Mr. LAGOMARSINO. Mr. Speaker, I rise in support of House Resolution 216, the ruling providing for consideration of H.R. 3136, the Overseas Private Investment Corporation Amendments Act of 1981.

In addition to the unanimous approval of this legislation by our subcommittee and the full Foreign Affairs Committee, the House Republican Policy Committee endorses this legislation to continue the operation of OPIC for another 4 years.

OPIC serves the dual purpose of aiding development overseas at the same time it supports expansion of American trade benefits, by encouraging private investment in developing countries. I have long believed that private investment is a key ingredient in bolstering development, and OPIC has played an important part in securing investment where it is needed.

I believe OPIC offers a valuable contribution both to America's own domestic economic health and to the developing countries, where private U.S. investment serves to promote both development and trade.

Mr. Speaker, I urge my colleagues to give their full support to legislation reauthorizing the operation of OPIC and to pass this rule providing for consideration of OPIC at an early date.

Mr. Speaker, I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE CONSIDERATION OF H.R. 3518, DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1982 AND 1983

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 182 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 182

Resolved, That upon the adoption of this resolution it shall be in order to move, section 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3518) to authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes, the first reading of the bill shall be dispensed with, and all points of order against the bill for failure to comply with the provisions of clause 5, rule XXI are hereby waived. After general debate, which shall be confined to the bill 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 bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 3518, it shall be in order, sections 401(a), 401(b)(1), and 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, to take from the Speaker's table the bill S. 1193 and to consider said bill in the House, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 3518 as passed by the House.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. HALL) is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Missouri (Mr. TAYLOR) for purposes of debate only, pending which I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

□ 1030

Mr. HALL of Ohio. Mr. Speaker, House Resolution 182 is an open rule providing for the consideration of H.R. 3518, the Department of State Authorization Act for fiscal years 1982 and 1983.

The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs.

In order to expedite consideration of the bill, the rule states that the bill shall be read for amendment under the 5-minute rule by titles instead of by sections. House Resolution 182 further provides for one motion to recommit.

It should be noted that the rule waives a point of order against the bill under section 402(a) of the Congressional Budget Act. Section 402(a) provides that it shall not be in order to consider any bill which authorizes the enactment of new budget authority for a fiscal year unless that bill has been reported on or before May 15 preceding the beginning of such fiscal year.

Section 302 of H.R. 3518 authorizes the appropriation of $100.3 million in fiscal year 1981 for the Board for International Broadcasting.

Various other provisions of the bill may indirectly authorize appropriations for fiscal year 1981. For example, section 119 grants to the Secretary of State basic authorities concerning the activities and operations of foreign missions in the United States which might indirectly authorize appropriations for the current fiscal year. Since this bill was not reported on or before May 15, 1980, it would be subject to a point of order under section 402(a) of the Budget Act.

The chairman of the Budget Committee has advised the Committee on Rules that the Budget Committee supports a waiver of section 402(a) of the Budget Act. The Budget Committee has noted that the fiscal 1981 funds authorized to be appropriated for the Board for International Broadcasting were included in the Supplemental Appropriations and Rescission Act of 1981. This is Public Law 97-12, which was approved on June 5, 1981. The Budget Committee further has brought to the attention of the Rules Committee that the bill will not be enacted until fiscal year 1982, so the indirect authorizations actually will not be used to provide budget authority for fiscal year 1981. Therefore, the Budget Committee does not object to a waiver of section 402(a) of the Budget Act for H.R. 3518.

House Resolution 182 also waives all points of order against the bill for failure to comply with the provisions of clause 5 of rule XXI. Clause 5 of rule XXI prohibits appropriations in a legislative bill.

Several provisions of H.R. 3518 could be considered appropriations in a legislative bill. For example, section 107 provides for the transfer of certain funds to an appropriation account. Other sections, such as section 114 and section 207, provide for the crediting of certain funds to appropriations. Therefore, the rule waives all points of order against the bill for violations of clause 5 of rule XXI.

Finally, the rule waives certain provisions of the Budget Act in order to facilitate a conference with the Senate on the State Department Authorization Act. The Senate passed its version of this legislation, S. 1193, on June 18.

After the passage of H.R. 3518, the rule makes in order the consideration of S. 1193, and waives the following provisions of the Budget Act against the Senate bill: Section 401(a), new spending authority for a fiscal year not provided for in advance in appropriation acts; section 401(b)(1), entitlement authority effective before October 1, 1981; and section 402(a), requiring new budget authority to be reported by May 15 preceding the beginning of the fiscal year for which it becomes effective.

It is the intention of the Committee on Foreign Affairs, upon the passage of H.R. 3518, to take up for consideration Senate companion bill, S. 1193, for the purpose of striking everything after the enacting clause and inserting in lieu thereof, as an amendment, the text of H.R. 3518, and requesting a conference thereon. The Rules Committee has been advised that the House Budget Committee supports the waivers of the Budget Act with respect

to S. 1193 in order to facilitate a conference on the legislation.

This legislation authorizes appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting. According to the Committee on Foreign Affairs, the fiscal 1982 authorization of $3.13 billion is identical to the administration's request. The authorization amount increases in fiscal 1983 in order to adjust for inflation. In this regard, the Foreign Affairs Committee points out that the overseas rate of inflation is 18 percent.

This authorization bill also establishes a new Office of Foreign Missions in the Department of State to regulate the operation of foreign missions in the United States. Further, it extends from 5 to 10 years the period in which U.S. passports not subject to special regulation will remain valid. This provision will apply only to passports issued after the date of the bill's enactment.

Section 119 of the bill grants to the National Capital Planning Commission the authority to decide issues concerning the location of foreign missions in the District of Columbia. The Committee on the District of Columbia received sequential referral of H.R. 3518 in order to consider section 119, which contains matters that traditionally have been within the jurisdiction of the District of Columbia Committee.

The District of Columbia Committee reported an amendment to H.R. 3518 which strikes the provision granting the Commission authority over the location of foreign missions in the District of Columbia. The committee's amendment is an interim measure while negotiations continue between the Federal and city governments about authority over foreign mission locations in the District of Columbia.

The District of Columbia Committee, which received sequential referral of H.R. 3518, supported the rule request of the Foreign Affairs Committee, which was granted by the Rules Committee.

I am not aware of any opposition to the rule on H.R. 3518, and I urge my colleagues to adopt it.

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

(Mr. TAYLOR asked and was given permission to revise and extend his remarks, and to include extraneous material.)

Mr. TAYLOR. Mr. Speaker, House Resolution 182 is an open rule to facilitate consideration of H.R. 3518, the Department of State and related agencies authorization bill for fiscal 1982 and 1983. The resolution waives points of order that would otherwise lie against consideration of the bill for failure to comply with the Budget Act, as well as points of order that would otherwise lie against the bill for failure to comply with clause 5 of rule XXI.

Section 402(a) of the Budget Act prohibits consideration of any bill which authorizes the enactment of new budget authority for a fiscal year unless that bill has been reported on or before May 15 of the preceding year. In this case, the Committee on Foreign Affairs has reported H.R. 3518, which authorizes the appropriation of funds in fiscal 1981, but it did not report the bill on or before May 15, 1980.

Clause 5 of rule XXI prohibits appropriations in a legislative bill, and the waiver provided by this rule is necessary because several paragraphs of H.R. 3518 may constitute appropriations in a legislative bill.

While these paragraphs are not specified in the resolution, I will ask unanimous consent at the appropriate time to place in the RECORD a brief summary of the provisions of the bill for waivers of points of order are provided for in this resolution.

Mr. Speaker, in addition to granting these waivers, the resolution provides that the bill shall be read for amendment under the 5-minute rule by titles instead of by sections and one motion to recommit is provided for.

After passage of the bill, it shall be in order under this rule to take from the Speaker's table the Senate companion bill, S. 1193, and to consider that bill in the House with a motion to insert the provisions of H.R. 3518 as passed by the House. For this procedure, three waivers of the Budget Act are necessary and are provided for in House Resolution 182.

In the interests of time, I will include a summary of the provisions of this rule, including the specific provisions of the Budget Act that are being waived, in the RECORD.

Mr. Speaker, in essence, this rule provides for orderly consideration of the bill in a situation where the 1981 funds have already been appropriated, and this authorization bill was not reported by May 15 of last year. As far as taking up the Senate companion bill, this rule is designed to facilitate a conference with the Senate on the matter.

I do think it important to point out to the Members that there was no controversy about the necessity for these waivers in our Rules Committee hearing, and the waivers themselves are supported by the Committee on the Budget.

In his letter to Chairman BOLLING, Chairman JONES pointed out that section 302 of the bill, H.R. 3518, authorizes the appropriation of funds in fiscal year 1981 for the Board of International Broadcasting. And, various other provisions of the bill may indirectly authorize appropriations for fiscal year 1981, such as section 119.

According to Chairman JONES' letter, the Committee on the Budget met on July 14 and voted to support the waiver as requested by the Committee on Foreign Affairs because—

(1) The 1981 funds authorized to be appropriated for the Board of International Broadcasting were included in the Supplemental Appropriations and Rescission Act of 1981 (approved June 5, 1981), and (2) the bill will not be enacted until fiscal year 1982 so the indirect authorizations will not be used to provide budget authority for fiscal year 1981.

As to the bill itself, H.R. 3518 authorizes appropriations totaling $3.133 billion for the Department of State, the International Communication Agency, the Board for International Broadcasting, and the Inter-American Foundation for fiscal 1982.

The amounts appropriated for fiscal 1982 are in line with the request of the Reagan administration.

For fiscal 1983, however, the committee bill is approximately $800 million more than the administration's request. For this reason, the administration opposes H.R. 3518 in its reported form and would support amendments to reduce the amounts to be authorized for fiscal 1983.

Mr. Speaker, I support the rule as reported by the Committee on Rules so the House can proceed to consider the measure.

Mr. Speaker, at this point I place in the RECORD a brief summary of the provision of House Resolution 182 and a brief summary of the provisions of H.R. 3518 for which the waivers contained in the rule apply:

SUMMARY OF HOUSE RESOLUTION 182

1. Open Rule.

2. Waives Section 402(a) of the Congressional Budget Act (requiring new budget authority to be reported by May 15 preceding the beginning of the fiscal year for which it becomes effective) against consideration of the bill.

3. Waives clause 5 of Rule XXI (appropriations in a legislative bill) against consideration of the bill.

4. Bill to be read by titles instead of by sections.

5. Provides one motion to recommit.

6. After passage of H.R. 3518, makes in order consideration of S. 1193 and waives the following provisions of the Congressional Budget Act against the Senate bill: Section 401(a) (new spending authority for a fiscal year not provided for in advance in an appropriation act); Section 401(b)(1) (entitlement authority effective before October 1, 1981; and Section 402(a) (requiring new budget authority to be reported by May 15 preceding the beginning of the fiscal year for which it becomes effective.)

PROVISIONS OF H.R. 3518 FOR WHICH WAIVERS OF POINTS OF ORDER ARE PROVIDED FOR IN RULE

The following sections represent authorities requested by the Executive branch and would permit the use of already-appropriated funds for slightly different purposes:

Section 107. *Currency Fluctuations.*

This section provides a means for the Secretary of State to maintain approved levels of activities under rapidly changing economic conditions. The authority has been in existence for two years, and this section, effective October 1, 1981, would clarify provisions of current law to insure authorization of the amount of appropriations necessary for the purpose.

Sections 110 and 112. *Pan American Institute of Geography and History, and Pan American Railway Congress.*

These sections provide legal authority for the United States to pay its past assessments to these two organizations by removeing an authorization ceiling which no longer covers the actual financial obligation of the United States.

Section 114. *Living quarters for the staff of the U.S. Representative to the United Nations.*

This section authorizes the lease or rental of living quarters for the use of the staff of the U.S. Representative to the United Nations and permits more efficient use of available funds to meet the high costs of the New York housing market.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WALKER).

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding. I would certainly argee with the gentleman with regard to the rule. I see no problems with the details of this rule at all.

The problem I have with the rule is the bill that it brings onto the floor. The bill as far as fiscal year 1982 is totally in line with the administration's budget. However, if we look toward fiscal year 1983, we all of a sudden realize that what this bill is proposing is about a 26-percent increase in spending.

That is the kind of spending rate which has the financial markets in this country concerned at the present time. They are concerned that this Congress is not going to stick to the projected targets we have in spending, and here we have a bill coming to us that authorizes spending for the upcoming year and increases the rate of spending by a figure which far exceeds any predicted rate of inflation. So, this is my concern. We are raising most of that cost just in the administration of foreign affairs within the Department of State, and it seems to me that we have an obligation to try to stick as closely as possible in these authorization bills to the Executive requests for the upcoming fiscal year.

This far exceeds the Executive requests for the upcoming year, and it seems to me an $800 million increase in a buget that averages just little over $3 billion a year for the 2-year period of time is an excessive increase in the bill.

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

Mr. WALKER. I will be glad to yield.

Mr. FASCELL. Mr. Speaker, the gentleman is absolutely right. We followed the 1982 request right to the dollar. There was a down curve, however, in the 1983 request with respect to ICA and the State Department. What the committee did was to take only the average overseas inflationary factor. We did not add a single job or a single program.

What we are talking about is the responsibility of manning the U.S. posts around the world, and we are talking about the kinds of programs that are very important, such as those in ICA. It is not the U.S. domestic inflation factor that affects our operations overseas. We are talking about an average overseas inflation rate over which we have no control.

What we tried to do is to be sure that with the cuts that the administration made, because we are already cutting 550 positions, at least we would not aggravate an already critical resource shortage and end up letting overseas inflation rates control the operations of the State Department, ICA, and BIB and that is the reason for the percentage increase.

One final thing; this is within the reconciliation figure. It is in the budget.

Mr. WALKER. I thank the gentleman for his explanation. It still seems to me right now that we have got a situation in this country where financial markets are reacting to whether or not we are going to stick close to our spending figures, or whether they think the administration over a period of 3 years is going to stick close to its figures. The administrations's figures are substantially lower than what are in this bill for 1983. I think that is an improper signal to be sending at the present time.

I thank the gentleman for his explanation, and I thank the gentleman from Missouri for yielding.

Mr. TAYLOR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAGOMARSINO. 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 pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 385, nays 5, not voting 43, as follows:

[Roll No. 208]

YEAS—385

Addabbo	Bedell	Brinkley	Coleman	Hance	Mottl
Akaka	Beilenson	Brodhead	Collins (IL)	Hansen (ID)	Murphy
Albosta	Benedict	Brooks	Collins (TX)	Hansen (UT)	Murtha
Alexander	Benjamin	Broomfield	Conable	Harkin	Myers
Anderson	Bennett	Brown (CA)	Conte	Hartnett	Napier
Andrews	Bereuter	Brown (OH)	Corcoran	Hatcher	Natcher
Annunzio	Bethune	Broyhill	Courter	Hawkins	Neal
Anthony	Bevill	Butler	Coyne, James	Hefner	Nelligan
Applegate	Biaggi	Campbell	Coyne, William	Heftel	Nelson
Archer	Bingham	Carman	Crane, Daniel	Hendon	Nichols
Ashbrook	Blanchard	Carney	Crane, Philip	Hertel	Nowak
Atkinson	Boggs	Chappell	D'Amours	Hiler	Oakar
AuCoin	Boland	Chappie	Daniel, Dan	Hillis	Oberstar
Badham	Boner	Cheney	Daniel, R. W.	Holland	Obey
Bafalis	Bonior	Chisholm	Danielson	Hollenbeck	Ottinger
Bailey (MO)	Bonker	Clausen	Dannemeyer	Holt	Oxley
Bailey (PA)	Bouquard	Clinger	Daschle	Hopkins	Panetta
Barnes	Bowen	Coats	Davis	Horton	Parris
Beard	Breaux	Coelho	Deckard	Howard	Pashayan
			Dellums	Hoyer	Patman
			DeNardis	Hubbard	Patterson
			Derrick	Huckaby	Pease
			Derwinski	Hughes	Perkins
			Dickinson	Hunter	Petri
			Dicks	Hutto	Peyser
			Dingell	Hyde	Pickle
			Dixon	Ireland	Porter
			Donnelly	Jacobs	Price
			Dorgan	Jeffords	Pritchard
			Dornan	Jeffries	Pursell
			Dowdy	Johnston	Quillen
			Downey	Jones (NC)	Rahall
			Dreier	Jones (OK)	Railsback
			Duncan	Jones (TN)	Ratchford
			Dunn	Kastenmeier	Regula
			Dwyer	Kazen	Reuss
			Dymally	Kemp	Rhodes
			Dyson	Kildee	Richmond
			Early	Kindness	Rinaldo
			Eckart	Kogovsek	Ritter
			Edgar	Kramer	Roberts (KS)
			Edwards (AL)	LaFalce	Roberts (SD)
			Edwards (CA)	Lagomarsino	Robinson
			Edwards (OK)	Lantos	Rodino
			Emerson	Latta	Roe
			Emery	Leach	Roemer
			English	Leath	Rogers
			Erdahl	LeBoutillier	Rose
			Erlenborn	Lee	Roth
			Ertel	Lehman	Roukema
			Evans (DE)	Leland	Rousselot
			Evans (GA)	Lent	Russo
			Evans (IA)	Levitas	Sabo
			Evans (IN)	Lewis	Sawyer
			Fary	Livingston	Scheuer
			Fascell	Loeffler	Schroeder
			Fazio	Long (LA)	Schulze
			Fenwick	Long (MD)	Schumer
			Ferraro	Lott	Seiberling
			Fiedler	Lowery (CA)	Sensenbrenner
			Fields	Lowry (WA)	Shamansky
			Findley	Luken	Shannon
			Fish	Lundine	Sharp
			Flippo	Lungren	Shaw
			Florio	Madigan	Shelby
			Foglietta	Markey	Shumway
			Foley	Marks	Shuster
			Ford (TN)	Marlenee	Siljander
			Forsythe	Marriott	Simon
			Fountain	Martin (IL)	Skeen
			Fowler	Martin (NC)	Skelton
			Frank	Martin (NY)	Smith (IA)
			Frenzel	Matsui	Smith (NE)
			Frost	Mattox	Smith (NJ)
			Fuqua	Mavroules	Smith (OR)
			Garcia	Mazzoli	Smith (PA)
			Gaydos	McClory	Snowe
			Gejdenson	McCollum	Snyder
			Gephardt	McCurdy	Solarz
			Gibbons	McDade	Solomon
			Gilman	McEwen	Spence
			Gingrich	McGrath	St Germain
			Glickman	McHugh	Stangeland
			Gonzalez	Mica	Stark
			Goodling	Mikulski	Staton
			Gore	Miller (CA)	Stenholm
			Gradison	Miller (OH)	Stokes
			Gramm	Mineta	Stratton
			Gray	Minish	Studds
			Green	Mitchell (MD)	Stump
			Gregg	Mitchell (NY)	Swift
			Grisham	Moakley	Synar
			Guarini	Moffett	Tauke
			Gunderson	Molinari	Tauzin
			Hagedorn	Mollohan	Taylor
			Hall (OH)	Montgomery	Thomas
			Hall, Sam	Moore	Traxler
			Hamilton	Moorhead	Trible
			Hammerschmidt	Morrison	Udall

