (f), and adding the following new paragraphs (i), (j), and (k):

"(i) Except as otherwise provided, the annuity of a participant shall commence on the day after separation from the service, or on the day after salary ceases and the participant meets the service and the age or disability requirements for title thereto. The annuity of a participant under section 234 shall commence on the day after the occurrence of the event on which payment thereof is based. An annuity otherwise payable from the fund allowed on or after date of enactment of this provision shall commence on the day after the occurrence of the event on which payment thereof is based.

"(j) An annuity payable from the fund on or after date of enactment of this provision shall terminate (1) in the case of a retired participant, on the day death or any other terminating event occurs, or (2) in the case of a survivor, on the last day of the month before death or any other terminating event occurs.

"(k) The annuity computed under this section is reduced by 10 per centum of a special contribution described by section 252(b) remaining unpaid for civilian service for which retirement deductions have not been made, unless the participant elects to eliminate the service involved for the purpose of annuity computation."

Sec. 4. Section 236 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting the words "nor a total of four hundred" and substituting the words "nor a total of eight hundred".

Sec. 5. Section 252 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting paragraph (c) (1); renumbering paragraphs (c) (2) and (c) (3) to read (c) (3) and (c) (4); and inserting the following new paragraphs (c) (1) and (c) (2):

"(c) (1) If an officer or employee under some other Government retirement system becomes a participant in the system by direct transfer, the Government's contributions (including interest accrued thereon computed at the rate of 3 per centum a year compounded annually) under such retirement system on behalf of the officer or employee shall be transferred to the fund and such officer or employee's total contributions and deposits (including interest accrued thereon), except voluntary contributions, shall be transferred to his credit in the fund effective as of the date such officer or employee becomes a participant in the system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the system.

"(c) (2) If a participant in the system becomes an employee under another Government retirement system by direct transfer to employment covered by such system, the Government's contributions (including interest accrued thereon computed at the rate of 3 per centum a year compounded annually) to the fund on his behalf shall be transferred to the fund of the other system

and his total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to his credit in the fund of such other retirement system effective as of the date he becomes eligible to participate in such other retirement system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the fund on account of service rendered prior to his becoming eligible for participation in such other system."

Sec. 6. Section 252 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by adding the following new paragraph (g):

"(g) For the purpose of survivor annuity, special contributions authorized by paragraph (b) of this section may also be made by the survivor of a participant."

The SPEAKER. Is a second demanded?

Mr. BRAY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts (Mr. PHILBIN).

Mr. PHILBIN. Mr. Speaker, the bill makes certain changes in the CIA Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. These conforming amendments deal with definitions related to child survivors, commencement date of annuities, and a formula for crediting prior Federal service not covered by contributions.

It also makes two other changes. It provides for the transfer of employee contributions into and out of the CIA retirement fund and increases the ceiling on retirements. Essentially, the bill conforms the current CIA bill of 1964 with the U.S. Civil Service Act.

Mr. Speaker, S. 4571 is a bill to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes.

The bill makes certain changes in the CIA Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. These conforming amendments deal with definitions relating to child survivors, commencement date of annuities, and a formula for crediting prior Federal service not covered by contributions. It also makes two other changes. It provides for the transfer of employer contributions into and out of the CIA retirement fund and increases the ceiling on retirements.

As you know, the CIA Retirement Act was enacted to provide a comprehensive retirement and disability programs for a limited number of employees whose duties either were in support of agency activities abroad, hazardous to life or health, or so specialized as to be clearly distinguishable from normal Government employment. The CIA operates under two retirement systems; the regular civil service retirement system for the majority of its employees, and the one established under the CIA Retirement Act of 1964 for a very limited number of employees.

The Senate Armed Services Committee reported this bill on December 8,

1970, and it passed the Senate on December 10, 1970, without any controversy.

Section 1 does three things: First, it eliminates the requirement that a child be dependent upon a parent retiree in order to receive a survivor annuity. The present definition of a child requires that the child receive more than half his support from the participant to be eligible. This requirement could defeat a survivor annuity based on the service of a working mother. This support requirement was eliminated from the Civil Service Retirement Act by the 89th Congress—Public Law 89-504.

Second, it also raises from 21 to 22 the maximum age for receiving survivor annuity payments as a student and increases from 4 to 5 months as the maximum absence from school which may be permitted without terminating the survivor annuity. This will aid survivor children enrolled in trimester programs to secure employment and earn money without losing their annuity.

This same action was taken by the 89th Congress for student beneficiaries under the Civil Service Retirement Act (Public Law 89-407, 504).