Vander Jagt	Whitehurst	Wortley
Vento	Whitley	Wright
Volkmer	Whittaker	Wyden
Walgren	Whitten	Wylie
Washington	Williams (MT)	Yates
Watkins	Williams (OH)	Yatron
Waxman	Wilson	Young (FL)
Weaver	Winn	Zablocki
Weber (MN)	Wirth	Zeferetti
Weber (OH)	Wolf	
White	Wolpe	

NAYS—5

Brown (CO)	McDonald	Walker
Conyers	Paul	

NOT VOTING—43

Aspin	Fithian	Rosenthal
Barnard	Ford (MI)	Rostenkowski
Bliley	Ginn	Roybal
Bolling	Goldwater	Rudd
Burgener	Hall, Ralph	Santini
Burton, John	Heckler	Savage
Burton, Phillip	Hightower	Schneider
Byron	Jenkins	Smith (AL)
Clay	Lujan	Stanton
Coughlin	McCloskey	Wampler
Craig	McKinney	Weiss
Crockett	Michel	Young (AK)
Daub	O'Brien	Young (MO)
de la Garza	Pepper	
Dougherty	Rangel	

□ 1045

The Clerk announced the following pairs:

Mr. Young of Missouri with Mr. Lujan.
Mr. Crockett with Mrs. Heckler.
Mr. Pepper with Mr. Young of Alaska.
Mr. Weiss with Mr. O'Brien.
Mr. Ginn with Mr. Stanton of Ohio.
Mr. Barnard with Mr. Goldwater.
Mr. Rostenkowski with Mr. Wampler.
Mr. Hightower with Mr. Rudd.
Mr. Rosenthal with Mr. Smith of Alabama.
Mr. Ford of Michigan with Mr. Dougherty.
Mr. Santini with Mr. Burgener.
Mr. Roybal with Mr. Coughlin.
Mr. Clay with Mr. Bliley.
Mr. Phillip Burton with Mr. Daub.
Mrs. Byron with Mr. McKinney.
Mr. de la Garza with Mrs. Schneider.
Mr. Rangel with Mr. McCloskey.
Mr. John L. Burton with Mr. Craig.
Mr. Savage with Mr. Ralph M. Hall.
Mr. Aspin with Mr. Michel.
Mr. Fithian with Mr. Jenkins.

Mr. MINISH changed his vote from "present" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO FILE REPORT ON H.R. 4284, LELAND BOWMAN LOCK

Mr. BREAUX. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may have until midnight tonight to file a report on the bill (H.R. 4284) to name the lock authorized as a replacement for Vermilion Lock, Louisiana, as "Leland Bowman Lock."

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

There was no objection.

UNSTABLE PRICES THREATEN U.S. SUGAR INDUSTRY

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

Mr. AKAKA. Mr. Speaker, in Hawaii we produce 1,100,000 tons of sugar per year. That is about 20 percent of all sugar grown in the United States. Sugar is the State's largest crop and many areas of my State are highly dependent on sugar production for their economic well-being.

In fact, in many areas of my State, sugar is the only source of support for hundreds of families. On the islands of Maui, Kauai, and Hawaii—and I represent these islands—more than one-third of all cropland is devoted to sugar. Any decline in sugar production would result in a dramatic rise in unemployment. The shutdown of a sugar plantation or refinery would spell economic disaster for many areas of my State.

What the domestic sugar industry needs is insulation from the volatile sugar prices of recent years. Since 1978, prices have ranged from 9 cents a pound to 45 cents a pound. The price instability is the greatest threat to our domestic growers. Without a healthy domestic sugar industry, the United States will be entirely dependent upon uncertain foreign sources to meet its needs for sugar.

Both 1979 and 1980 were years of decline for world sugar production. In both years, consumption exceeded world production. Three of the four largest producing countries experienced serious decline in production and yield this year.

Farmers understand that production losses are part of their way of life. Natural events often result in losses even on the best of farms. When the commodity involved is sugar, however, the American consumer also suffers when poor yields cause shortages.

If the American industry is allowed to decline as cheap foreign supplies of surplus sugar are dumped on the United States, the result will be dependence on these foreign supplies. During years of low production, this dependence will mean that prices at the supermarket may double or triple.

The facts are very simple: The domestic sugar industry needs a program of nonrecourse loans if we are to have a healthy sugar industry. And, we need a healthy domestic sugar industry.

DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1982 AND 1983

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3518) to authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. FASCELL).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HOPKINS. 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 pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 379, nays 3, answered "present" 1, not voting 50, as follows:

[Roll No. 209]

YEAS—379

Addabbo	Coyne, James	Gephardt
Akaka	Coyne, William	Gibbons
Albosta	Crane, Daniel	Gilman
Alexander	Crane, Philip	Gingrich
Anderson	D'Amours	Glickman
Andrews	Daniel, Dan	Gonzalez
Annunzio	Daniel, R. W.	Goodling
Anthony	Danielson	Gore
Applegate	Dannemeyer	Gradison
Archer	Davis	Gramm
Ashbrook	Deckard	Gray
Atkinson	Dellums	Green
AuCoin	DeNardis	Gregg
Badham	Derrick	Grisham
Bafalis	Derwinski	Guarini
Bailey (MO)	Dicks	Gunderson
Bailey (PA)	Dingell	Hagedorn
Barnes	Dixon	Hall (OH)
Beard	Donnelly	Hall, Sam
Bedell	Dorgan	Hamilton
Beilenson	Dornan	Hammerschmidt
Benedict	Dowdy	Hance
Benjamin	Downey	Hansen (ID)
Bennett	Dreier	Hansen (UT)
Bereuter	Duncan	Harkin
Bethune	Dunn	Hartnett
Bevill	Dwyer	Hatcher
Biaggi	Dyson	Hawkins
Bingham	Early	Heckler
Blanchard	Eckart	Hefner
Bliley	Edgar	Heftel
Boggs	Edwards (CA)	Hendon
Boland	Edwards (OK)	Hertel
Bolling	Emerson	Hiler
Boner	Emery	Hillis
Bonior	English	Holland
Bonker	Erdahl	Hollenbeck
Bouquard	Ertel	Hopkins
Bowen	Evans (DE)	Horton
Breaux	Evans (GA)	Howard
Brinkley	Evans (IA)	Hoyer
Brodhead	Evans (IN)	Hubbard
Brooks	Fary	Huckaby
Broomfield	Fascell	Hughes
Brown (CA)	Fazio	Hunter
Brown (CO)	Fenwick	Hyde
Brown (OH)	Ferraro	Ireland
Broyhill	Fiedler	Jacobs
Butler	Fields	Jeffords
Campbell	Findley	Jeffries
Carman	Fish	Jenkins
Carney	Flippo	Johnston
Chappell	Foglietta	Jones (NC)
Chappie	Foley	Jones (OK)
Cheney	Ford (MI)	Jones (TN)
Clausen	Ford (TN)	Kastenmeier
Clinger	Forsythe	Kazen
Coats	Fountain	Kemp
Coelho	Fowler	Kildee
Coleman	Frank	Kindness
Collins (IL)	Frenzel	Kogovsek
Collins (TX)	Frost	Kramer
Conable	Fuqua	LaFalce
Conte	Garcia	Lagomarsino
Corcoran	Gaydos	Lantos
Courter	Gejdenson	Latta

Leach	Nelson	Skelton
Leath	Nichols	Smith (AL)
LeBoutillier	Nowak	Smith (IA)
Lee	Oakar	Smith (NE)
Lehman	Oberstar	Smith (NJ)
Leland	Obey	Smith (OR)
Lent	Oxley	Smith (PA)
Levitas	Panetta	Snowe
Lewis	Parris	Snyder
Livingston	Pashayan	Solarz
Loeffler	Patman	Solomon
Long (LA)	Patterson	Spence
Long (MD)	Paul	St Germain
Lowery (CA)	Pease	Stangeland
Lowry (WA)	Perkins	Stark
Luken	Petri	Staton
Lungren	Peyser	Stokes
Madigan	Pickle	Stratton
Markey	Porter	Studds
Marks	Price	Stump
Marlenee	Pritchard	Swift
Marriott	Pursell	Synar
Martin (IL)	Quillen	Tauke
Martin (NC)	Rahall	Tauzin
Martin (NY)	Railsback	Taylor
Matsui	Ratchford	Thomas
Mattox	Regula	Traxler
Mavroules	Rhodes	Trible
Mazzoli	Richmond	Udall
McClory	Rinaldo	Vento
McCollum	Ritter	Volkmer
McCurdy	Roberts (KS)	Walgren
McDade	Roberts (SD)	Walker
McDonald	Robinson	Washington
McEwen	Rodino	Watkins
McGrath	Roe	Waxman
McHugh	Roemer	Weaver
McKinney	Rogers	Weber (MN)
Mica	Rose	Weber (OH)
Michel	Roth	White
Mikulski	Roukema	Whitehurst
Miller (CA)	Rousselot	Whitley
Miller (OH)	Russo	Whittaker
Mineta	Sabo	Whitten
Minish	Sawyer	Williams (OH)
Mitchell (NY)	Scheuer	Wilson
Moffett	Schroeder	Winn
Molinari	Schulze	Wirth
Mollohan	Schumer	Wolf
Montgomery	Seiberling	Wolpe
Moore	Sensenbrenner	Wortley
Moorhead	Shamansky	Wright
Morrison	Shannon	Wyden
Mottl	Sharp	Wylie
Murphy	Shaw	Yates
Murtha	Shelby	Yatron
Myers	Shumway	Young (FL)
Napier	Shuster	Zablocki
Natcher	Siljander	Zeferetti
Neal	Simon	
Nelligan	Skeen	

NAYS—3

Conyers	Holt	Mitchell (MD)

ANSWERED "PRESENT"—1

Ottinger

NOT VOTING—50

Aspin	Edwards (AL)	Reuss
Barnard	Erlenborn	Rosenthal
Burgener	Fithian	Rostenkowski
Burton, John	Florio	Roybal
Burton, Phillip	Ginn	Rudd
Byron	Goldwater	Santini
Chisholm	Hall, Ralph	Savage
Clay	Hightower	Schneider
Coughlin	Hutto	Stanton
Craig	Lott	Stenholm
Crockett	Lujan	Vander Jagt
Daschle	Lundine	Wampler
Daub	McCloskey	Weiss
de la Garza	Moakley	Williams (MT)
Dickinson	O'Brien	Young (AK)
Dougherty	Pepper	Young (MO)
Dymally	Rangel	

□ 1115

So the motion was agreed to.

The result of the vote was announced as above recorded.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3518.

The SPEAKER pro tempore. The Chair designates the gentleman from Ohio (Mr. HALL) as Chairman of the Committee of the Whole and requests the gentleman from Louisiana (Mr. BREAUX) to assume the chair temporarily.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Florida (Mr. FASCELL) will be recognized for 30 minutes, and the gentleman from Michigan (Mr. BROOMFIELD) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. FASCELL. Mr. Chairman, I rise in support of H.R. 3518, a bill to authorize appropriations for the Department of State, the International Communication Agency, the Board for International Broadcasting, and the Inter-American Foundation for fiscal years 1982-83, and to authorize a supplemental appropriation for the Board for International Broadcasting for fiscal year 1981.

The total in this bill is $3,133,587,000 in funding authority for 1982, and $3,674,422,000 for fiscal year 1983, and, of course, $600,000 supplemental request for the Board for International Broadcasting.

The bill was approved in the Committee on Foreign Affairs on May 12, 1981.

Mr. Chairman, let me say at the outset that all of us who participated in the hearings and considered this bill have been gravely concerned about the capability of the agencies that are involved to meet their growing international obligations and their responsibilities while their financial and human resources and their ability to keep pace with increased diplomatic and security needs continue to decrease.

The budget figures presented in this bill represent the minimum amounts that, in all good conscience, the committee could recommend and maintain the notion that the agencies could effectively carry out their duties.

The recommended 1982 authorization is identical to the executive branch request for these agencies. And although the figure reflects a numerical increase in dollar expenditures over the present 1981 figures, in real or constant dollar terms the increase barely covers the 1981 estimated average rate of overseas inflation, which has been set by the administration at 18 percent.

The committee did not feel that the 1982 executive branch request, in many accounts lower or identical to the 1982 estimates, would be adequate to even allow these agencies to maintain their present operating capacity. In fact, it represents a further cut of about 1,000 positions and the closing of numerous posts, among other things. Therefore, for the major Department of State administrative accounts for ICA and BIB we have recommended a 17-percent increase above the executive branch request for 1983; but we have kept that amount within the reconciliation figure so that it is within the overall Federal budget. It just means that we have made an adjustment within the account because of other actions taken in that account by the Budget Committee and by the Congress.

Now, let us talk for a moment about this budget in realistic terms. What it does, Mr. Chairman, is mandate a reduction, a cut, of 550 positions in the Department of State, leaving the Department with a total manpower of 16,285 people.

I want to emphasize this for my colleagues who are genuinely interested and concerned about the budget: This puts the Department of State, which is already the smallest department in Government, at a 1959 operating level. Yes; I said 1959—which was 22 years ago. That is where they are today with the budget. And, of course, we all know how their responsibility has increased from the time in 1959 when we recognized only 77 nations and now we recognize 146. We have responsibilities all around the globe. We are all aware of the fact that life in the diplomatic service is not a cakewalk any longer. You cannot really kind of giggle and sneer about the striped pants set that has martinis for breakfast, a myth, if there ever was one, but nevertheless a lot of people believed it. We have had people brutalized, terrorized, killed, we have had our embassies burned, attacked, we have had hostages taken. We have to recognize the fact that our people who are doing this service on behalf of our country are in the frontlines. And while we all have to take budget cuts, I can tell the Members, after years of careful examination of the budgets of these agencies, that they have been brutally cut, and that the least we can do, in our own national interest and security, is to keep them at the cut level at which they are and not cut them further unless we are really in desperate straits because what we have to say then is that we are just going to have to reduce even more personnel, going back beyond our 1959 level, closing Embassies, closing consulates, doing all kinds of things that will ultimately harm the national security.

Today, the Department operates 278 posts overseas. At a time when Con-

gress expects the Department to supply better security for our diplomats overseas, to collect the best information available to enable us to conduct our foreign policy, and to aid the peacekeeping process worldwide, the U.S. Government responds with a no-growth, make-do budget.

The International Communication Agency, telling the story of America around the world, is hardly the emissary of the United States that it once was. That Agency's levels of expenditure have steadily dropped over the years; the exchange program no longer provides the stipends on which people can live overseas; VOA is telling the world of America's advances on 1942 transmitters.

Telling our story around the world is one of the most important things we can do. This administration has a keen realization of that fact, and we need to stay in that fight. They have continued the support of the radios, both RFE, RL, VOA, and USIA, and it is absolutely urgent that we continue at least this reduced level in these agencies if we are going to stay in this fight. And I think we have to. They are diplomatic tools of the first order, just as essential as our military tools, just as essential as our economic tools. All I want to emphasize to my colleagues here is, believe me that this is a tough, barebones budget that takes into consideration what the administration has to face, what we have to face, in terms of the overall budget request.

Now, we have done some other things here that the Members ought to know about. We have provided authority to increase the cost of passports to meet the real costs of providing them. This will, of course, increase the revenues that will return to the Treasury. We think this is a reasonable amount, consistent with modern times.

I just want to say one thing. If you compare what the Soviets spend in this area—and that is not the only criteria, but let us face it, it is uppermost in some minds—if you consider just in one area, and that is on exchange programs, cultural presentations, whatever you want to call it, they are spending so much money more than we are, it is unbelievable—unbelievable that a country that has a responsibility of not only maintaining our own national security, but of espousing around the world the principles of democracy, representative government, human dignity, and individual freedoms, that we are here cutting back on the very programs that allow people to understand what we are all about. We just give up the fight. It is as if you were running a political campaign and you decided that: "Well, I do not need any campaign workers. I can do without that. It is just too costly. Oh, I can cut back on my radio advertising. I do not need any of that, what the heck." And your opponent is out there outspending you 5 to 1. And then you say: "Why is it that we aren't doing a better job out there?" Well, I tell you, that is one of the reasons.

So I want us all to be sure what we are doing. We are for the budget cuts and we are for carrying out programs that the President has a responsibility for carrying out. But our sense of priorities needs to be sharpened on this issue. That is all we are trying to do here. We urge the Members to do that and to support this bill.

□ 1130

We have also provided an overdue remedy in this bill which is new authority for the Secretary of State. Translated in pure slang, it means that we are tired of being mistreated by other countries with respect to our diplomatic missions and our representatives and having no way to be able to reciprocate and provide equality of treatment of our own people. We have therefore included authority in this bill which at long last gives the Secretary of State the mechanism to deal with this kind of unequal treatment or mistreatment, if you will, or just sheer capricious political action.

So, we think this is a very important step forward.

Mr. Chairman, these agencies are our diplomatic tools. Their people are our first line of defense. Their function is to make sure that we do not have to rely totally on the hardware of the Department of Defense in order to protect our people and our boundaries. But which agency of Government is receiving the funds to keep pace with the international demands of a peaceful world? I must reluctantly report that no agency charged with foreign policy responsibilities is being given the resources to cope effectively with their responsibilities—even though the foreign policy budget is barely 2½ percent of the defense budget and one-half percent of the total Federal budget, and has no discernible impact on domestic inflation.

Among the wide variety of diplomatic activities which facilitate our relations with 146 nations and more than 90 international organizations this authorization contains funds which: First, provide the U.S. assessed contribution to the United Nations, it specialized agencies and the OAS; Second, provide access to a free press for people living under totalitarian rule through the broadcasts of the Voice of America, Radio Free Europe, and Radio Liberty; Third, provide passport services for Americans who wish to travel abroad; and Fourth, facilitate student and other scholarly exchanges as well as technical and cultural exhibitions abroad, promoting friendship and wider understanding for foreign cultures.

Let me use this latter provision to give an example of some of the less obvious programs funded by this bill and to indicate the immediate domestic benefits to be realized from them. The value of educational and cultural exchanges is one that has been significantly underestimated by U.S. citizens and Members of this body. I can tell you that the Soviet Union does not underestimate the power of such programs and places great weight on the benefits which they generate.

To our knowledge, the Soviets have spent approximately $1 billion over the past 25 years on scholarship grants to students from "disadvantaged economic and social backgrounds." U.S. programs come nowhere near this figure. For example, in 1980, the United States offered 24 grants to Costa Rica. In fiscal year 1982 we intend to offer 20. The U.S.S.R., on the other hand, administers 500 scholarships in that country. The United States counters the Soviet's 4,650 grants to the American republics with a grand total of 875 as alternatives to Soviet education. It has been estimated that the Soviet Union spends $200,000,000 for educational exchanges in the Third World alone. The United States plans to spend $66,000,000 for all of its programs in fiscal year 1983.

Let me ask you, who are Third World businessmen, educated in the Soviet Union, going to do business with and whose business methods are they going to use? We feel that we must match the Soviet military buildup, but we neglect the other elements of our defense policy—the radios and the spread of knowledge about our system and our culture through people-to-people relationships. We match military hardware, but fail to offset the ideological and political offensive aimed at the vast world population.

I urge you to endorse all of these efforts by supporting the funding levels in this bill.

H.R. 3518 contains one vital new authority for the Secretary of State which will provide the long-overdue means to remedy a serious and growing imbalance between the treatment accorded by many countries to official missions of the United States abroad, and that accorded to foreign government missions in the United States. Section 119 specifically would provide for the establishment of an independent Office of Foreign Missions in the Department of State through which the operations of foreign missions in the United States and the benefits available to them from Federal, State, and local authorities, public utilities and private persons may be reviewed and, if necessary regulated through a central authority. The Office will assist foreign missions in procuring needed benefits and services, in accordance with our international legal obligations. Such benefits and services would include the procurement of real property, public services, supplies, maintenance contracts, transportation, travel, and other services.

The Office of Foreign Missions will also have the authority to deny bene-

fits or services or take other action in cases where our personnel overseas are not receiving appropriate treatment. In this way, the conditions under which foreign missions operate in the United States, can be made to reflect the conditions under which missions of the United States are required to operate in the countries represented by such foreign missions.

Such conditions occur because foreign missions operating in the United States are currently free to negotiate services and benefits independent of any government sanctions within our free enterprise economy. U.S. missions abroad are often subject to government controls and whims. These manifest themselves in the form of inflated hotel rates, and other charges for diplomats, various discriminatory import duties, and taxes on heating oil, among other things.

Many nations have diplomatic service bureaus which exist solely to provide or regulate services to foreign missions and prevent contact with individual service organizations. Section 119 of this bill simply provides the United States with a similar office which would provide the means to enforce reciprocity and carry out our obligations in a more effective manner.

As a result, the foreign governments and entities represented by missions in the United States will have an incentive to provide governments and entities fair, equitable, and nondiscriminatory treatment to U.S. missions and personnel in their territories. This, in turn, will contribute to significant savings in the costs of operating U.S. missions overseas, improved morale and working conditions for U.S. personnel, and mutual respect in U.S. bilateral and multilateral relations. These authorities may also be applied to international organizations where necessary to give effect to the policy of this legislation.

The bill also make changes in certain administrative authorities to enable the agencies to adapt to changes in international monetary conditions and to more efficiently discharge their responsibilities. Some of these are money saving provisions. One would cut down on U.S. Government insurance costs covering employees involved in short term State Department and ICA projects overseas. Another provision authorizes the State Department and USICA to enter into multiyear contracts when such contracts can be negotiated at lower costs than may be realized in contracts which must be renegotiated annually. As I previously stated, a revenue-raising provision has also been included which eliminates the statutory charge attached to passport issuance in favor of flexibility in determining fees which reflect increasing costs. This provision would extend the period of passport validity from 5 to 10 years. Another provision would clarify existing State Department offset adverse fluctuations in foreign currency exchange rates and overseas wage and price changes by authorizing a buying power maintenance fund in the Department, which will enable the Department to meet overseas operating needs in a timely manner that will insure more efficient use of the funds provided to the Department of State.

Other provisions are: First, provide for an ex gratia payment to the Government of Yugoslavia for inquires incurred by a Yugoslav national in New York City; Second, provide payments of U.S. assessments to the Pan American Institute of Geography and History, the Hague Conference on Private International Law, the International Institute for the Unification of Private Law, and the Pan American Railway Congress; third, provide for a single U.S. representative in Vienna to represent U.S. interests in a variety of international organizations; fourth, allow private sector experts to serve on U.S. delegations to international telecommunications meetings and conferences; and fifth, provide for the distribution within the United States of the ICA film "Reflections: Samuel Eliott Morison."

I would also like to mention that, due to a clerical error, the authorization for ICA's special foreign currency account was not broken down in the budget table as a separate account. Although it is included in the total, it was grouped with the Agency's acquisition and construction account. For the record, I have included with this statement, a revised budget chart, breaking out the $11,451,000 in ICA's special foreign currency account.

This account covers local costs in countries where the Treasury Department finds that the supply of U.S.-owned foreign currencies is excess to the normal requirements of the U.S. Government. ICA has requested an increase of $848,000 for 1982 over the 1981 amount. These funds will be used to cover local rates for rent and utilities and other local operating costs, wages for foreign national employees, and payments to the Department of State for shared administrative support services. This authorization involves no actual budgetary outlays. It merely permits the Agency to utilize excess foreign currencies which are in U.S. account overseas.

	Thousands
Salaries and expenses:	
Overseas missions	$146,194
Exchange of persons	92,380
Broadcasting service	106,669
Program coordination, production, and support	39,456
Agency direction and management	33,412
Administrative support from other agencies	34,076
Subtotal	452,187
Salaries and expenses (special foreign currency program)	11,451
Center for Cultural and Technical Interchange Between East and West	16,880
Acquisition and construction of radio facilities	80,884
Total	561,402

For all of these reasons, Mr. Chairman, I would hope that my colleagues could enthusiastically support the authorization bill as it is now printed before them, the appropriation bill having already been considered and having passed the House last week.

Mr. ROTH. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Wisconsin.

Mr. ROTH. I thank the gentleman for yielding.

I wish to compliment the gentleman from Florida (Mr. FASCELL), who is the chairman of our Subcommittee on International Operations, and our fine committee staff, for the wonderful job they have done.

We hear so much about how many billions we are going to spend on defense to build up our military, on how many billions we are to spend to promote peace. Yet the most important issue for peace, I think, facing this country, as leader of the free world, is determining how we are going to influence the views of the peoples of the world regarding democracy and in particular of America.

We can have all the weapons and military hardware in the world, but nothing can compare to what people think, and we are not doing enough in that area.

The Soviets spend billions of dollars on their propaganda apparatus. Information stressing the Soviet point of view is disseminated throughout the world in every format: Radio, television, and the printed word. Thousands of students are brought to the Soviet Union, thereby gaining firsthand exposure to the Soviet view of the world.

The American effort in this field has steadily declined. We spend today, in real-dollar terms, less than half of what we spent in the mid-1960's on our public diplomacy efforts. We know, because of public opinion surveys and through interviews with refugees, that American information sources fill a void in many parts of the world. We offer correct, accurate, and timely information on important subjects. Yet without the proper level of funding, our public diplomacy cannot keep pace.

In the race for ideas and for world public opinion, we face a challenge from the Soviets just as we face a challenge in the field of armaments. On idealogical grounds, we here in America have an excellent foundation. We have a democracy which reflects the will of the citizens of this Nation. The people of America are in control of their destiny. There are priviliges and rights denied to millions around the world. No matter how much money the Soviets put into their pro-

paganda effort, they cannot hide the fact that personal freedom and liberty disappear under a communist system.

We have a success story to broadcast to the world. Our democracy works, and we must be willing to fund programs which will tell the world that the democracy of America is more than a match for the repressive regimes which are threatening freedom throughout the world. The ideas which we have long cherished are the most powerful weapons in the world.

Although the commitment of this country to public diplomacy has declined in recent years, I want to commend the chairman of our subcommittee for persevering these many years and bringing this story home to the American people.

Mr. FASCELL. I thank the gentleman for his interest and his comments and I agree with the gentleman. I think there is a new awareness in this Congress, among the American people on the importance and necessity of our diplomatic service, of the International Communication Agency, the Voice of America, the Board for International Broadcasting and how vital they are to our own security to tell this story, to continue to persuade. And the old axiom about the power of the pen is still a very powerful one.

A thought is still the strongest weapon that exist.

Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. ZABLOCKI), who is the chairman of the full committee.

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

Mr. ZABLOCKI. Mr. Chairman, I rise in support of H.R. 3518, authorizing appropriations for the Department of State, the International Communication Agency, the Board for International Broadcasting, and the Inter-American Foundation.

At the outset, I want to take this opportunity to commend the distinguished chairman of the Subcommittee on International Operations, Mr. FASCELL, and the distinguished ranking minority member of the subcommittee, Mr. DERWINSKI, and member of the Foreign Affairs Committee, Mr. BROOMFIELD, for their leadership in bringing this vitally important authorizing legislation to the floor. I also want to thank the distinguished chairman of the District of Columbia Committee, the gentleman from California (Mr. DELLUMS) for his cooperation with respect to section 201 of the bill dealing with foreign missions.

The gentleman from Florida has already ably explained in detail the various provisions contained in H.R. 3518, so I will not elaborate on them. However, I would like to make the following points.

First, as a 2-year authorization this bill follows the intent and spirit of the budget act by setting fiscal guidelines for future years, thus permitting advance planning by the departments.

Second, H.R. 3518 reconciles budgetary constraints with the needs of our foreign affairs agencies. In that respect it authorizes the exact amounts requested by the President for fiscal year 1982. For fiscal year 1983 the amounts, which in some instances are in excess of the President's request, remain within the constraints of the Budget Reconciliation Act.

Third, this bill authorizes funds for the State Department and other international agencies that have proven to be the United States' first line of defense. While the Department of Defense has increased its budget, the Department of State has closed consulates and has suffered a reduction in personnel while its workload has increased as a result of lack of funds. The resulting closing of consulates is a serious matter which affects U.S. ability in the areas of trade, security, and intelligence.

This is why the committee felt that it was wise to increase modestly funds for salaries and expenses and other personnel matters so that the Department of State and the other international agencies will be able to conduct their vitally important dipomatic work, which serves to increase U.S. security interests through peaceful means.

Mr. Chairman, I urge the adoption of this bill.

Mr. BROOMFIELD. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. BROOMFIELD. Mr. Chairman, I would like to praise the excellent work of Chairman ZABLOCKI, Subcommittee Chairman FASCELL, and the ranking minority member on the subcommittee, Mr. DERWINSKI, in overseeing the State Department authorization bill.

I wholeheartedly support H.R. 3518. The bill, as reported from the Foreign Affairs Committee, proposes a modest increase in spending for the State Department, International Communication Agency, and the Board for International Broadcasting. While the committee fully appreciated the need for budget austerity, and for that reason kept the authorization to the minimum necessary to do the job, the committee also realized that the foreign affairs budget process has over the years seriously eroded the effectiveness of our foreign affairs agencies. For example, the State Department is the only Cabinet Department which has fewer positions now than it did in 1959. The number of political and economic officer positions has decreased by 12 percent in the last 10 years, Yet the number of countries that we maintain relations with has jumped from 85 in 1959 to 146 today. Furthermore, due to the enormous increase in travel abroad by American tourists, consular work has increased by 900 percent. The need for U.S. representation in international organizations has also grown as more international bodies have come into existence. With regard to the International Communication Agency, it operates in real dollar terms with less than 50 percent of the funding it had 15 years ago. This amount is far less than the amount spent by our ideological opponents. Not only are we unduly restricting ourselves in getting the American message abroad, but the number of scholarships that we grant for foreign students to study in the United States, thereby learning the values of freedom and democracy, are miniscule compared to the number granted by the Soviet bloc.

In short, we must not jeopardize our ability to protect the national security by providing only insufficient resources. We must improve our monitoring of overseas political events and we need to carefully evaluate the repercussions of economic fluctuations in developing areas. Additionally, it is important that Americans traveling abroad, on business or for pleasure, have access to effective protective services on a timely basis.

I fully endorse H.R. 3518, as reported, and encourage my House colleagues to do likewise.

Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. EVANS).

Mr. EVANS of Delaware. Mr. Chairman, I rise in strong support of H.R. 3518. I would like to congratulate the gentleman from Florida (Mr. FASCELL) for his statement and his support of ICA; the chairman of the committee, the gentleman from Wisconsin (Mr. ZABLOCKI), and certainly the ranking minority member, the gentleman from Michigan (Mr. BROOMFIELD).

I would also like to take this opportunity to commend the administration in their conduct of our Nation's foreign policy. We have turned away from, at times, inconsistent and sometimes incoherent foreign policy which was lacking in credibility.

I do not mean to suggest that we have achieved a utopian foreign policy, but we are certainly headed in the right direction and already there is increasing respect for America around the world. Suddenly we are talking with our allies and our opponents with new strength and purpose. The awareness of that strength has increased our credit with our allies and gained, however grudgingly, the respect of our opponents.

Such grudging respect surely was the motive behind Fidel Castro's bizarre attack on America at the unlikely forum of an international meeting of parliamentarians a few days ago.

In H.R. 3518, I am especially pleased that the committee has made a firm commitment to our international broadcasting efforts. This measure authorizes increases in the budgets for Radio Free Europe, Voice of America and Radio Liberty recommended by

the administration for the coming year.

Mr. Chairman, these broadcasts are an important part of our national defense, and, therefore, an essential element in our Nation's national security. They are nonmilitary, cost effective and employable now.

One of the problem we have had in our dealing with other nations is that we are often misunderstood by their people. I believe it would be incredibly foolish in these times for us not to increase our efforts in getting our message across. We do not need, nor do we want, a propaganda agency. We do not have to improve on the truth because our ideas and accomplishments speak for themselves.

This is, I believe, our greatest advantage. We need not color the truth but merely relay it to the world in a strong and clear voice.

As Thomas Jefferson said in speaking of the University of Virginia, and I believe those words apply to our country as well, "Here we are not afraid to follow the truth, wherever it may lead so long as reason is free to combat it."

He believed, as I do, that the truth will always win over lies, but it is critical that we get that truth through.

The Soviets spend as much money jamming our radios as we do broadcasting and obviously we must be having an impact they do not like.

Therefore, the importance of our efforts in this field cannot be underestimated.

The CHAIRMAN. The time of the gentleman from Delaware (Mr. EVANS) has expired.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 additional minute to the gentleman from Delaware.