Lastly, it permits a natural child to share in the distribution of any money in the CIA retirement and disability fund. The act today clearly permits a natural child to receive an annuity but it is not entirely clear with respect to lump-sum benefits. This would correct this deficiency.

A similar provision amending the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-407.

Section 2 provides for the commencement and termination date for a child survivor annuity and assures that the survivor annuity of a student may be resumed even though it had previously been terminated, as for example, because of military service. Today once an annuity has been terminated because of an absence between school terms in excess of the maximum absence authorized, the annuity cannot be resumed.

A similar amendment to the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-504.

Section 3 makes a technical change in the law which will authorize the commencement of an annuity as soon as the individual enters a nonpay status. Under existing law, an annuitant must wait until the beginning of the month following his date of separation.

It also incorporates specific provisions for termination of annuities to retirees and survivors.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 U.S.C. 8345.

Section 3 also makes a technical change in the law which will provide an option to credit prior civilian service for which no deductions have been made by reducing the resulting annuity by 10 per cent of the amount owed. This will conform the CIA retirement system to the civil service system in this respect—5 U.S.C. 8339(h).

Section 4 increases to 800 the retirement ceiling imposed on anticipated retirements through June 30, 1974. Under existing law, retirements during the

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formative years of the system were limited to 400 for the first 5-year period ending June 30, 1974. In the absence of actuarial experience the establishment of a ceiling on retirements was necessarily somewhat arbitrary. The ceiling was established with the understanding of all concerned that it would be adjusted as necessary. Experience to date has indicated that the ceiling of 400 for the second 5-year period is insufficient. In the interest of orderly and equitable personnel management an increase in this ceiling is essential. The Agency is rapidly reaching the ceiling now established by law and without the increase would be unable to accommodate the numbers who will go on the retired list prior to June 1974.

Under existing law, an individual who transfers into the CIA retirement fund from some other Government retirement system can transfer his contributions from the other fund to the CIA fund, but there is no provision for transfer of the Government contribution to such fund.

Also, when an individual transfers from the CIA retirement fund to some other Government retirement fund, there is no provision for the transfer of either the Government's contribution or his own contribution to the non-CIA retirement fund. Section 5 would correct the inequities of this situation.

The Civil Service Commission is wholly in accord with this change.

Section 6 makes a technical change in the law granting to survivors the same right afforded participants to purchase retirement credit for prior civilian service.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 U.S.C. 8334.

Mr. Speaker, I know that this body would want to enact this legislation because it merely equalizes the benefits to this special group of employees to civil service employees. I urge the passage of the bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. Yes, the gentleman will be pleased to yield to the distinguished and able gentleman from Iowa.

Mr. GROSS. We all know, I am sure, that there are two retirement systems in the CIA. Would this expand on early retirement for that portion of CIA employees who are alleged to be or held to be in hazardous employment? Do we have here a repetition of the bill that was approved a few days ago to bring certain other employees under early retirement?

Mr. PHILBIN. No, we have some backlog in applications at the present time, and this bill would step up somewhat the opportunities for those who are eligible for application to make such applications, to bring them up to date. But it does not make any inordinate increases of opportunities for applications. As the gentleman knows, 25 percent of the present personnel of CIA is engaged in overseas and very hazardous occupations that require them to be away from the country for long periods of time. The overwhelming number of employees of CIA employed in this country or overseas are not in hazardous employment.

This bill does not make any increase in the number of people eligible for that retirement.

Mr. GROSS. This bill is not designed to expand upon the numbers in the CIA who are now covered by early retirement?

Mr. PHILBIN. Yes, there would be some increase. There are a few, and as they become eligible there would be some increase. The limit was about 400. I think at the present time it runs up to 600 or thereabout, and this bill would provide another 400 to take care of those as well as those who may become eligible in future years, through the next 5 years, for example.

Mr. GROSS. Then I ask the gentleman, What will that increase the unfunded liability of the Government employees' retirement fund?

Mr. PHILBIN. These people, before they can become eligible for retirement, must have 20 years of service and be at least 50 years of age, as the gentleman knows. I am sure the gentleman is well informed as to the types of persons who are recruited for this very dangerous type of work.

Mr. GROSS. Unfortunately, I am uninformed as to all the ramifications of what you are proposing here today, and I would like to have some estimate at least of the contribution to the unfunded liability of the retirement fund which is already billions of dollars in the red.

Mr. PHILBIN. It is estimated that this bill would create only a minimal in cost to the Government.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield to the distinguished and able gentleman from Virginia.