Mr. EVANS of Delaware. For millions of our people, our international broadcasts are their only source of truthful information about actions by their Government. It was a UPI story about a year ago from Moscow which illustrated well the power of our international broadcasts. It stated that—

Andrei Sakharov's exile means sitting long hours at a bare wooden table listening to the Voice of America, often, according to his wife, learning for the first time the details of his banishment.

That story reflects vividly the value of the program, and this legislation demonstrates that we will not fail in our responsibility to the millions of people in the world who hunger for the truth.

I compliment the committee on their fine work and urge my colleagues to support this important legislation.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Delaware. I yield to the distinguished gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

I want to thank the gentleman for his very fine statement. We just cannot keep saying too much, reiterating what the gentleman has said in his statement. We have just got to keep doing that until we get the recognition, not only here, and I think it is here in this Congress, and certainly is in the administration.

Mr. BROOMFIELD. Mr. Chairman, I have no further requests for time.

Mr. FASCELL. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the Clerk will read the bill by title.

The Clerk read as follows:

H.R. 3518

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

TITLE I— DEPARTMENT OF STATE

SHORT TITLE

SEC. 101. This title may be cited as the "Department of State Authorization Act, Fiscal Years 1982 and 1983".

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 102. There are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and other purposes authorized by law, the following amounts:

(1) For "Administration of Foreign Affairs", $1,318,754,000 for the fiscal year 1982 and $1,744,391,000 for the fiscal year 1983.

(2) For "International Organizations and Conferences", $563,806,000 for the fiscal year 1982 and $554,436,000 for the fiscal year 1983.

(3) For "International Commissions", $22,508,000 for the fiscal year 1982 and $24,759,000 for the fiscal year 1983.

(4) For "Migration and Refugee Assistance", $553,100,000 for the fiscal year 1982 and $555,600,000 for the fiscal year 1983.

PALESTINIAN RIGHTS UNITS

SEC. 103. Funds appropriated under paragraph (2) of section 102 of this Act may not be used for payment by the United States, as its contribution toward the assessed budget of the United Nations for any year, of any amount which would cause the total amount paid by the United States as its assessed contribution for that year to exceed the amount assessed as the United States contribution for that year less—

(1) 25 per centum of the amount budgeted for that year for the Committee on the Exercise of the Inalienable Rights of the Palestinian People (or any similar successor entity), and

(2) 25 percentum of the amount budgeted for that year for the Special Unit on Palestinian Rights (or any similar successor entity).

EX GRATIA PAYMENT

SEC. 104. Of the amount appropriated for the fiscal year 1982 under paragraph (1) of section 102 of this Act, $81,000 shall be available for payment ex gratia to the Government of Yugoslavia as an expression of concern by the United States Government for the injuries sustained by a Yugoslav national as a result of an attack on him in New York City.

ASSISTANCE FOR REFUGEES SETTLING IN ISRAEL

SEC. 105. Of the amounts authorized to be appropriated by paragraph (4) of section 102 of this Act, $12,500,000 for the fiscal year 1982 and $15,000,000 for the fiscal year 1983 shall be available only for assistance for the resettlement in Israel of refugees from the Union of Soviet Socialist Republics and from Communist countries in Eastern Europe.

BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS

SEC. 106. In addition to the amounts authorized to be appropriated by section 102 of this Act, there are authorized to be appropriated to the Secretary of State $3,700,000 for the fiscal year 1982 and $3,700,000 for the fiscal year 1983 for payment of the United States share of expenses of the science and technology agreements between the United States and Yugoslavia and between the United States and Poland.

CURRENCY FLUCTUATIONS

SEC. 107. (a) Section 24(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(b)), is amended to read as follows:

"(b)(1) In order to maintain the levels of program activity provided for each fiscal year by the annual authorizing legislation for the Department of State, there are authorized to be appropriated for the Department such sums as may be necessary to offset adverse fluctuations in foreign currency exchange rates, or overseas wage and price changes, which occur after November 30 of the calendar year preceding the enactment of the authorizing legislation for such fiscal year.

"(2) In order to eliminate substantial gains to the approved levels of overseas operations, the Secretary of State may transfer to the appropriation account established under paragraph (1) of this subsection such amounts in other appropriation accounts under the heading 'Administration of Foreign Affairs' as the Secretary determines are excessive to the needs of the approved level of operations because of fluctuations in foreign currency exchange rates or changes in overseas wages and prices.

"(3) Funds transferred from the appropriation account established under paragraph (1) shall be merged with and be available for the same purpose, and for the same time period, as the appropriation account to which transferred; and funds transferred to the appropriation account established under paragraph (1) shall be merged with and available for the purposes of that appropriation account until expended. Any restriction contained in an appropriation Act or other provision of law limiting the amounts available for the Department of State that may be obligated or expended shall be deemed to be adjusted to the extent necessary to offset the net effect of fluctuations in foreign currency exchange rates or overseas wage and price changes in order to maintain approved levels.".

(b) Section 704(c) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1477b(c)) is amended by striking out "preceding" and inserting in lieu thereof "calendar year preceding the enactment of the authorizing legislation for such".

(c) Section 8(a)(2) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2287(a)(2)) is amended by striking out "preceding" in the first sentence and inserting in lieu thereof "calendar year preceding the enactment of the amendments to paragraph (1) which provide the authorization for such".

(d) The amendments made by this section shall take effect on October 1, 1981.

PASSPORT FEES AND PERIOD OF VALIDITY

SEC. 108. (a) The first sentence of section 1 under the heading "Fees for Passports and Visas" of the Act of June 4, 1920 (22 U.S.C. 214), is amended to read as follows: "There shall be collected and paid into the Treas-

ury of the United States a fee, prescribed by the Secretary of State by regulation, for each passport issued and a fee, prescribed by the Secretary of State by regulation, for executing each application for a passport.".

(b)(1) Section 2 of the Act entitled "An Act to regulate the issue and validity of passports, and for other purposes", approved July 3, 1926 (22 U.S.C. 217a), is amended to read as follows:

"SEC. 2. A passport shall be valid for a period of ten years from the date of issue, except that the Secretary of State may limit the validity of a passport to a period of less than ten years in an individual case or on a general basis pursuant to regulation.".

(2) The amendment made by this subsection applies with respect to passports issued after the date of enactment of this Act.

DOCUMENTATION OF CITIZENSHIP

SEC. 109. The State Department Basic Authorities Act of 1956 is amended by inserting the following new section 33 immediately after section 32 and by redesigning existing section 33 as section 34:

"SEC. 33. The following documents shall have the same force and effect as proof of United States citizenship as certificates of naturalization or of citizenship issued by the Attorney General or by a court having naturalization jurisdiction:

"(1) A passport, during its period of validity (if such period is the maximum period authorized by law), issued by the Secretary of State to a citizen of the United States.

"(2) The report, designated as a 'Report of Birth Abroad of a Citizen of the United States', issued by a consular officer to document a citizen born abroad.".

PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

SEC. 110. Paragraph (1) of the first section of the joint resolution entitled "Joint resolution to provide for membership of the United States in the Pan American Institute of Geography and History; and to authorize the President to extend an invitation for the next general assembly of the institute to meet in the United States in 1935, and to provide appropriation for expenses thereof", approved August 2, 1935 (22 U.S.C. 273), is amended by striking out ", not to exceed $200,000 annually,".

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW AND THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW

SEC. 111. Section 2 of the joint resolution entitled "Joint resolution to provide for participation by the Government of the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law, and authorizing appropriations therefor", approved December 30, 1963 (22 U.S.C. 269g-1), is amended by striking out ", except that" and all that follows through "that year".

PAN AMERICAN RAILWAY CONGRESS

SEC. 112. Section 2(a) of the joint resolution entitled "Joint resolution providing for participation by the Government of the United States in the Pan American Railway Congress, and authorizing an appropriation therefor", approved June 28, 1948 (22 U.S.C. 280k), is amended by striking out "Not more than $15,000 annually" and inserting in lieu thereof "Such sums as may be necessary".

UNITED STATES REPRESENTATIVE TO INTERNATIONAL ORGANIZATIONS IN VIENNA

SEC. 113. Section 2 of the United Nations Participation Act of 1945 (22 U.S.C. 287) is amended by adding at the end thereof the following new subsection:

"(h) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the Vienna office of the United Nations with appropriate rank and status, who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such individual shall, at the direction of the Secretary of State, represent the United States at the Vienna office of the United Nations and perform such other functions there in connection with the participation of the United States in international organizations as the Secretary of State from time to time may direct.".

LIVING QUARTERS FOR THE STAFF OF THE UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS

SEC. 114. Section 8 of the United Nations Participation Act of 1945 (22 U.S.C. 287e) is amended—

(1) by striking out "representative of the United States to the United Nations referred to in paragraph (a) of section 2 hereof" and inserting in lieu thereof "representatives provided for in section 2 of this Act and of their appropriate staffs"; and

(2) by adding at the end thereof the following: "Any payments made by United States Government personnel for occupancy by them of living quarters leased or rented under this section shall be credited to the appropriation, fund, or account utilized by the Secretary of State for such lease or rental or to the appropriation, fund, or account currently available for such purpose.".

AMENDMENTS CORRECTING PRINTING ERRORS

SEC. 115. The Foreign Service Act of 1980 is amended—

(1) in section 704(b)(2) (22 U.S.C. 402(a)(2)) by striking out "411" and inserting in lieu thereof "412"; and

(2) in section 814(a)(3) (22 U.S.C. 4054(a)(3)) by striking out "on" the second place it appears in the first sentence and inserting in lieu thereof "or".

PRIVATE SECTOR REPRESENTATIVES ON UNITED STATES DELEGATIONS TO INTERNATIONAL TELECOMMUNICATIONS MEETINGS AND CONFERENCES

SEC. 116. (a) Sections 203, 205, 207, and 208 of title 18, United States Code, shall not apply to a private sector representative on the United States delegation to an international telecommunications meeting or conference who is specifically designated to speak on behalf of or otherwise represent the interests of the United States at such meeting or conference with respect to a particular matter, if the Secretary of State (or his designee) certifies that no Government employee on the delegation is as well qualified to represent United States interests with respect to such matter and that such designation serves the national interest. All such representatives shall have on file with the Department of State the financial disclosure report required for special Government employees.

(b) As used in this section, the term "international telecommunications meeting or conference" means the conferences of the International Telecommunications Union, meetings of its International Consultative Committees for Radio and for Telephone and Telegraph, and such other international telecommunications meetings or conferences as the Secretary of State may designate.

PROCUREMENT CONTRACTS

SEC. 117. The State Department Basic Authorities Act of 1956 is amended by inserting the following new section immediately after section 13:

"SEC. 14. (a) Any contract for the procurement of property or services, or both, for the Department of State or the Foreign Service which is funded on the basis of annual appropriations may nevertheless be made for periods not in excess of five years when—

"(1) appropriations are available and adequate for payment for the first fiscal year and for all potential cancellation costs; and

"(2) the Secretary of State determines that—

"(A) the need of the Government for the property or service being acquired over the period of the contract is reasonably firm and continuing;

"(B) such a contract will serve the best interests of the United States by encouraging effective competition or promoting economies in performance and operations; and

"(C) such a method of contracting will not inhibit small business participation.

"(b) In the event that funds are not made available for the continuation of such a contract into a subsequent fiscal year, the contract shall be cancelled and any cancellation costs incurred shall be paid from appropriations originally available for the performance of the contract, appropriations currently available for the acquisition of similar property or services and not otherwise obligated, or appropriations made for such cancellation payments.".

COMPENSATION FOR DISABILITY OR DEATH

SEC. 118. The State Department Basic Authorities Act of 1956 is amended by inserting the following new section immediately after section 15:

SEC. 16. The first section of the Act of August 16, 1941 (42 U.S.C. 1651; commonly known as the Defense Base Act) shall not apply with respect to such contracts as the Secretary of State may determine which are contracts with persons employed to perform work for the Department of State or the Foreign Service on an intermittent basis for not more than 90 days in a calendar year.".

REGULATION OF FOREIGN MISSIONS

SEC. 119. (a) The State Department Basic Authorities Act of 1956 is amended by striking out "That the Secretary" in the first section and inserting in lieu thereof the following:

"TITLE I—BASIC AUTHORITIES GENERALLY

"SECTION 1. The Secretary".

(b) That Act is further amended by adding at the end thereof the following:

"TITLE II—AUTHORITIES RELATING TO THE REGULATION OF FOREIGN MISSIONS

"DECLARATION OF FINDINGS AND POLICY

"SEC. 201. (a) The Congress finds that the operation in the United States of foreign missions and public international organizations and the official missions to such organizations, including the permissible scope of their activities and the location and size of their facilities, is a proper subject for the exercise of Federal jurisdiction.

"(b) The Congress declares that it is the policy of the United States to support the secure and efficient operation of United States missions abroad, to facilitate the secure and efficient operation in the United States of foreign missions and public international organizations and the official missions to such organizations, and to assist in obtaining appropriate benefits, privileges, and immunities for those missions and organizations and to require their observance of corresponding obligations in accordance with international law.

"(c) The assistance to be provided to a foreign mission in the United States shall be determined after due consideration of the benefits, privileges, and immunities provided to missions of the United States in the

country or territory represented by that foreign mission.

"DEFINITIONS

"SEC. 202. (a) For purposes of this title—

"(1) 'benefit' (with respect to a foreign mission) means any acquisition, or authorization for an acquisition, in the United States by or for a foreign mission, including the acquisition of—

"(A) real property by purchase, lease, exchange, construction, or otherwise,

"(B) public services, including services relating to customs, importation, and utilities, and the processing of applications or requests relating to public services,

"(C) supplies, maintenance, and transportation,

"(D) locally engaged staff on a temporary or regular basis,

"(E) travel and related services, and

"(F) protective services,

and includes such other benefits as the Secretary may designate;

"(2) 'chancery' means the principal offices of a foreign mission used for diplomatic or related purposes, and annexes to such offices (including ancillary offices and support facilities), and includes the site and any building on such site which is used for such purposes;

"(3) 'Director' means the Director of the Office of Foreign Missions established pursuant to section 203(a);

"(4) 'foreign mission' means any official mission to the United States involving diplomatic, consular, or other governmental activities of—

"(A) a foreign government, or

"(B) an organization (other than an international organization, as defined in section 209(b) of this title) representing a territory or political entity which has been granted diplomatic or other official privileges and immunities under the laws of the United States,

including any real property of such a mission and including the personnel of such a mission;

"(5) 'real property' includes any right, title, or interest in or to, or the beneficial use of, any real property in the United States, including any office or other building;

"(6) 'Secretary' means the Secretary of State;

"(7) 'sending State' means the foreign government, territory, or political entity represented by a foreign mission; and

"(8) 'United States' means, when used in a geographic sense, the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

"(b) Determinations with respect to the meaning and applicability of the terms used in subsection (a) shall be committed to the discretion of the Secretary.

"OFFICE OF FOREIGN MISSIONS

"SEC. 203. (a) The Secretary shall establish an Office of Foreign Missions as an independent office within the Department of State. The Office shall be headed by a Director, appointed by the Secretary, who shall perform his or her functions under the supervision and direction of the Secretary. The Secretary may delegate this authority for supervision and direction of the Director only to the Deputy Secretary of State or an Under Secretary of State.

"(b) The Secretary may authorize the Director to—

"(1) assist agencies of Federal, State, and municipal government with regard to ascertaining and according benefits, privileges, and immunities to which a foreign mission may be entitled;

"(2) provide or assist in the provision of benefits for or on behalf of a foreign mission in accordance with section 204; and

"(3) perform such other functions as the Secretary may determine necessary in furtherance of the policy of this title.

"PROVISION OF BENEFITS

"SEC. 204. (a) Upon the request of a foreign mission, benefits may be provided to or for that foreign mission by or through the Director on such terms and conditions as the Secretary may approve.

"(b) If the Secretary determines that such action is reasonably necessary on the basis of reciprocity or otherwise—

"(1) to facilitate relations between the United States and a sending State,

"(2) to protect the interests of the United States,

"(3) to adjust for costs and procedures of obtaining benefits for missions of the United States abroad, or

"(4) to assist in resolving a dispute affecting United States interests and involving a foreign mission or sending State,

then the Secretary may require a foreign mission (A) to obtain benefits from or through the Director on such terms and conditions as the Secretary may approve, or (B) to comply with such terms and conditions as the Secretary may determine as a condition to the execution or performance in the United States of any contract or other agreement; the acquisition, retention, or use of any real property; or the application for or acceptance of any benefit (including any benefit from or authorized by any Federal, State, or municipal governmental authority, or any entity providing public services).

"(c) Terms and conditions established by the Secretary under this section may include—

"(1) a requirement to pay to the Director a surcharge or fee, and

"(2) a waiver by a foreign mission (or any assignee of or person deriving rights from a foreign mission) of any recourse against any governmental authority, any entity providing public services, any employee or agent of such an authority or entity, or any other person, in connection with any action determined by the Secretary to be undertaken in furtherance of this title.

"(d) For purposes of effectuating a waiver of recourse which is required under this section, the Secretary may designate the Director or any other officer of the Department of State as the agent of a foreign mission (or of any assignee of or person deriving rights from a foreign mission). Any such waiver by an officer so designated shall for all purposes (including any court or administrative proceeding) be deemed to be a waiver by the foreign mission (or the assignee of or other person deriving rights from a foreign mission).

"PROPERTY OF FOREIGN MISSIONS

"SEC. 205. (a)(1) The Secretary may require any foreign mission to notify the Director prior to any proposed acquisition, or any proposed sale or other disposition, of any real property by or on behalf of such mission. If such a notification is required, the foreign mission (or other party acting on behalf of the foreign mission) may initiate or execute any contract, proceeding, application, or other action required for the proposed action—

"(A) only after the expiration of the sixty-day period beginning on the date of such notification (or after the expiration of such shorter period as the Secretary may specify in a given case); and

"(B) only if the mission is not notified by the Secretary within that period that the proposal has been disapproved; however, the Secretary may include in such a notification such terms and conditions as the Secretary may determine appropriate in order to remove the disapproval.

"(2) For purposes of this section, 'acquisition' includes any acquisition or alteration of, or addition to, any real property or any change in the purpose for which real property is used by foreign mission.

"(b) The Secretary may require any foreign mission to divest itself of, or forego the use of, any real property determined by the Secretary—

"(1) not to have been acquired in accordance with this section; or

"(2) to exceed limitations placed on real property available to a United States mission in the sending State.

"(c) If a foreign mission has ceased conducting diplomatic, consular, and other governmental activities in the United States and there is not a protecting power or other agent designated by the sending State and approved by the Secretary which is responsible for the property of that foreign mission, the Secretary—

"(1) until the designation of a protecting power or other agent approved by the Secretary, may protect and preserve any property of that foreign mission; and

"(2) may authorize the Director to dispose of such property at such time as the Secretary may determine after the expiration of the one-year period beginning on the date that the foreign mission ceased those activities, and may remit to the sending State the net proceeds from such disposition.

"LOCATION OF FOREIGN MISSIONS

"SEC. 206. (a) In order to ensure the fulfillment of the international obligations of the United States and fulfillment of the policy of this title, and to ensure the orderly development of the national capital, the location, height, bulk, number of stories, and size of any building or other real property of a foreign mission in the District of Columbia, and the provision for open space in and around any such building or other property, shall be subject to approval by the National Capital Planning Commission (hereafter in this section referred to as the 'Commission'). This subsection does not apply with respect to a building or other real property of a foreign mission if the Commission determines that the property will only be used by a party other than a foreign mission and will only be used for activities that do not involve the diplomatic, consular, or other governmental activities of a foreign mission.

"(b) Any determination by the Commission pursuant to subsection (a) of this section which involves approval of the location of or a use of real property for a chancery, or involves approval of site and building plans for a chancery, shall be considered rulemaking under section 553 of title 5, United States Code, and shall be based solely on the following criteria:

"(1) the Federal interest;

"(2) the chancery is in an area (A) of predominantly office use, (B) of mixed use, including residential, commercial, office, or institutional use, (C) of medium or high density residential use, or (D) in reasonable proximity to streets on which existing chanceries are concentrated;

"(3) historic preservation (as determined in accordance with regulations issued by the Commission in carrying out this section);

"(4) the extent to which the area will be served by public transit to reduce parking requirements;

"(5) the extent to which the area will have adequate public facilities, utilities, and serv-

ices, including streets, street lighting, water, sewer, electricity, telephone, and refuse collection;

"(6) the area is capable of being adequately protected, as determined by a Federal agency authorized to perform protective services; and

"(7) the municipal interest.

Any other determination by the Commission with respect to real property of a foreign mission pursuant to subsection (a) of this section shall be based solely on the criteria specified in paragraphs (1), (3), (6), and (7), and such other criteria as the Commission may by regulation establish.

"(c) In any proceeding with respect to real property of a foreign mission pursuant to subsection (a) of this section—

"(1) a determination by the Secretary as to the Federal interest shall be given substantial weight; and

"(2) a determination by the Mayor of the District of Columbia as to the municipal interest shall be given substantial weight.

"(d) In any proceeding with respect to real property of a foreign mission pursuant to subsection (a) of this section, the final determination with respect to approved of a location or use or approval of site and building plans shall be made not later than five months after the date of filing an application for such approval.

"PREEMPTION

"SEC. 207. Notwithstanding any other provision of law, no act of any Federal agency or of any State or municipal governmental authority shall be effective to confer or deny any benefits with respect to any foreign mission contrary to this title.

"GENERAL PROVISIONS

"SEC. 208. (a) The Secretary may issue such regulations as the Secretary may determine necessary to carry out the policy of this title.

"(b) Compliance with any regulation, instruction, or direction issued by the Secretary under this title shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same. No person shall be held liable in any court or administrative proceeding for or with respect to anything done or omitted in good faith in connection with the administration of, or pusuant to and in reliance on, this title, or any regulation, instruction, or direction issued by the Secretary under this title.

"(c) For purposes of administering this title, the Secretary may—

"(1) accept details and assignments of employees of Federal agencies to the Office of Foreign Missions on a reimbursable or nonreimbursable basis (with any such reimbursements to be credited to the appropriations made available for the salaries and expenses of officers and employees of the employing agency); and

"(2) obtain without regard to the provisions of law governing appointments in the competitive service, by appointment or contract (subject to availability of funds), the services of individuals to provide technical and professional services which are not otherwise available and which are required to carry out the functions of the Director.

"(d) Contracts and subcontracts for supplies or services (except for personal services), made by or on behalf of the Director, shall be made after advertising, in such manner and at such times as the Secretary shall determine to be adequate to ensure notice and opportunity for competition, except that advertisement shall not be required when (1) the Secretary determines that it is impracticable or will not permit timely performance to obtain bids by advertising, or (2) the aggregate amount involved in a purchase of supplies or procurement of services does not exceed $10,000. Such contracts and subcontracts may be entered into without regard to laws and regulations otherwise applicable to solicitation, negotiation, administration, and performance of government contracts. In awarding contracts, the Secretary may consider such factors as relative quality and availability of supplies or services and the compatability of the supplies or services with implementation of this title.

"(e) The head of any Federal agency may, for purposes of this title—

"(1) transfer or loan any property to, and perform administrative and technical support functions and services for the operations of, the Office of Foreign Missions (with reimbursements to agencies under this paragraph to be credited to the current applicable appropriation of the agency concerned); and

"(2) acquire and accept services from the Office of Foreign Missions, including (whenever the Secretary determines it to be in furtherance of the purposes of this title) acquisitions without regard to laws normally applicable to the acquisition of services by such agency.

"(f) Assets of or under the control of the Office of Foreign Missions, wherever situated, which are used by or held for the use of a foreign mission shall not be subject to attachment, execution, injunction, or similar process, whether intermediate or final.

"(g) Except as otherwise provided, any determination required under this title shall be committed to the discretion of the Secretary. Except as provided in the first sentence of section 206(b), actions taken under the authority of this title shall not be considered rulemaking within the meaning of section 553 of title 5, United States Code.

"(h)(1) In order to implement this title, the Secretary may transfer such amounts available to the Department of State as may be necessary to the working capital fund established by section 13 of this Act.

"(2) Notwithstanding any other provision of law, all revenues, including proceeds from gifts and donations, received by the Director or the Secretary in carrying out this title may be credited to the working capital fund established by section 13 of this Act and shall be available for purposes of this title in accordance with that section.

"APPLICATION TO PUBLIC INTERNATIONAL ORGANIZATIONS AND OFFICIAL MISSIONS TO SUCH ORGANIZATIONS

SEC. 209. (a) The Secretary may make section 206, or any other provision of this title, applicable with respect to an international organization to the same extent that it is applicable with respect to a foreign mission if the Secretary determines, after consultation with the international organization, that such application is necessary to carry out the policy set forth in section 201(b) and to further the objectives set forth in section 204(b).

"(b) For purposes of this section, 'international organization' means—

"(1) a public international organization designated as such pursuant to the International Organizations Immunities Act (22 U.S.C. 288-288f-2) or other law authorizing such status; and

"(2) an official mission (other than a United States mission) to such apublic international organization,

including any real property of such an organization or mission and including the personnel of such an organization or mission.

"PRIVILEGES AND IMMUNITIES

"SEC. 210. Nothing in this title shall be construed to limit the authority of the United States to carry out its international obligations, or to supersede or limit immunities otherwise available by law. No act or omission by any foreign mission, public international organization, or official mission to such an organization, in compliance with this title, shall be deemed to be an implied waiver of any immunity otherwise provided for by law.

"ENFORCEMENT

"SEC. 211. It shall be unlawful for any person to make available any benefits to a foreign mission contrary to this title. This section shall be enforceable in any appropriate district court of the United States by injunctive or other equitable relief upon application by the Attorney General.

"SEVERABILITY

"SEC. 212. If any provision of this title or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of such provision to any other person or circumstance shall not be affected thereby.".

(c) Section 13 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2684) is amended in the first sentence by striking out "and" following the semicolon at the end of clause (3), and by inserting immediately before the period at the end thereof "; and (5) services and supplies to carry out title II of this Act".

(d)(1) Subparagraph (A) of section 2(1) of the Diplomatic Relations Act (22 U.S.C. 254a(1)(A)) is amended to read as follows:

"(A) the head of a mission and those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities,".

(2) Section 3(b) of such Act (22 U.S.C. 254b) is amended to read as follows:

"(b) With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers shall enjoy the privileges and immunities specified in the Vienna Convention.".

(3) Section 4 of such Act (22 U.S.C. 254c) is amended—

(A) by inserting "the mission, the" immediately after "immunities for"; and

(B) by striking out "of any sending state".

(4) Section 1364 of title 28, United States Code, is amended by striking out "as defined in the Vienna convention on Diplomatic Relations" and inserting in lieu thereof "within the meaning of section 2(3) of the Diplomatic Relations Act (22 U.S.C. 254a(3))".

(c) The Act of June 20, 1938 (Public Law 684, Seventy-Fifth Congress; 52 Stat. 797) is amended—

(1) in section 6 by striking out "(a)", and by striking out subsection (b), (c), (d), and (e); and

(2) in section 16 by adding at the end thereof the following new sentence: "In addition, the provisions of this Act shall not apply to any real property to which section 206(a) of the State Department Basic Authorities Act of 1956 (relating to foreign missions) is applicable.".

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

DISTRICT OF COLUMBIA COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the District of Columbia Committee amendment.

The Clerk read as follows:

District of Columbia Committee Amendment: Page 14, beginning on line 9, strike out "and the location and size of their facilities".

Page 16, line 9, strike out "section 209(b)" and insert in lieu thereof "section 208(b)".

Page 22, strike out line 1 and all that follows through page 24, line 13.

Page 24, line 15, strike out "SEC. 207" and insert in lieu thereof "SEC. 206".

Page 24, line 21, strike out "SEC. 208" and insert in lieu thereof "SEC. 207".

Page 27, beginning on line 11, strike out "Except as provided in the first sentence of section 206(b), actions" and insert in lieu thereof "Actions".

Page 28, beginning on line 4, strike out "SEC. 209. (a) The Secretary may make section 206, or any other" and insert in lieu thereof "SEC. 208. (a) The Secretary may make any".

Page 29, line 2, strike out "SEC. 210" and insert in lieu thereof "SEC. 209".

Page 29, line 11, strike out "SEC. 211" and insert in lieu thereof "SEC. 210".

Page 29, line 18, strike out "SEC. 212" and insert in lieu thereof "SEC. 211".

Page 31, strike out line 3 and all that follows through line 12.

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

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

There was no objection.

AMENDMENT OFFERED BY MR. FASCELL AS A SUBSTITUTE FOR THE DISTRICT OF COLUMBIA COMMITTEE AMENDMENT

Mr. FASCELL. Mr. Chairman, I offer an amendment as a substitute for the District of Columbia Committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL as a substitute for the District of Columbia Committee amendment: Page 22, strike out line 1 and all that follows through line 13 on page 24 and insert in lieu thereof the following:

"LOCATION OF FOREIGN MISSIONS IN THE DISTRICT OF COLUMBIA

"SEC. 206. (a) In order to ensure the fulfillment of the international obligations of the United States and the policy of this title, the location, replacement, or expansion of any building or other real property in the District of Columbia which is used for the diplomatic, consular, or other governmental activities (except property used exclusively for residential purposes) of a foreign mission shall be subject to the approval of the District of Columbia Foreign Missions Commission as provided in this section.

"(b)(1) There is hereby created, as an independent agency of the District of Columbia, the District of Columbia Foreign Missions Commission (hereafter in this section referred to as the 'Foreign Missions Commission') which shall consist of the five members of the Zoning Commission for the District of Columbia (as such members are designated by section 492(a) of the District of Columbia Self-Government and Governmental Reorganization Act (D.C. Code, sec. 5-412)), the Chairman of the National Capital Planning Commission, and the Secretary of Defense, or such alternative as each person may designated from time to time.

"(2) While actually engaged in the performance of duties as a member of the Foreign Missions Commission, the Chairman of the National Capital Planning Commission (or the alternate designated by the Chairman) shall be compensated by the District of Columbia in the manner and at the rates applicable to the members of the Zoning Commission for the District of Columbia who are appointed by the Mayor.

"(3) The Mayor of the District of Columbia shall furnish such facilities and administrative services, and shall assign such employees, to the Foreign Missions Commission as may be required by the Commission to carry out this section.

"(c) The Foreign Missions Commission shall—

"(1) establish areas within which chanceries may be located as a matter of right, and

"(2) establish additional areas within which chanceries may be located.

Limitations on chancery uses shall not exceed those applicable to any other nonresidential use in the areas so established.

"(d) Any determination by the Foreign Missions Commission pursuant to this section, including the establishment of areas in accordance with paragraphs (1) and (2) of subsection (c), shall be considered rulemaking under the District of Columbia Administrative Procedure Act (D.C. Code, secs. 1-1501—1-1510).

"(e) Any determination by the Foreign Missions Commission with respect to chanceries pursuant to this section, including the establishment of areas in accordance with paragraphs (1) and (2) of subsection (c), shall be based solely on the following criteria:

"(1) The obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital.

"(2) The chancery is in or adjacent to an area, determined on the basis of existing or planned uses, of (A) commericial use, or (B) mixed uses, including residential, commercial, office, or institutional use.

"(3) Historic preservation, as determined by the Foreign Missions Commission in carrying out this section; except that substantial compliance with District and Federal laws governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks, in order to ensure compatibility with historic landmarks and districts.

"(4) The adequacy of off-street or other parking and the extent to which the area will be served by public transportation to reduce parking requirements, subject to such special security requirements as may be determined by the Secretary.

"(5) The extent to which the area will have adequate public facilities, utilities, and services, including streets, street lighting, water, sewer, electricity, telephone, and refuse collection.

"(6) The extent to which the area is capable of being adequately protected, as determined by a Federal agency authorized to perform protective services.

"(7) The municipal interest, as determined by the Mayor of the District of Columbia.

"(8) The Federal interest, as determined by the Secretary.

Any other determination by the Foreign Missions Commission pursuant to this section shall be based solely on the criteria specified in paragraphs (1), (3), (6), (7), and (8), and such other criteria as the Commission may by regulation establish.

"(f)(1) The regulations, proceedings, and other actions of the Foreign Missions Commission pursuant to this section shall not be inconsistent with Federal elements of the comprehensive plan for the National Capital. All elements of the comprehensive plan relating to the location of foreign missions shall be based solely on the criteria set forth in this section and shall reflect the policy of this title.

"(2) Proposed determinations by the Foreign Missions Commission shall be referred to the National Capital Planning Commission for review and comment.

"(g) The Foreign Missions Commisson shall promulgate such regulations as it determines are necessary for it to carry out this section.

"(h) This section shall not be construed to authorize, and the regulations of the Foreign Missions Commission shall not provide for or require, procedures in the nature of a special exception or administrative proceedings of an adjudicatory nature.

"(i) In any proceeding with respect to approval of the location, replacement, or expansion of real property of a foreign mission pursuant to this section, the final determination by the Foreign Missions Commission shall be made not later than 6 months after the date of filing an application for such approval. Any such determination shall not be subject to administrative proceedings of any other agency or official except as provided in this title. Any such determination by the Foreign Missions Commission shall ensure the fulfillment of the obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions and shall take into account special security requirements as determined by the Secretary.

"(j) The Secretary shall require foreign missions to comply substantially with District of Columbia building and related codes in a manner determined by the Secretary to be not inconsistent with the international obligations of the United States.

"(k) The United States, acting on its own behalf or on behalf of a foreign mission—

"(1) has standing to bring an action for judicial review of a determination by the Foreign Missions Commission under this section or, where appropriate, for judicial enforcement of the requirements of this section applicable to the Commission; and

"(2) has standing to intervene in any such action which is otherwise pending.

"(l) Approval by the Foreign Missions Commission under this section or, except as provided in section 205, by any other agency or official is not required—

"(1) for the location, replacement, or expansion of real property of a foreign mission to the extent—

"(A) that authority to proceed with respect to such location, replacement, or expansion was granted to the foreign mission before the date of enactment of this section, or

"(B) that rights or interests with respect to such location, replacement, or expansion were otherwise acquired by the foreign mission before the date of enactment of this section; or

"(2) for continuing use of real property by a foreign mission for diplomatic, consular, or other governmental activity to the extent that such property was being used by that foreign mission for that activity on the date of enactment of this section.