Mr. SCOTT. Mr. Speaker, I have listened to the exchange between the two gentlemen; yet I still do not understand whether there will be more people included in the early retirement. Will additional people be permitted to retire after 20 years of service, and at age 50?

Mr. PHILBIN. At the present time there are some who are already eligible for retirement. There are not enough numbers of authorizations to accommodate those people, and this bill will increase the number, so that group can be taken care of, and also it will take care of those who will become eligible in the next 5 years. There will be an increase in the bill to provide for those who are going to become eligible across the board, for the next 5 years, not only among those who will become eligible following overseas service, but also those who will become eligible after general or regular service.

Mr. SCOTT. Mr. Speaker, if the gentleman will yield further, I am not thinking of numbers, but ask if there is a change in the law under which different categories of people within the CIA would come under early retirement?

Mr. PHILBIN. No, sir; there is no change in the law in respect to a change in entitlement, only to the numbers who may retire.

Mr. SCOTT. I thank the gentleman.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield to the distinguished and able gentleman from Texas.

Mr. GONZALEZ. Mr. Speaker, I rise in connection with this bill to ask some questions only because a few years ago I attempted to get some information concerning the CIA and I was told there was not anybody on the congressional level who really knew either the extent of the moneys expended for this Agency or, for that matter, the number of employees.

It would seem to me that without trying to divulge unnecessary secret and vital information regarding the security of the Nation, we should know if this committee has any kind of oversight over this Agency and does the committee know how many employees the Agency has, and whether or not it duplicates any other intelligence services in or out of the Government? I ask this because some 4 or 5 years ago some information I received from one service was that there was needless duplication.

In connection with this legislation the question would be: If we do not have any idea as to how many employees this would affect, how do we know the ultimate impact on cost?

Mr. PHILBIN. We have information from the agency as to what the impact on cost would be.

I may say to the gentleman, the overall figures as to employees in the agency would be security figures. They would be classified for the most part. If the gentleman wants to get those figures, I can see no reason why he could not get them as a Member of Congress, although they are not generally known.

Mr. GONZALEZ. My understanding is that a few years ago even to the Members of Congress the extent or dimension would not be divulged, and that in fact even the highest levels of congressional leadership did not really know the full range and extent of the activities. If this is true, then there is a question as to whether the matter of security reaches that high, to even the congressional leadership not having full information on such a thing as the extent of the appropriations the Congress itself provides for this agency.

I am not trying to divulge information that should not be divulged, if it relates to the security or the safety of the Nation.

It seems to me, the difficult times in which we live, with the urgent necessity for an open society to create this type of agency for its own defense, at least on the congressional level we could have some assurance that some committee or some leadership in the Congress knows exactly what is going on in that agency.

Mr. PHILBIN. As the distinguished gentleman knows, this is merely a bill which deals with the retirement system the Congress has set up to provide retirement for those employed in the agency.

Insofar as oversight by congressional committees is concerned, there is that function exercised by the Committee on Armed Services of the House to a considerable extent. As the gentleman knows, the members of our committee would be bound by the same classifica-

tion regulation and the same security regulation which other people would be bound by generally, with respect to numbers and sometimes the detailed activities of what the agency is doing.

I can assure the gentleman that one of the subcommittees of the Committee on Armed Services of the House meets regularly with officials of the CIA and is given complete briefings and complete answers to any questions propounded. As I say, there are some classified areas, as the gentleman knows, and the gentleman from Massachusetts would not feel disposed to talk specifically about the classified aspects on the RECORD.

Mr. GONZALEZ. But the members of the Armed Services Committee—or at least, the Armed Services Committee, itself, is privy to the substantial goings on in that Agency?

Mr. PHILBIN. Yes, to a very large extent.

Mr. GONZALEZ. To a large extent?

Mr. PHILBIN. Yes; I would say that we cover, in our talks and in our conversations and conferences, virtually all the work that the agency is undertaking. We receive full reports from them. We cover a wide range, and I should say practically all the activities are made known to us in one way or another. But we are not privileged to make that information public.

Mr. GONZALEZ. No.

Mr. PHILBIN. We are not able to make it public in debates in the House.

Mr. GONZALEZ. I understand that. What I am getting at is the question: Is there any aspect of the activity of the CIA that the members of this Special Subcommittee of the Armed Services Committee wish to find out about in a proper way, and whether they have that freedom to do so?

Mr. PHILBIN. Yes; the committee would have freedom to do so.

Mr. GONZALEZ. The Agency is amenable to oversight by the committee?

Mr. PHILBIN. That is true; yes. If the gentleman has any questions he wishes the committee to propound the committee would be glad to do so.