Page 27, beginning in line 11, strike out "Except as provided in the first sentence of section 206(b), actions" and insert in lieu thereof "Actions".

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment offered as a

substitute for the District of Columbia Committee amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request fo the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Chairman, I simply want to say that we discussed this in general debate, but what this substitute does is strike a compromise between our two committees and balances the Federal and municipal interests in determining the location of foreign missions in the District of Columbia.

Mr. Chairman, section 206 will strike an effective balance between the interests of the Federal Government and the District of Columbia government in determining appropriate locations for foreigh missions in the Nation's Capital. The section provides for the establishment of the District of Columbia Foreign Missions Commission, with members representing both the Federal and city governments, and sets forth criteria which promote a balancing of interests.

Section 206(a) recognizes that the location, replacement, or expansion of foreign missions in the Nation's Capital and the procedures involved in determining these matters have a substantial impact on Federal interests both in the United States and abroad. International legal obligations requiring each country to facilitate the acquistion of appropriate facilities for accredited foreign missions in the capital city of the host country cannot be subject to negation by the acts or omissions of local authorities.

Section 206(b)(1) creates the District of Columbia Foreign Missions Commission, comprised of the five members of the District of Columbia Zoning Commission and two additional members, who shall be the Chairperson of the National Capital Planning Commission and a representative of the Secretary of Defense, in order to reflect the concerns of the Congress that decisions affecting important Federal interests are made through a process which appropriately balances Federal and municipal interests.

Section 206(b)(2) provides for appropriate compensation for the Chairman of the National Capital Planning Commission during the period that individual is performing his or her duties on the Commission. The other members of the Commission are employees either of the District of Columbia or Federal Goverments and therefore receive no additional compensation.

Section 206(b)(3) provides that personnel, space, and facilities will be provided by the District of Columbia government, as the Commission is a District of Columbia government agency.

Section 206(c) requires establishment of areas within the District of Columbia in which chanceries may be located as a matter of rights, as is the case with many uses in current zoning practice. Security, representation, and related factors necessitate that chancery uses be located in lesser density areas and generally in proximity to each other where possible. Security and representational functions also preclude in most cases general usage of higher density structures, such as office buildings, except for additional space needed from time to time to accommodate official activities which cannot fit into the main chancery facilities. The committee also notes that areas devoted to higher density commercial or residential uses are in most cases inappropriate for low density chancery uses, and are well beyond the financial reach of 85 percent of the foreign nations accredited to the United States, and from whom the United States must seek appropriate space within their capitals.

Section 206(c) also specifically precludes discriminatory treatment of chanceries vis-a-vis other nonresidential uses, by prohibiting limitations on chancery uses which are greater than those placed on other nonresidential uses. For example, existing regulations in some cases preclude chancery uses while at the same time permitting all other office uses to locate as a matter of right without exception or limitation.

Section 206(d) requires that rulemaking procedures under the District of Columbia Administrative Procedure Act will be applicable to such determinations. Among other things, this insures notice and opportunity to be heard for interested members of the public.

Section 206(e) sets forth the criteria to be applied to determinations by the Foreign Missions Commission. The committee notes that some of these criteria are in general usage today, but that in order to provide for effective implementation of this section, it is desirable to enumerate the criteria specifically.

Paragraphs (1) through (8) of subsection (e) set forth the criteria applicable to chanceries and chancery annexes which are intended to balance Federal and municipal interests. These criteria take into account the Federal interest, which involves international obligations of the United States and the accompanying security requirements involved, as well as concern for the impact on local matters such as transportation, housing, and environment.

Subsection (e)(1) sets forth the standard of "adequate and secure facilities" which reflects one of the fundamental purposes of the Office of Foreign Missions and the international obligations of the United States. This standard is intended to reflect the criteria of section 206(c) in order to effect the purposes of this act.

Subsection (e)(2) reflects the need to continue to locate such missions in existing mixed-used areas, in which current uses already include institutions, commercial, or governmental activities, and residential uses. The obligation to provide security for foreign missions dictates the need to locate these missions in proximity to each other and in areas of lesser density. The committee notes that areas in which current uses are entirely residential would not become available for chancery use under this amendment, except for medium-high-density or high-density apartment zones.

Section 206(e)(3) assures the continued application of historical preservation measures to facilities of foreign missions under regulations issued by the new Commission.

Sections 206(b) (4) through (6) relate to transit, parking, public facilities and services, and special security requirements. Section 206(b)(4) also constitutes a recognition that special security factors affect parking requirements, and that similar considerations are taken into account in connection with the location of U.S. facilities abroad.

Sections 206(b) (7) and (8) specifically provide for determinations of the general municipal and Federal interests by the Mayor of the District of Columbia and the Secretary of State, respectively. Finally, the Commission is required to apply the criteria of Federal and municipal interests, historical preservation, the need for adequate and secure facilities, and adequacy of protection to other official property uses by foreign governments covered by this section.

Section 206(f) is intended to preserve the existing relationship between the National Capital Planning Commission and municipal authorities with regard to land use.

Section 206(h) is intended to assure that unreasonable burdens are not placed on chancery applicants, and that such applicants are not subjected to a process inconsistent with the conduct of official relations between nations.

Section 206(i) is intended to assure the establishment of an expeditious decisionmaking process, which will preclude overlapping and time-consuming proceedings which can result under existing law and regulations. It also emphasizes the congressional purpose in enacting this section to assure proper facilities for foreign governments consistent with international obligations.

Section 206(j) places an obligation on the Secretary to promote compliance with reasonable code requirements, taking into account special security, communications, and other factors involved in foreign government facilities in the United States, as well as with U.S. facilities abroad.

Section (k) is intended to clarify the right of the United States to intervene or bring an action concerning the activities of the new Commission, either on its own behalf or on behalf of a foreign government.

Section (l) provides "grandfather" rights with regard to existing chan-

cery locations or uses. This subsection is necessary to protect rights and uses which were acquired prior to enactment of this section.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. FASCELL) as a substitute for the District of Columbia Committee amendment.

The amendment offered as a substitute for the District of Columbia Committee amendment was agreed to.

The CHAIRMAN. The question is on the District of Columbia Committee amendment, as amended.

The District of Columbia Committee amendment, as amended, was agreed to.

□ 1145

AMENDMENT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOMFIELD: Page 19, immediately after line 23, insert the following new subsection:

"(e) Neither the Director nor any other officer or employee of the Department of State may certify or otherwise authenticate the accredited diplomatic status of a total of more than two persons for each foreign mission for the purpose of facilitating, directly or indirectly, the issuance to any such person of a diplomatic license plate for any motor vehicle by any federal, state, or local governmental agency.

Mr. BROOMFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROOMFIELD. Mr. Chairman, this amendment is designed to discourage the wholesale issuance of diplomatic automobile license plates, of which there are reportedly in excess of 3,300 in the Washington metropolitan area. The amendment would prevent the State Department from certifying the accredited diplomatic status of more than two applicants per foreign mission who are seeking diplomatic license plates from the various local motor vehicle departments.

The proliferation of distinctive diplomatic vehicle tags serves to constantly remind Americans in the Washington area of the many special privileges accorded to the large diplomatic community and of the abuses of those privileges and the thoughtless arrogance too frequently exhibited by holders of diplomatic license plates.

To put the matter in perspective, I will give a few statistics. The U.S.S.R. has 136 accredited diplomats, but 213 vehicles with diplomatic license plates. Mexico has 42 diplomats, but 92 cars with diplomatic plates. Nigeria has 35 diplomats and 74 cars with diplomatic plates. The situation for other Embassies, both large and small, is approximately the same.

In addition to the sheer number of diplomatic vehicles in Washington, D.C. and the vicinity, we have the problem of diplomatic abuse of traffic rules and regulations. We have all heard of accidents where the diplomat has either left the scene of the accident unlawfully and/or has refused to compensate the injured American after the fact.

I sincerely hope that the person eventually designated to fill the proposed new position of Director of Foreign Missions within the State Department will give careful attention to abuses by diplomats in the operation and parking of automobiles in this area. Furthermore, I hope he or she will take prompt action to try to minimize the inconvenience and annoyance too often caused Americans by insensitive diplomatic motorists.

Mr. FASCELL. Mr. Chairman, I move to strike the last word.

The gentleman's amendment touches on a matter which has plagued us in the committee for a long time and is the reason that we wrote the authority in this bill for the Foreign Missions Office.

Now, whether it is going to be done by legislative cap of whether it is going to be done administratively, as far as I am concerned, it really does not make any difference. The point is that the Secretary has to have the authority to do what the gentleman is talking about, plus deal with other problems of this kind.

The Foreign Missions Office, as the gentleman from Michigan has said, needs to be staffed properly so they can deal with this problem. They need at least 20 people in that office. Up until now, the job has not been done because the authority has not been available. We fully expect the Department to reprogram sufficient funds to get this office off the ground very soon and to make certain that it has sufficient staff to do the job—and we do not mean just three or four people. We look forward to seeing an effective Office of Foreign Missions to finally come to grips with the very real needs in this area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. BROOMFIELD).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. FASCELL

Mr. FASCELL. Mr. Chairman, I offer technical amendments.

The Clerk read as follows:

Amendments offered by Mr. FASCELL: Page 14, line 21, strike out "assistance to be provided" and insert in lieu thereof "treatment to be accorded"; and in line 22, immediately after "determined" insert "by the United States".

Page 20, line 23, immediately after "used by" insert "a".

Page 25, strike out lines 8 through 22 and insert in lieu thereof the following:

"(c) For purposes of administering this title—

"(1) the Secretary may accept details and assignments of employees of Federal agencies to the Office of Foreign Missions on a reimbursable or nonreimbursable basis (with any such reimbursements to be credited to the appropriations made available for the salaries and expenses of officers and employees of the employing agency); and

"(2) the Secretary may, to the extent necessary to obtain services without delay, exercise his authority to employ experts and consultants under section 3109 of title 5, United States Code, without requiring compliance with such otherwise applicable requirements for that employment as the Secretary may determine, except that such employment shall be terminated after 60 days if by that time those requirements are not complied with.

Page 25, line 24, strike out "(except for personal services)" and insert in lieu thereof ", including personal services,".

Page 26, line 13, strike out "compatability" and insert in lieu thereof "compatibility".

Page 28, beginning in line 8, strike out ", after consultation with the international organizations,"; and in line 18, strike out "and" and insert in lieu thereof "or".

Page 29, line 13, strike out "This section" and insert in lieu thereof "In addition to means of enforcement otherwise available, this title"; and in line 15 strike out "equitable".

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. FASCELL. These amendments, Mr. Chairman, are technical and perfecting in nature resulting from the need to clarify certain provisions of the bill or to correct printing errors.

One amendment carries out a request of the Committee on Post Office and Civil Service which would permit the new Office of Foreign Missions established in this bill to meet certain temporary technical and professional requirements in a timely manner, a request which the Post Office and Civil Service Committee felt was a needed guideline to have in that office.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Florida.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. BROWN OF COLORADO

Mr. BROWN of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Colorado: On page 2, line 15, strike "$1,744,391,000" and insert in lieu thereof: "$1,248,059,000".

Mr. BROWN of Colorado. Mr. Chairman, this particular amendment deals with the authorization for fiscal year 1983. It reduces those authorizations back to the figure requested by the executive.

I might mention, this measure comes close to saving $500 million; but that the figure that results for administrative purposes is still significantly above the figure that is being expended by the Department this year.

I might also note that it leaves the sum available to the Department, about a billion and a quarter dollars, for administrative purposes which I believe should be more than ample to conduct properly the very significant responsibilities they have around the world.

I might mention, I think in the present climate of 20 percent interest rates, of skyrocketing deficits, of an economy that faces terrible problems, that it would be the height of irresponsibility for us to go ahead with a major increase in expenditures that is beyond what even the Executive has requested.

I might also mention, Mr. Chairman, that these figures here for fiscal year 1983 are not broken down or allocated by individual account, as they are in fiscal year 1982. It would seem to me that before we would approve a major increase in this area that the Members of Congress of this country would want to at least have that kind of itemized breakdown to properly legislate an increase of this kind.

So I would urge the Members of this body to at least insist on that kind of measure and be willing to go along with this amendment to provide a modest increase from fiscal year 1981.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Colorado. I would be glad to yield to the gentleman.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding.

I, first of all, want to congratulate the gentleman on his amendment. If I understand the amendment correctly, what the gentleman is doing is attempting to put the budget figures that we would pass in this authority bill in line with the budget that the administration desires for fiscal year 1983; is that correct?

Mr. BROWN of Colorado. That is quite correct.

Mr. WALKER. So what we are really doing is trying to implement a portion of the President's economic program here. We are talking about the kinds of spending cuts that the President feels are necessary to implement that economic program.

As I pointed out earlier today, it seems to me that is an important signal to continue to send from this body to the financial markets and other places that are deciding interest rates and other kinds of economic policies so that, indeed, we do not need this economic program to be a 1-year 1982 phenomenon; but rather when we look toward fiscal year 1983, we are determined to keep on target for fiscal year 1983. It seems to me that is what the gentleman's amendment is doing. It is keeping us on target for 1983 spending with what the administration has proposed and, therefore, sending an important signal, not only to the State Department, but to the financial markets and all kinds of other places around this country that we are determined that for the next several years we are going to implement a responsible economic policy.

I, for one, would like to congratulate the gentleman. I think it is a very worthwhile amendment.

Mr. BROWN of Colorado. I believe the gentleman has summarized it correctly. I might add one aspect to it, though. It is important to realize that if this amendment passes, we will still be spending more money on administration in fiscal year 1983, or we will authorize more money to be spent in fiscal year 1983 than we authorized in the current fiscal year; so in a real sense this is not a cut from current levels in dollar terms. It is a modest increase.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I respect the position and the logic of the gentleman who proposes this amendment. We are all aware of the necessity with respect to cutting the budget, but first let me say this.

First. We are not just talking about programs now, so we cannot just kind of writeoff with the back of our hand and say, well, we are just talking about administrative costs. OK?

What we are talking about is people who carry out the diplomatic functions. When we looked at the Presidential requests for 1983, after following it dollar for dollar in 1982, we realized that this budget would result in additional cuts in personnel beyond those to be made in 1982 of about 1,000 positions. I pointed out earlier in this discussion that the State Department, as an example, is at the 1959 level in terms of operations, and we will still cut 550 positions.

They have taken a hard slap in terms of this budget. In terms of the committee's 1983 request, what we did was look at the overseas inflation rate, the worldwide average affecting the countries where these people have to do their jobs. This budget does not represent a growth but a cut in real dollars. We are talking about taking this 1982 program, which is pretty tough on the Department as it is, and making it even rougher in terms of the ability to do the job by these agencies.

We decided, and I hope the gentleman will agree with this, that there was some need for a priority that needed to be expressed, not in terms of new programs, but simply in letting the people who are on board after this whack in 1982 to stay on board in 1983 and do that job: run the radios, run the diplomatic posts and do all the things they have to do.

In order to give consideration to the total budget problem that the President faced, we kept it as close as possible to the total reconciliation figure, both in the budget and in the Reconciliation Act, so that the differences in the totals are not impacting on the budget to any measurable extent, if the gentleman follows me.

In other words, we shifted priorities and put the money in the accounts where we thought it would be most needed and took it from other areas, this staying within the budget resolution targets and the Reconciliation Act which was approved.

I would hope, therefore, that as well intentioned and as proper as this amendment appears to be in terms of getting back to the Presidential level in 1983, we would not inadvertently destroy those priorities.

Now, if the President wants to and has to come back at us, as he indicated he must in 1982 and in 1983 to maintain his budget deficit levels of 42½ or $24 billion for 1983, OK, he will have then established a priority; but let us not destroy the priority which has already been approved. We are not taking it away from him for all time.

□ 1200

So let us indicate that we are concerned about this. The gentleman, or the Budget Bureau, or whoever else it is who has to deal with the total problem, is going to have that opportunity.

All we did was to give recognition which has already been approved by this House. And, therefore, I hope we would not go backwards. I hope the gentleman would consider withdrawing the amendment, or ask whatever other questions he cares to ask, or make whatever record he cares to make.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

I rise to oppose the amendment.

I would be pleased to yield to the gentleman for any questions he has in the process.

If I may direct the gentleman's attention, and the attention of the other Members on the floor, to page 4 of the committee report, and pick up the point that my friend from Florida just made, you notice that for fiscal year 1982 one of the figures allowed there is salaries and expenses, the $928 million.

Now, we have in the budget resolution anticipated, I believe it is, a 7-percent pay increase. So there alone you have approximately $70 million increase.

If the administration in its wisdom decides that we ought to fly the flag in the few additional consular posts, or there are new countries—for example, Belize is coming in next week as an independent country and that means a new diplomatic post, a new ambassador, a new staff, and so on—we have to have that flexibility. And that is what we have allowed for in our 1983 fiscal year figure.

While I realize that of the various entities in Government at the moment the OMB seems to be a more noble structure than, the Department of State, it is a fact that the Department of State is also part of the Government and of the Administration. And it is a fact of life that the Secretary of State is a strong-willed man who prob-

ably does not realize, right at this point, that we would be doing a major surgical job on his 1983 budget.

So I would suggest to the gentleman from Florida that we write an effective record here; that the gentleman would give us an opportunity to further work with OMB and then through the Appropriations Committee, and whatever is a really final acceptable figure be worked out.