Mr. GONZALEZ. I thank the gentleman.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I am pleased to yield to my distinguished and able colleague from Massachusetts (Mr. KEITH).

(Mr. KEITH asked and was given permission to revise and extend his remarks.)

Mr. KEITH. I appreciate the gentleman yielding.

Mr. Speaker, I would like to pay tribute to my colleague from Massachusetts for his many years of devoted service to our Nation and to the Armed Services Committee.

Mr. Speaker, I was elected to the State senate in 1952 on an issue relating to pensions that we were providing for members of the legislative branch and for State employees. It became an issue of tremendous public interest because of the hodgepodge that we had in the State government in Massachusetts.

Mr. Speaker, I am afraid that we are developing a hodgepodge here in this

piecemeal attack on pensions for Federal employees. We are establishing precedents for future actions that we do not really appreciate their magnitude and their influences on our operations and on our economy.

I would hope that some committee of this House, preferably, I suppose, the Committee on Post Office and Civil Service, would make an indepth study of just where we are going and what the long-range benefits are, because to retire someone at the age of 50 and allow them to go to work elsewhere in other Government employment, or to actually take him out of the work force and have him retire at the age of 50 in is in my opinion very inflationary.

Mr. Speaker, I think this is a precedent-setting trend and one to which I would object that we enter into so late in the session. I would hope that a bill of this sort would lay over between the branches of the Congress or that the executive would take it up next year after more methodical study.

I thank the gentleman for yielding.

Mr. PHILBIN. I thank the gentleman for his remarks.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield such time as he may consume to the distinguished gentleman from Illinois (Mr. ARENDS).

(Mr. ARENDS asked and was given permission to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, S. 4571 is a bill to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes.

The bill makes certain changes in the CIA Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. These conforming amendments deal with definitions relating to child survivors, commencement date of annuities, and a formula for crediting prior Federal service not covered by contributions. It also makes two other changes. It provides for the transfer of employer contributions into and out of the CIA retirement fund and increases the ceiling on retirements.

As you know, the CIA Retirement Act was enacted to provide a comprehensive retirement and disability program for a limited number of employees whose duties either were in support of agency activities aboard, hazardous to life or health, or so specialized as to be clearly distinguishable from normal Government employment. The CIA operates under two retirement systems; the regular civil service retirement system for the majority of its employees, and the one established under the CIA Retirement Act of 1964 for a very limited number of employees.

The Senate Armed Services Committee reported this bill on December 8, 1970, and it passed the Senate on December 10, 1970, without any controversy.

Section 1 does three things: First, it eliminates the requirement that a child be dependent upon a parent retiree in order to receive a survivor annuity. The present definition of a child requires that

the child receive more than half his support from the participants to be eligible. This requirements could defeat a survivor annuity based on the service of a working mother. This support requirement was eliminated from the Civil Retirement Act by the 89th Congress—Public Law 89-504.

Second, it also raises from 21 to 22 the maximum age for receiving survivor annuity payments as a student and increases from 4 to 5 months as the maximum absence from school which may be permitted without terminating the survivor annuity. This will aid survivor children enrolled in trimester programs to secure employment and earn money without losing their annuity.

This same action was taken by the 89th Congress for student beneficiaries under the Civil Service Retirement Act—Public Law 89-407, 504.

Last, it permits a natural child to share in the distribution of any money in the CIA retirement and disability fund. The act today clearly permits a natural child to receive an annuity but it is not entirely clear with respect to lump-sum benefits. This would correct this deficiency.

A similar provision amending the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-407.

Section 2 provides for the commencement and termination date for a child survivor annuity and assures that the survivor annuity of a student may be resumed even though it had previously been terminated, as for example, because of military service. Today, once an annuity has been terminated because of an absence between school terms in excess of the maximum absence authorized, the annuity cannot be resumed.

A similar amendment to the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-504.

Section 3 makes a technical change in the law which will authorize the commencement of an annuity as soon as the individual enters a nonpay status. Under existing law, an annuitant must wait until the beginning of the month following his date of separation.

It also incorporates specific provisions for the termination of annuities to retirees and survivors.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 United States Code 8345.

Section 3 also makes a technical change in the law which will provide an option to credit prior civilian service for which no deductions have been made by reducing the resulting annuity by 10 percent of the amount owed. This will conform with the CIA retirement system to the civil service system in this respect—5 United States Code 8339(h).

Section 4 increases to 800 the retirement ceiling imposed on anticipated retirements through June 30, 1974. Under existing law, retirements during the formative years of the system were limited to 400 for the first 5-year period ending June 30, 1974. In the absence of actuarial experience the establishment of a ceiling on retirements was necessarily somewhat arbitrary. The ceiling was

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established with the understanding of all concerned that it would be adjusted as necessary. Experience to date has indicated that the ceiling of 400 for the second 5-year period is insufficient. In the interest of orderly and equitable personnel management an increase in this ceiling is essential. The Agency is rapidly reaching the ceiling now established by law and without the increase would be unable to accommodate the numbers who will go on the retired list prior to June 1974.

Under existing law, an individual who transfers into the CIA retirement fund from some other Government retirement system can transfer his contributions from the other fund to the CIA fund, but there is no provision for transfer of the Government contribution to such fund.

Also, when an individual transfers from the CIA retirement fund to some other Government retirement fund, there is no provision for the transfer of either the Government's contribution or his own contribution to the non-CIA retirement fund. Section 5 would correct the inequities of this situation.

The Civil Service Commission is wholly in accord with this change.

Section 6 makes a technical change in the law granting to survivors the same right afforded participants to purchase retirement credit for prior civilian service.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 United States Code 8334.

Mr. Speaker, I know that this body would want to enact this legislation because it merely equalizes the benefits to this special group of employees to civil service employees.

Mr. Speaker, if I may take the time of the House for a few minutes, I want to call attention to the fact that I feel this is probably the last piece of legislation from the Committee on Armed Services that the gentleman from Massachusetts will bring before the House. Therefore, I pause to pay tribute to him as a member of our Armed Services Committee on which he has so diligently served over many, many years. He has been the ranking member of our committee, attending to his duties objectively, motivated at all times by doing those things he felt were in the best interests of our country and its national defense posture.

Mr. Speaker, the other day, with most all of us on the committee being present, each one of us put on tape in the presence of the gentleman from Massachusetts (Mr. PHILBIN) our thoughts and expressions of esteem and love for the gentleman. I thought it was a wonderful occasion and something which I know PHIL will remember all his life. I might reiterate the collective thoughts of the members of the committee at that time and what is now being said by his colleagues, that here indeed is an outstanding gentleman, a man of courage and conviction, one everyone of us are proud to call our friend. Indeed, we are sorry he is leaving the Armed Services Committee, and this House of Representatives. We will miss this great legislator in the years to come. All our good

wishes go with PHIL as he returns to private life.

Mr. McCORMACK. Mr. Speaker, will the distinguished gentleman from Massachusetts yield?

Mr. PHILBIN. I am happy to yield to the distinguished Speaker.

(Mr. McCORMACK asked and was given permission to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, I am very glad to join in the remarks made by my distinguished friend from Illinois (Mr. ARENDS) in relation to our dear and valued friend and colleague, PHIL PHILBIN.

I first came to know PHIL PHILBIN when I came to Washington as a new Member of the House of Representatives. He was then associated very closely with one of the great Americans of our time, a former Lieutenant Governor of Massachusetts, a former Governor of Massachusetts and then a U.S. Senator, the late Honorable David R. Walsh.

Throughout the years that we have been associated together there has developed between us a strong feeling of friendship and respect. During PHIL PHILBIN's term of service in this body he was not only forward-looking in the consideration of legislation relating to the people of our country on a domestic or internal level, but in this trying period of the world's history he has been a bulwark of strength in connection with the national defense of our country and of a firm foreign policy.

The people of America are indebted to him for his outstanding service, his clear vision, his ability to penetrate into the future and see history in the making, which is very difficult for any of us to do, and for the contributions he has made to America so that our country will always be on its guard, ever vigilant, and in the possession of a strong and powerful national defense that is so vitally important for the unforeseeable period that I can look into.

So, Mr. Speaker, we all pay our tributes to this great legislator and this great American, and this good man. In the years that lie ahead for him I know that I speak the sentiments of all my colleagues when I say that we wish him every happiness and success, not in an inactive life in retirement, but in a very active life we all know he will participate in.

So to you, PHIL, my dear friend, enjoying the friendship and respect of all your colleagues, I extend—speaking for myself and our colleagues—our very best wishes and all the gratitude for the way you have served our country in this body, and our very best wishes for countless of years to come.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, to attempt to add to the eulogies which our great Speaker and the distinguished Republican whip, who have served so closely with PHIL PHILBIN, have paid to him, would be comparable to gilding the lily, but I cannot let this opportunity pass without telling the House how much we respect and love this great American. The

Speaker has called him a bulwark of strength, and that he is. He is a bulwark of compassionate and judicious strength. He is a wise and distinguished scholar and artist. He is a man of noble character, decent, kind and humble, a great legislator whom we will all miss.