Mr. BROWN of Colorado. Will the gentleman yield?

Mr. DERWINSKI. Yes, I would be pleased to yield to the gentleman from Colorado.

Mr. BROWN of Colorado. If, taking your figures, I have added it up correctly, I am assuming a $70 million increase to the $948 million in administrative charges for fiscal 1981. Adding another $70 million in the following year for additional pay increases, that totals $140 million. Adding those two together, that relates to $1,088 million.

As I see it, even with the pay raises cranked in, we still have $160 million available for unforeseen additional expenses, even if my amendment passes. And if my amendment does not pass, we do not have $160 million unaccounted for funds, but we have something in the neighborhood of $660 million unaccounted for funds, even with the pay raises.

Would that be correct?

Mr. DERWINSKI. If the gentleman would further review the committee report, there are other items that I think are understated. For example, the emergencies in diplomatic and consular service have been running higher than the figure stated. The payment to the American Institute in Taiwan will be increased proportionately with inflation and salaries. And all along the line you have the representation allowance, inflation allowance for that.

Frankly, I think we are pennywise and pound foolish in that figure, since we do not really give our diplomats abroad the kind of expense allowance, that a traveling salesman would have.

If the gentleman would please note, in fiscal 1982 we took the exact figures requested. It was only in fiscal 1983 that we made the upward adjustments to allow for inflation, the salary increases, the built-in increases that we know are coming. And that is where we tried to allocate the proper figure.

Mr. FASCELL. Mr. Chairman, will the gentleman yield at this point?

Mr. DERWINSKI. I yield to the gentleman from Florida.

Mr. FASCELL. Let me just make two other points. One is that we expect at least, at the very least, a $100 million increase on overseas wages and prices, which are necessary for these agencies on services, personnel, and so on, over which we have no control. That is just a minimum.

If we go back with no flexibility at all, and we do not take into account the average inflation rate overseas on this, we are talking about a further reduction of possibly 1,000 people.

We are really impacting on the smallest department in Government today, which has infinitesimal impact on the U.S. budget. And what we have done is we tried to restructure the priorities within the amounts that the President was talking about.

Again, I just want to emphasize that in the final analysis, if on review the President has to make more drastic cuts in 1983, he can tell us what his priorities are.

(By unanimous consent, Mr. DERWINSKI was allowed to proceed for 2 additional minutes.)

Mr. DERWINSKI. I yield to the gentleman from Colorado (Mr. BROWN).

Mr. BROWN of Colorado. I thank the gentleman for yielding.

I might sum up very briefly, if I could, with this observation.

I can very much appreciate the deep concern that both the gentleman from Florida and the gentleman from Illinois have with regard to the vitally important function that is served by this department, and what I know is their genuine concern for this country and the appropriate purposes it serves.

From my point of view, if the amendment passes we have allowed for the additional pay increase for 1982, we have allowed for the additional pay increase in 1983, and we have left an additional amount of $160 million available for unforseen contingencies.

To go above that figure is to cause further havoc within the financial markets. It is to say a citizenry that is paying 20 percent to borrow money, and to keep businesses alive, and to provide jobs in this country, that we are going to take an even bigger share of what this country has to provide.

I must say to this body that I sincerely believe that if we do that, if we squeeze the private sector more than we are doing now, that we diminish its ability to support the Government that we have, not enhance it. And that to go beyond the levels requested by the President here would be great folly, not only for the individual citizens that have to pay those taxes eventually, but for the long-range foreign interests of this country as well.

Mr. DERWINSKI. Mr. Chairman, may I sum up the other side?

Mr. WALKER. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. DERWINSKI. I would be happy to yield to the gentleman.

Mr. WALKER. If I understood the gentleman's point, his point was what the committee has tried to do is provide for a number of things that they do not think were provided in the budget submitted by the executive.

Does the gentleman really contend that he does not feel the administration took into consideration the very items that he raised when they prepared their budget for fiscal 1983?

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. WALKER and by unanimous consent, Mr. DERWINSKI was allowed to proceed for 4 additional minutes.)

Mr. DERWINSKI. In answer to the gentleman's question, that is exactly right. Let me explain what happened.

If the gentleman would recall, we marked this bill up in subcommittee in February. At that time the new administration was just groping. The OMB, under Mr. Stockman, was working with general figures. There was minimum consultation with the new team at State. And that is why we cooperated fully in the fiscal 1982 figures, which were really those inherited from the Carter administration, and by a gentleman's agreement there was no change there.

Then we tried to calculate with a touch of practicality, based on previous years' experience, what they would really need for 1983.

Now, OMB has come down with certain figures. I am not aware that the Department of State is at all satisfied with the calculations that have come from OMB.

Mr. WALKER. Would the gentleman yield further?

Mr. DERWINSKI. As a matter of fact, when these figures were prepared for the bill this week, early in the week, I was advised by State that they were unaware of why there were potential cuts being offered on the floor. And I think it is a case—I do not say this critically, but there are some times when one hand of government does not really know what the other is doing, coordination is somewhat lacking.

If the gentleman will keep in mind that we actually are in a period where we will be expanding, not contracting, the number of overseas installations. There are half-a-dozen new ministates which will soon become sovereign countries, and we will be sending our representatives there. Then there will be the pay increases, the inflation caused increases overseas that the gentleman from Florida mentioned. That is what we have calculated.

Mr. WALKER. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. Yes, I yield to the gentleman.

Mr. WALKER. I thank the gentleman.

The problem is what you are really doing in the committee bill is you are raising the fiscal 1982 figure for fiscal 1983 in the particular category to which the gentleman from Colorado's bill speaks.

What you are really doing is expanding that category by almost 30 percent.

You are talking about a very substantial increase in that particular category. And that is an increase which is far above inflation. It is far above what the administration requests.

I understand that there may have been a lack of coordination on this. But it seems to me that there has been a chance for review.

The gentleman said that he is not aware that the State Department had any consultation on the figures. But certainly since that time there must have been some consultation.

Was there testimony from the State Department indicating they do not agree with the 1983 figure?

Mr. DERWINSKI. There has been no indication from the State Department that they agree with the figure, which when you use the term "administration" I use "OMB." I am not so sure that they are speaking with one voice from the administration.

Mr. WALKER. That was not my question. My question was have you had any testimony that they do not agree with the 1983 figure?

Mr. DERWINSKI. We have had no testimony, of course, since we marked up the bill in subcommittee. That was 7 months ago.

Mr. WALKER. I thank the gentleman.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I would be happy to yield to my colleague.

Mr. FASCELL. The point is that the Secretary of State, I say to the gentleman from Pennsylvania, is not about to send down a letter saying that he disagrees with the President of the United States.

But let us face the practical aspects of life.

Mr. DERWINSKI. There are enough rumors of a conflict between the State Department and the White House. We do not want to start another one here on the floor this afternoon.

I yield back the balance of my time.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the requisite number of words.

I would like to call to the attention of my colleagues in support of Mr. BROWN's amendment, which I think has merit on the basis of the discussion we have heard, that in the committee report itself, on page 5—let me quote from the committee itself.

> The committee has not, however, allocated this increase by individual accounts, recognizing that specific needs in fiscal year 1983 will determine this allocation.

My point is that I believe my colleague from Colorado is correct in his analysis of the issue. There is an adequate contingency amount already in the bill in the amount of an additional $160 million. I cannot believe that since even the committee in its own report admits that the dollar amounts have not been allocated at this juncture, that this reduction for 1983 is but a reasonable suggestion. It is merely a recognition of what the administration originally requested. And knowing how efficiently this fine committee operates, I am sure that next year if it was desperately needed, the committee would come back and ask for it.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. Of course I yield to the gentleman from Florida.

Mr. FASCELL. You know, the gentleman is on target in one sense, with regard to the allocation.

Mr. ROUSSELOT. I am merely quoting from your report.

Mr. FASCELL. I understand. The gentleman stated it accurately.

We did not want to allocate the inflationary factor to all four counts on an arbitrary basis.

Mr. ROUSSELOT. I think that was wise.

Mr. FASCELL. So we put it in because the Department has that authority. They can take that money. That is just a guide to them to allocate within the other accounts if they need it, because those other accounts are going to face the same problems whether you operate a refugee camp overseas or whether you are operating a diplomatic post overseas.

□ 1215

But, we left it to their discretion and gave them some flexibility. So, that is the reason that it is allocated to that one account in that fashion. That is the only reason.

Mr. ROUSSELOT. I think, the statement of the committee in its report reinforces my colleague from Colorado's point that there already is additional flexibility in this authorization, roughly $160 million. Therefore I did not find it difficult to support the gentleman's (Mr. BROWN) amendment on the basis of the committee's own language.

Mr. FASCELL. Will the gentleman yield again?

Mr. ROUSSELOT. I will be glad to.

Mr. FASCELL. As far as the amounts are concerned in this bill, let me just say that I have been handling this bill for some years now.

Mr. ROUSSELOT. You certainly have.

Mr. FASCELL. And we have been very careful, but I do not believe in recent memory I recall a time when there was not an emergency at the State Department with respect to the need of more funds that had to be ultimately cleared by the OMB and the President and everybody else. One year, and it has just been very recently—it may have been last year, I am not sure—we had four supplementals. I do not want to do business that way. I would rather do what we did, which is try to allocate the priorities within the total amounts of this particular account 150, and try to forestall this foolishness, as I see it, of coming back over and over again with respect to supplementals. I would rather not do that.

Again, just emphasing—and I appreciate the gentleman giving me the opportunity to reemphasize this—if the President has to do something in 1983 to maintain the $24 deficit level beyond what he contemplates, he will then have an opportunity to review the kind of priority structure that we structured in the 150 account and say, "I can't go along with that."

It is coming to the Congress, but at least what we will do is forestall the necessity of a supplemental. So, to that extent, if the gentleman could go along with that, I think it would be most helpful.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. ROUSSELOT was allowed to proceed for 1 additional minute.)

Mr. ROUSSELOT. Let me just say in closing that I think, as pointed out by Mr. BROWN, the extra $160 million is more than adequate as a contingency amount in this area being discussed. If my distinguished colleague from Florida wants to raise the issue that the State Department tends to have all kinds of extra emergencies, that they are always coming back for more, so does every agency in the Federal Government. The gentleman and I know that. I cannot think of an agency that does not run down here and has to have something added in a supplemental. So, I am not sure that is a good argument for voting against the amendment of my colleague from Colorado, who is merely trying to bring this authorization into line. As my colleague from Florida is very conscious of the high interest rates we are paying all over the country, we are just trying to hold down that huge Federal deficit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. BROWN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BROWN of Colorado. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1230

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

For what purpose does the gentleman from Colorado (Mr. BROWN) rise?

Mr. BROWN of Colorado. Mr. Chairman, I withdraw my demand for a recorded vote, and I demand a division.

On a division (demanded by Mr. BROWN of Colorado) there were—ayes 42, noes 18.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ZABLOCKI

Mr. ZABLOCKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Zablocki: Page 31, immediately after line 12, insert the following new section:

REOPENING CERTAIN UNITED STATES CONSULATES

SEC. 120. (a) None of the funds made available under this or any other Act for the "Administration of Foreign Affairs" may be used for the establishment or operation of any United States consulate that did not exist on the date of enactment of this Act (other than the consulate specified in subsection (b) of this section) unless all of the United States consulates specified in subsection (b) of this section have been reopened as required by section 108 of the Department of State Authorization Act, Fiscal Years 1980 and 1981.

(b) The consulates referred to in subsection (a) of this section are the consulates in the following locations: Turin, Italy; Salzburg, Austria; Goteborg, Sweden; Bremen, Germany; Nice, France; Mandalay, Burma; and Brisbane, Australia.

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

Mr. ZABLOCKI. Mr. Chairman, the purpose of this amendment is to persuade the Department of State to carry out the mandate of Congress expressed in the previous Department of State Authorization Act regarding the reopening of certain U.S. consulates. A similar amendment has already been adopted by the Senate.

In 1979, the Congress directed that the following consulates should be reopened as soon as possible: Salzburg, Austria; Bremen, Germany; Nice, France; Turin, Italy; Goteburg, Sweden; Mandalay, Burma and Brisbane, Australia. Despite overwhelming congressional support for this measure, both the previous and the current administrations have blatantly ignored this directive. In fact, the current administration is planning to open three new consulates in Communist China while at the same time refusing to reopen any of the previously named consulates due to so-called budgetary pressures.

Mr. Chairman, this is not an inconsequential matter. For example, during a recent visit to Australia, we learned that the closing of the U.S. consulate in Brisbane has forced U.S. business to turn to our consulate in Sydney for any assistance they require. This makes our Sydney consulate responsible for serving the needs of Americans in half of the land mass of Australia (an area equivalent to the distance between New York and Los Angeles). Yet Sydney has insufficient travel funds for its personnel to visit other cities in the region it must now service.

U.S. businessmen pointed out that over $20 billion in resource development projects are planned in the next decade for Brisbane's state of Queensland, while no consular support is readily available to U.S. companies seeking to bid for contracts on these projects. The case of the other consulates which remain closed is equally compelling, both on economic and diplomatic grounds.

For example, Mr. Chairman, the consulate in Salzburg, Austria, was closed. That was not wise. In fact that consulate is a very important strategic information-gathering location. There are many Communist agents operating there, and yet we closed our consulate, thus denying ourselves a presence in this critical area.

My amendment would simply defer the use of State Department funds for the establishment or operation of any new U.S. consulates overseas until the consulates stipulated in existing law are reopened. The amendment would in no way affect ongoing construction or maintenance and security measures with regard to U.S. diplomatic facilities abroad. It would, however, delay the opening of new consulates planned for Communist China and Brunei.

Mr. Chairman, I regret having to offer this amendment. But it is clear that the will of Congress in this matter has been ignored, and that the only way to insure that congressional priorities are recognized is the adoption of this amendment.

Mr. FASCELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I can understand the frustration of the gentleman from Wisconsin (Mr. ZABLOCKI), the distinguished chairman of the Committee on Foreign Affairs.

It is just really sad that we have to legislate this kind of thing. Sometimes there just seems to be no way around it.

While I shall not object, of course, to the gentleman's amendment, since we in Congress have expressed time and time again our feeling that these consulates should be open, the fact is that what we have done already in the 1983 budget, taking it back to the old level, is we have guaranteed that the consulates will not be opened. We have guaranteed as a matter of fact that we are going to have to close more, maybe as many as 20 or 30. We have in effect guaranteed that at least another thousand people will have to be eliminated from the smallest department of Government.

So we are going to be frustrated and the Department is going to be frustrated, but the real net result is that the people we are trying to serve, the American citizens, are the people who are not going to get the services. The American businessman or the visitor, for that matter, overseas is the one who will ultimately suffer in these kinds of cuts.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. ZABLOCKI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. M'DONALD

Mr. McDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDONALD: Page 2, line 17, strike out "$563,806,000" and insert in lieu thereof $469,472,350".

Page 2, line 18, strike out "$554,436,000" and insert in lieu thereof "$469,472,350".

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

Mr. McDONALD. Mr. Chairman, last week, we appropriated $469,472,350 for international organizations and conferences for fiscal year 1982. Before us now, is the authorizing legislation for that appropriation. However, contained within the legislation is the authorization of the expenditure of $563,806,000, nearly $95 million in excess of what we have appropriated. What this amendment does is simply bring the authorization into line with our appropriation.

To enact the authorization contained in H.R. 3518 as is, would be to authorize an appropriation that is a 24.5-percent increase above the fiscal year 1981 appropriation—an increase of $97.5 million. I, for one, find it exceptionally difficult to ask the citizens of the United States to make sacrifices while we vote to substantially increase the authorization for international organizations. For that reason, I have introduced this amendment which will reduce the authorization for fiscal 1982 from $563,806,000 to $469,472,350, the amount which we have already appropriated.

In addition, in view of the proposed budget cuts for next year, this amendment will also hold the authorization for fiscal 1983 at the same level as fiscal 1982. I caution my colleagues not to be misled by the figures proposed in this bill. Despite the fact that the proposed authorization for fiscal 1983 reflects a slight decrease from the authorization for fiscal 1982, the fiscal 1983 authorization in its present form, reflects an increase of 18 percent, nearly $85 million above the fiscal 1982 appropriation which we approved last week.

Of the funds that we appropriated last week, over $400 million is earmarked as membership assessments to international organizations. Some of those organizations include:

The International Organization for Legal Metrology, $64,000.

The Inter-American Institute of Agricultural Sciences, $7,672,000.

The Pan American Railway Congress Association, $22,000.

The World Tourism Organization, $204,000.

The Pan American Institute of Geography and History, $396,000.

The Inter-American Indian Institute, $154,000.

The International Bureau of Weights and Measures, $379,000.

The International Bureau of the Publication of Customs Tariffs, $53,000.

The International Office for Epizootics, $64,000.

Just to name a few. There are a host of others.

In addition to the membership assessments, the United States spends millions of dollars—taxpayers' dollars—in the form of additional voluntary contributions to international organizations. During this year alone, despite the economic hard times, the United States will give the United Nations an estimated $550 million—over one-half billion dollars—in voluntary contributions in addition to the $340 million that we paid as a membership assessment.