You may be leaving this Chamber as a Member, PHIL, but you will never be free of the friendships that you have made here.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I want to thank the gentleman from Illinois for yielding, and certainly thank him for bringing to the attention of the membership of the House the fact that this is the last bill, probably, that our friend and colleague, the gentleman from Massachusetts (Mr. PHILBIN), will be handling for final passage.

Mr. Speaker, it has been my pleasure and privilege to serve on the committee with, and on the subcommittee chaired by the distinguished gentleman from Massachusetts. Unfortunately, a conflict in committee assignments kept me from attending the recent meeting of the House Committee on Armed Services where tributes were paid to my friend and colleague, the gentleman from Massachusetts, and I certainly do not want to let this opportunity go by without seconding all of the accolades that have been handed to—and very deservedly so—the gentleman from Massachusetts.

He has been my friend. He has gone out of his way to be of help to me when I was new on the committee and since. It will be a sad day for me to see PHIL PHILBIN leave us. He is 100 percent American, and a great friend of mine.

Thank you very much.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. PEPPER. Mr. Speaker, I thank the distinguished gentleman for affording me this opportunity to join with the distinguished Speaker of the House and my colleagues in expressing our heartfelt tribute to PHIL PHILBIN. When PHIL PHILBIN leaves this House, there will be many a red eye and many a heavy heart, because no man in this House is more beloved than is he. No man has more devotedly served his country than he. No man has been more dedicated to the performance of his duty and to the service of his fellow man and in lightening the burden to be borne by his fellow citizens than he.

Mr. Speaker, this is a man truly worthy to be called a statesman and truly worthy to be known as a devoted and dedicated servant of the people.

Mr. Speaker, in my part of the country one of the highest accolades you can extend to one whom you would honor is to say that he is a gentleman and a scholar—and this dear man deserves every accolade which can be extended to him. He is a great American and he to me will always be a cherished friend.

PHIL, may God bless you and be with you for many, many more years to come.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a real pleasure to say that we who are personal friends of PHIL PHILBIN think he is one of the best loved Members of the House, also one of the hardest working Members, with excellent judgment based on broad experience in reaching his position as one of the top ranking members of the important House Armed Services Committee.

As a matter of fact, PHIL PHILBIN is one of the friendliest Members we have ever had in the House, with his constant cheerfulness and comprehensive knowledge of House procedures. Congressman PHIL PHILBIN has always been helpful to me ever since I have been a Member of the Congress. He gladly helps, regardless which side of the House aisle, or what party, liberal or conservative that Members belong to.

The CONGRESSIONAL RECORD should show, Mr. Speaker, that after the Speaker's fine eulogy, the whole House unanimously rose in high tribute to Congressman PHIL PHILBIN of Massachusetts. Unanimous rising tribute is a rare gift of the House, especially when participated in by all Members, the Speaker, and the leadership of both parties.

To Congressman PHIL PHILBIN of Massachusetts we all join in friendship with you in saying, Godspeed to you, PHIL, and best wishes for a long and happy life. You fully deserve every honor accorded by the Members of the U.S. House of Representatives to you today.

Mr. BELL of California. Mr. Speaker, there is no Member of this House that is more beloved than PHIL PHILBIN. The outstanding leadership that he has provided on the Armed Services Committee, is well known and well deserved.

His consistently good judgment that he has shown in all his committee work as well as general work on the floor has been long admired.

I wish the gentleman from Massachusetts, PHIL PHILBIN, Godspeed and continued success in all of his endeavors wherever they may be and whatever they involve.

Our friend will be sorely missed by his colleagues in the House of Representatives.

Mr. BOLAND. Mr. Speaker, I join my colleagues in paying tribute to PHILIP J. PHILBIN. Elected to the Congress nearly three decades ago, PHIL has earned the respect and friendship of virtually every Member he has worked with over the years. As a ranking member of the Armed Services Committee, second in seniority only to Chairman L. MENDEL RIVERS, he has played a major role in assuring this country's military preparedness. And, equally significantly, he has always sought a fair and evenhanded balance between the demands of the military and those of its critics. I will risk sounding a little corny by calling PHIL a patriot, for that is precisely what he is—in the very best sense of the term. He has quietly and earnestly worked for his country over the past 30 years.

PHIL's service to his constituents in Massachusetts' Third Congressional District—the men and women who elected him to 14 successive terms in the Con-

gress—has been nothing short of remarkable. No letter ever went unanswered. No plea for help was ever ignored. No constituent seeking advice was ever turned away. He and his able administrative assistant, Clifford O. Gaucher, established what is tantamount to a model congressional office in constituent service.

I value highly my personal friendship with Congressman PHILBIN, and I wish him the very best in the future.

Mr. ROONEY of New York. Mr. Speaker, I should like to join with my colleagues, the Speaker, the majority leader, and the distinguished gentleman from Illinois (Mr. ARENDS) as they salute the distinguished gentleman from Massachusetts, Hon. PHILIP J. PHILBIN, an old friend. I have had the good fortune to know PHIL ever since the day I came to the House of Representatives and have always had nothing but the highest regard for him both as a Member of this body and as a man. I am sure my colleagues on both sides of the aisle join me in the belief that he is one of the outstanding Members of the House and that he will be sorely missed. PHIL has devoted his entire public life to serving the people of his State and in particular those in Massachusetts' Third Congressional District. He has served them faithfully and well and I wish him happiness and contentment in the coming years.

Mr. DONOHUE. Mr. Speaker, it is a privilege to join with the Members of the House here this afternoon in this spontaneous tribute to the exemplary personal character and the extraordinary legislative service of Congressman PHILIP J. PHILBIN, of Massachusetts, to our National Government, his constituents, and his fellow Americans throughout the country.

Few, if any, men have served in this national legislature more effectively and unselfishly than PHIL PHILBIN. Few, if any, have been less heralded for their immense contribution to the progressive security, health, educational advancement and economic development of our people over the last 28 years learned in our laws, diligent in his committee and Chamber legislative assignments, persuasive in his appeals for legislative support of those measures that attracted his deepest belief, tolerant and understandable of opposing views, every ready to accept the impact of authoritative fact and testimony, steeped in the use of experience for wholesome accomplishment, and dedicated to the proposition that a progressive legislative beginning is better than an acrimonious deadlock, PHIL PHILBIN has contributed mightily to the legislative solution of all the national crises that have occurred over the past quarter of a century. Throughout this period, he has enjoyed the confidence and esteem of every American President, many heads of other governments throughout the world, and of all the speakers and leaders in the U.S. Congress. Through his achievements, he has left an indelible mark of effective participation upon the most progressive pages of modern American legislative history. As an outstanding legislator, he has earned the respect and admiration of every

Member who has ever been his colleague in this National House of Representatives.

But his more universal admiration and affection, by untold thousands of his constituents, and fellow citizens in the Commonwealth of Massachusetts and throughout the country, has been earned because he is one of the finest human beings ever born into this world's tribulations and joys, adversities and triumphs. He is possessed of the highest character and integrity and, among the so-called ordinary people, he is beloved for his compassionate understanding, congenial manner, warmhearted generosity, quiet encouragement and a genuine interest in and devotion to the happiness and the progress of every person and every family that ever came within the bounds of his public responsibility and private acquaintance.

The rather paradoxical truth is that lasting memories here probably do not come so much from any substantial legislative record that is established but rather by the conduct, the manner, the disposition, the personality, the spirit, the human niceties, if you will, that each one projects here.

On this score, apart from other things, I daresay the human attributes and virtues of PHIL PHILBIN will never be excelled in this body.

Our reflection upon the unusual aspect of legislative life emphasizes, I think, that the greatest service that any individual, in any activity, can render to his contemporaries and those who come after is to provide an example of a character that is unquestioned, a dedication that is unsurpassed, a courage that is inexhaustible, a patriotism that remains undaunted throughout the most violent storms, a compassion that is boundless, and a friendship that is unstinting in resolution and loyalty.

Beyond all other accomplishments this is the real endowment that PHIL PHILBIN has given to us here and to those who are yet to come.

The legacy he leaves here is comprised of the simple strengths upon which the stability, survival, and progression of our communities and our commonwealths and our country depend.

PHIL PHILBIN's inspiring personal example of the patriotic use and application of these eternal strengths will constitute a memory that will be a private, personal encouragement to each of us, forever, and the integrity of his conduct will remain as a wholesome blessing upon this House, for all time.

PHIL PHILBIN has the deepest understanding and commitment of any man I have ever known that, as the Bible indicates, peace among nations, within communities and in our hearts will never be attained until the great majority of us evidence "good will" toward our friends, our neighbors, and our fellow human beings everywhere. Personal good will is the true richness of his own life and with it he has enriched the life of everyone privileged to know him.

In this coming Congress all of us will sorely miss our beloved friend and colleague, PHIL PHILBIN, and I hope he will

see fit to frequently visit with us over the next 2 years.

From the bottom of our hearts, meanwhile PHIL, we all join in wishing you continued good health and good fortune for many, many more years of success in your private endeavors and in the continuing service of your fellow man that I know you will never abandon.

GENERAL LEAVE TO EXTEND

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to our colleague, the gentleman from Massachusetts (Mr. PHILBIN).

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PHILBIN. Mr. Speaker, I would like to thank those of my esteemed and beloved colleagues, who have made such touching and moving comments about my humble service, and who have expressed such gracious observations concerning the humble labors I have performed during the time I have been honored to be a Member of this great House.

Mr. Speaker, there is really no way I can adequately express my sincere and deep gratitude to you and the Members of the House, because regardless of political considerations, and regardless of differences from time to time on legislative questions, all the Members on both sides of the aisle are very dear to me, and always will be very dear to me, because of the invariable encouragement, assistance, and the warm, inspiring friendship they have always shown me, which has so greatly lightened the burdens of my work and official duties.

I am somewhat limited, my dear friends, particularly at this time when important legislation is pending in the House, which is in my charge, in mobilizing and conveying to you, my profound feelings of appreciation and gratitude to all of you.

To our beloved, great Speaker, and to all of you here in this historic body, I want you all to know that I will always gratefully remember the many kindnesses you have shown me during my long service here with you.

And I shall always treasure, immeasurably, the kind words you have spoken here today.

These tributes of esteem and affection will remain with me as long as I live. They are far more than I deserve, but I want to express my deep gratitude to all of you for your very generous, stimulating words, your warm affectionate friendship, your loyalty and kindness to me, and the lofty inspiration you have always given me during my service in this great body. You may be sure they will always remain with me, and that my heart, deeply-felt gratitude and best wishes will always be with you. God love you.

Mr. Speaker, I ask for a vote on the bill.

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

The SPEAKER. The question is on the motion of the gentleman from Massa-

chusetts that the House suspend the rules and pass the bill S. 4571.

The question was taken; and (two-thirds having noted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title:

S. Con. Res. 87. Concurrent resolution providing for an adjournment of the two Houses of Congress.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 4106. An act to amend the Public Health Service Act in order to provide for the establishment of a National Health Service Corps.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 1146, EXPANSION OF UNITED NATIONS HEADQUARTERS IN THE UNITED STATES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1308 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1308

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 joint resolution (H.J. Res. 1146) authorizing a grant to defray a portion of the cost of expanding the United Nations headquarters in the United States. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Califor-

nia (Mr. SMITH), pending which I yield myself such time as I shall consume.

Mr. Speaker, House Resolution 1308 provides an open rule with 1 hour of general debate for consideration of House Joint Resolution 1146 to expand the United Nations headquarters in the United States.

The purpose of the joint resolution is to authorize an appropriation of not to exceed \$20 million for a grant to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in the city of New York.

The present headquarters for the U.N. was completed 20 years ago during which time the membership has increased from 59 to 126 member states and the number of secretariat employees in New York has increased from 2,900 to approximately 4,900.

In 1968, the Secretary General was authorized to prepare detailed plans and specifications for a major expansion of the headquarters, taking into consideration anticipated needs for the next 20 years.

Proposals—at an estimated cost of \$80 million—were submitted and approved by the General Assembly last year, subject to two conditions: First, that payments for the construction from the regular U.N. budget should not exceed \$25 million; and, second, that satisfactory assurances be received that the balance of the funds would be available before construction contracts are awarded. In accord with arrangements worked out by the Secretary General, the \$5 million balance would come from three sources: a \$20 million grant from the U.S. Government, a \$20 million contribution from the city of New York, \$15 million from the U.N. development program and U.N. Children's Fund, which would move from rented space to the new U.N. office building.

Mr. Speaker, I urge the adoption of House Resolution 1308 in order that House Joint Resolution 1146 may be considered.

(Mr. PEPPER asked and was given permission to revise and extend his remarks.)

Mr. PEPPER. Mr. Speaker, I yield 5 minutes to the able gentleman from Massachusetts (Mr. O'NEILL).

(Mr. O'NEILL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. O'NEILL of Massachusetts. Mr. Speaker, I rise on the rule even though I am not carrying it for the committee because of the fact that I have been an avid supporter of the United Nations through the years.

We have before us a joint resolution, No. 1146, which would authorize up to \$20 million to defray a portion of the cost of expanding the United Nations Headquarters in the United States. The Senate has already passed identical legislation.

Just what is the context of this grant of \$20 million and what are the other elements of financing this new Secretariat office building? The United Nations has been bursting at the seams for several years, Mr. Speaker. As early as 1964, the Secretary General reported