Prior to the August recess, we concluded work on the budget and tax bills. With the reductions in the Federal budget contained in those bills, we have given notice to the American people that leaner appropriations will become a fact of life. With those leaner appropriations, our citizens must become less dependent on the Federal Government and sacrifices must be made. We, therefore, must ask ourselves: Are we prepared to ask our constituents to make these sacrifices and to expect less in the way of domestic programs and assistance while we vote to increase the number of their tax dollars that we authorize for international organizations? I think not and for that reason, I urge my colleagues to support this amendment to bring the fiscal 1982 authorization into line with the appropriation that we passed last wek and that we hold the fiscal 1983 level to the fiscal 1982 level.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. McDONALD. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, do I understand the gentleman's amendment correctly, that, dollar for dollar, what it does is take the authorization level in this particular account to what the appropriation bill has in it?

Mr. McDONALD. Yes; the bill that we passed last week.

Mr. FASCELL. Mr. Chairman, I will not object to the gentleman's amendment.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. McDONALD. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, we have no objection on this side to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. McDONALD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEARD

Mr. BEARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BEARD: Page 3, immediately after line 21, insert the following new section 104 and redesignate subsequent sections of the bill accordingly:

RESTRICTION ON CONTRIBUTIONS TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

SEC. 104. (a) None of the funds authorized to be appropriated by section 102(a)(2) of this Act or by any other Act for "International Organizations and Conferences" may be used for payment by the United States of its contribution toward the assessed budget of the United Nations Educational, Scientific and Cultural Organization if that organization implements any policy or procedure the effect of which is to license journalists or their publications, to censor or otherwise restrict the free flow of information within or among countries, or to impose mandatory codes of journalistic practice or ethics.

(b) Not later than February 1 of each year, the Secretary of State shall report to the Congress with respect to whether the United Nations Educational, Scientific and Cultural Organization has taken any action described in subsection (a) of this section.

Mr. BEARD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

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

Mr. BEARD. Mr. Chairman, my amendment is a simple one, but its importance cannot be overstated. It says to the members of the United Nations and the United Nations Educational, Scientific and Cultural Organization—UNESCO for short—that if they take any steps to implement a policy which has the effect of licensing journalists or their publications, to censor or otherwise restrict the free flow of information within or among countries, or to impose mandatory codes of journalistic practice or ethics, we in the United States shall withdraw our contribution to that organization.

The Members will notice that I said, "implement." They may discuss or debate all they want; it is only when they actually try to impose such a repressive policy of journalistic suppression that my amendment would take effect.

My amendment makes it the responsibility of the Secretary of State to report to the Congress no later than February 1 of each year as to whether UNESCO has taken such action.

Mr. Chairman, UNESCO has been debating such a plan for nearly a decade, although it is only in the last 4 years that the possibility they would adopt such a plan has grown to dangerous levels. It is inspired by a group of nations represented by the Soviet bloc countries and various totalitarian governments of the Third World.

There are many proposals which have been put forth in varying degrees or forms. Most proposals involve some kind of licensing of journalists based on compliance with some sort of mandatory code of ethics. Whatever form the proposal would take, when put into implementation, it would result in a repression of the free flow of information among nations.

My amendment is so worded as to cover any attempt by UNESCO to hamper the world's international press through some kind of regulation of journalists.

Cutting off our funding to UNESCO would not be an unprecedented act by this Congress. In 1974 Congress withdrew funds from UNESCO because of three resolutions that that particular body passed aimed at Israel and favoring the PLO. So we have cut off funding from UNESCO before. We also pulled completely out of the International Labor Organization because that organization supported the PLO.

I also want to emphasize, Mr. Chairman, that we are not cutting off 1 cent with my amendment. We are merely telling UNESCO that we shall cut off our money if they take action to suppress the international press. Therefore, it should be made clear what the choice is. There is, I believe, a number of UNESCO members willing to adopt some sort of system aimed at controlling the world's press, and it is near to a majority.

Our opposition must be made crystal clear, but our opposition must not consist of a mere resolution of disapproval as some of my colleagues have suggested. We must oppose such a move by UNESCO with our most effective weapon, and that is our financial contribution. We contribute fully 25 percent of UNESCO's budget.

I might add that UNESCO's budget has tripled in the past 5 years. If we continue to provide one-fourth of its budget while they pursue such a policy, then we are accomplices to that policy. I believe it is essential that our position be made clear before they consider such a step, thus making it their own choice as to whether they want to have America's funding.

I believe that our delegates to UNESCO would be far better armed to fight off attempts to throttle the press if they could point to total and adamant opposition by the U.S. Congress. There is no more sincere message of opposition than the promise to cut off funds.

□ 1245

Some might say by adopting my amendment we are acting like the proverbial child who threatens to take his ball and go home if he does not win the game. I do not agree. Freedom of thought and information is not a game. It is a basic human right. We must not compromise on it.

Most countries in this world already live in severe material proverty. They should not have to suffer intellectual proverty as well. UNESCO proposals, if carried out, would do that.

Mr. Chairman, the United States simply cannot be a party to global repression of freedom of information. My amendment makes that crystal clear to all concerned, and I urge its adoption.

Mr. Chairman, at this point I wish to include a copy of President Reagan's letter supporting my amendment:

The letter follows:

THE WHITE HOUSE,
Washington, September 17, 1981.

HON. THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I would like to convey this Administration's support for Representative Robin Beard's amendment to the State Department authorization bill concerning funding for UNESCO.

The United States has long regarded the principle of the free flow of information as a cornerstone of any democratic political order, and an essential instrument for furthering understanding among the peoples of the world and encouraging the growth of free, equitable and enlightened government. As Article 19 of the Universal Declaration of Human Rights states: "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 frontiers." Unfortunately, this principle is today too often honored more in the breach than the observance. It is particularly worrisome that it should come under attack in an international organization that ought to be its most tenacious defender—the United Nations Educational, Scientific and Cultural Organization (UNESCO).

We recognize the concerns of certain developing countries regarding imbalances in the present international flow of information and ideas. But we believe that the way to resolve these concerns does not lie in silencing voices nor restricting access to the means of communication, but in encouraging a broad and rich diversity of opinion. Efforts to impose restrictions on the activities of journalists in the name of issuing licenses to "protect" them, and other restrictions of this sort that have been proposed by certain members of UNESCO, are unacceptable to the United States. We strongly support—and commend to the attention of all nations—the declaration issued by independent media leaders of twenty-one nations at the Voices of Freedom Conference, which met at Talloires, France, in May of this year. We do not feel we can continue to support a UNESCO that turns its back on the high purposes this organization was originally intended to serve.

With best wishes,

Sincerely,

RONALD REAGAN.

Mr. SMITH of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I yield to the gentleman from Alabama (Mr. SMITH).

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

Mr. SMITH of Alabama. Mr. Chairman, I rise in support of this amendment designed to encourage and protect free press and the free exchange of ideas. It is right and fitting that the greatest free society on Earth should oppose strenuously this effort to manipulate information from country to country.

Since the licensing proposal under consideration by UNESCO was initiated by the Soviet Union it has received growing support from totalitarian and developing nations. The proposal is an obvious effort to censor and intimidate the press and the free flow of news and ideas between countries.

America appreciates the value of a free press. Therefore, we must let the world know we value dearly the competition of ideas and the free flow of information. Freedom is under assault, and we must act.

A clear and strong message must be sent to UNESCO that we find press regulation repugnant. We certainly have the power to influence this important issue because we pay such a large percentage of the UNESCO budget—25 percent of $45 million annually.

I have every confidence that if we have the resolve we will be successful. I urge passage of this amendment because it reflects our dedication to press freedom and demonstrates to the world that we are proud and vigilant of our commitment to liberty and desire that same liberty for all who would choose it.

Mr. McDONALD. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I yield to the gentleman from Georgia (Mr. MCDONALD).

Mr. McDONALD. I thank the gentleman for yielding and would like to commend the gentleman from Tennessee (Mr. BEARD) for a very important amendment, one that strikes at the very heart of the danger that is now posed against freedom of the press and freedom of speech.

The CHAIRMAN pro tempore. Time of the gentleman from Tennessee has expired.

(By unanimous consent Mr. BEARD was allowed to proceed for 2 additional minutes.)

Mr. McDONALD. If the gentleman will continue to yield, I think the gentleman has done a very important thing to put the spotlight on the proposed actions or the discussed proposed actions in UNESCO, ones that would threaten freedom of speech, freedom of the press. I would like to commend the gentleman from Tennessee for this very important amendment and I wholeheartedly support it.

Mr. BEARD. I thank the gentleman.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I am happy to yield to the gentleman from California (Mr. LAGOMARSINO).

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

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of the amendment by the gentleman from Tennessee to the State Department authorization bill, which would direct the cutoff of America's financial contribution to the United Nations Educational, Scientific and Cultural Organization (UNESCO), should that body implement a worldwide system of media control and press censorship.

We have watched over the past several years as UNESCO has seriously debated this issue and now must publically announce our adamant opposition to the Soviet bloc and totalitarian governments desire to control the free flow of information among nations. I believe we must not allow discretion to host governments to either color or fully censor press reports from an international body whose obligations lie with all its member countries. It is my opinion, and I think you will agree, that any implementation of such journalistic censorship cannot be tolerated.

Remember, the United States contributes a full one-fourth of UNESCO's budget. Our position opposing censorship, and our intention to act in good faith, must be made clear before any decision by that body is made on this issue. I urge my colleagues who support this basic right of freedom of the press to vote in favor of this amendment.

Mr. BEARD. I thank the gentleman for those comments.

Mr. PARRIS. Mr Chairman, will the gentleman yield?

Mr. BEARD. I am happy to yield to the gentleman from Virginia (Mr. PARRIS).

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

Mr. PARRIS. Mr. Chairman, I commend the gentleman for his position on this amendment and I commend it to my colleagues.

It seems to me that this is basically a kind of worldwide protection of our Nation's freedom of speech and the first amendment.

I would like to engage very briefly in a colloquy with the gentleman from Tennessee. It is my understanding that the State Department authorization has, in fact, passed the other body and there is a proposal generally known as the Moynihan-Quayle amendment. How does the gentleman's amendment compare with the Moynihan-Quayle amendment?

The CHAIRMAN pro tempore. Time of the gentleman from Tennessee has again expired.

(By unanimous consent Mr. BEARD was allowed to proceed for 3 additional minutes.)

Mr. BEARD. The other body has passed an amendment dealing with this issue. There is a major difference, though. They would only cut back our contribution to UNESCO by a percentage equal to the percentage of UNESCO's total budget that is spent on implementing a world press regulation system. That may well be a very small, even nominal amount.

UNESCO may only spend 1 percent or several million dollars of the total budget on this so-called New World Information Order, so under the Moynihan-Quayle amendment the cutoff,

our cutoff would only be approximately 1 percent, which would be meaningless amoung and not have any teeth in it.

Mr. PARRIS. Does the gentleman believe, therefore, that his amendment would be more effective?

Mr. BEARD. I think my amendment would definitely get their attention if they saw the potential of the loss of $49 million to $50 million, yes.

Mr. PARRIS. If the gentleman would yield further, how does the gentleman respond to the suggestion that he is infringing on the State Department's discretion in his amendment?

Mr. BEARD. I think everyone in this body knows that it is the Congress right to decide how the taxpayers' dollars are spent and set policy. I do not see this as infringement on the State Department's rights at all.

Mr. PARRIS. One final inquiry. Does the gentleman agree with the State Department, whose position, as I understand it, is that they would rather fight this battle within UNESCO itself without congressional strings being attached?

Mr. BEARD. I am apprised that the State Department's position has probably changed on that as a result of President Reagan's letter and strong support for my amendment. So I feel that opposition is a moot point at this time.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I yield to my colleague from California (Mr. LANTOS).

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

Mr. LANTOS. Mr. Chairman, first I want to commend my friend from Tennessee (Mr. BEARD) for bringing this all-important matter to the attention of this body.

Totalitarian regimes begin and they thrive over the suppression of the freedom of the press. There is no more important freedom in any society than the freedom of the press to investigate and to report.

I think this is a very important measure. I am proud to associate myself with my colleagues' move and I commend it to my friends.

Mr. BEARD. I thank my colleague from California for his generous remarks.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I yield to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Chairman, I want to commend the gentleman for this amendment. I think a free flow of information, whether it be in the United States or worldwide, is vital to the decisionmaking process. By supporting this amendment, we are simply saying that we believe in an open press and an open flow of information. I think it is fundamental to our Nation and very much in keeping with our principles.

Mr. Chairman, the importance of this amendment cannot be understated. The gentlemen from Tennessee (Mr. BEARD) has performed an important service to the institution of a free press, an institution which this country takes seriously. The import of this amendment goes beyond sending a strong message and stern warning to UNESCO. It really is a reaffirmation to the world of this country's commitment to a free and open press. Therefore, I commend the gentleman for his leadership in this important area and urge the adoption of the amendment.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I am happy to yield to the gentlewoman from New Jersey (Mrs. FENWICK).

Mrs. FENWICK. Mr. Chairman, I just would like to say in reference to the remarks of my colleague from California (Mr. LANTOS) that it was on October 4, 1933, that Hitler's Reich first decided to install censorship for the press, very much a mark of the dictatorship, right or left.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

(By unanimous consent Mr. BEARD was allowed to proceed for 2 additional minutes.)

Mr. LUNGREN. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I yield to the gentleman from California (Mr. LUNGREN).

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

Mr. LUNGREN. Mr. Chairman, I want to also commend the gentleman for bringing this to the attention of the House. To those who would suggest, as the gentleman said, we are taking our ball and going home with it, I suggest that is not true. At a time when many are concerned about how we would combat the menace of totalitarianism around the world without reverting to a military action here is a simple case where we can act. We can show proper moral indignation at an effort by totalitarian regimes in this world to keep the truth out.

As the Universal Declaration of Human Rights states:

> 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 frontiers.

It seems strange to me that we would expect other countries to have any respect for the principles embodied in our Constitution if on a question as fundamental as this we are not willing to come forward with something more than just a slap on the wrist. So I do not think this is a childish threat. This is something which expresses in a very vivid way how strongly Americans feel about the right of free press, the right of free speech, and that any attempt by a United Nations operation to restrict that will be dealt with swiftly and very, very effectively by this Congress.

I thank the gentleman for his efforts in this regard.

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

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. BEARD. I yield to the gentleman from California (Mr. LEWIS).

Mr. LEWIS. Mr. Chairman, I would like to commend my colleague from Tennessee (Mr. BEARD) for bringing this most important item before the House today.

Amazingly, just 2 months ago, I would say to the gentleman from Tennessee, in the Subcommittee on Foreign Operations I was astonished to see several groups come before the committee who traditionally have been very supportive of the ideals of the United Nations. They came before the committee and raised serious questions about patterns that are developing there. For example, the B'nai B'rith expressed great concern about what was happening within the United Nations where the majority of those serving in that body happen to disagree with one of their opponents.

I recall clearly the days in my college years in the 1950's where it was almost considered to be subversive to question the United Nations. I would suggest further that in America we have serious questions about the erosion of freedom of the press. In my own State in California just in the last year by a vote of 72 percent the people placed in the State constitution a shield law to assure a free flow of information between the public and their government.

In the Bill of Rights the first amendment deals with freedom of speech, of communication, to preserve our country from totalitarian efforts.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

(By unanimous consent Mr. BEARD was allowed to proceed for 1 additional minute.)

Mr. LEWIS. If the gentleman will continue to yield, today in the world that question is all important. Efforts on the part of those in world bodies such as the U.N. who would undermine free speech should be of concern to not just all of us in this body to all people in the world as well.

The gentleman bringing this to us today with a strong vote for this amendment today is most important in furthering that longstanding freedom.

Mr. BEARD. I thank the gentleman.

Mr. FASCELL. Mr. Chairman, I move to strike the necessary number of words.

Ms. FIEDLER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentlewoman from California.

(Ms. FIEDLER asked and was given permission to revise and extend her remarks.)

Ms. FIEDLER. I thank the gentleman for yielding.

I, too, would like to rise in support of the amendment being offered to us. The purpose of trying to restrict the free flow of information can only help to conceal the truth. It is absolutely imperative that we do go on record opposing UNESCO's effort to muzzle the press, and I am proud to be able to support this effort by my colleagues.

Mr. FASCELL. Mr. Chairman, the committee has expressed great concern over this matter in several ways and my colleagues need to know this. We have had numerous hearings over a course of years in following very carefully the progress and the operations of UNESCO. We have had innumerable conferences with people in the Department of State who have a responsibility, with the delegations who have gone there, either before they go or after they come back or both. We have met many times with the interested groups who have been waging not only a determined but a marvelous struggle. I am talking now about the media in this country who have led the fight and sounded the clarion call with respect to this issue.

So we have been aware of it. Our most recent action will be on the next amendment which comes up as a followup to this amendment, Mr. Chairman, which is very important, because that amendment following the Beard amendment asks the administration to undertake immediately total evaluation of our participation, the programs, the people, everything having to do with UNESCO.

So in the adoption of the Beard amendment I would hope my colleagues would keep that in mind, that the next amendment is a very important corollary.

Mr. MILLER of Ohio. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Beard amendment.

(Mr. MILLER of Ohio asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Ohio. Mr. Chairman, I rise in support of the Beard amendment which takes a forthright stand against increasing efforts of U.N. bodies to control information.

Today, we are concerned about the new world information and communication order sponsored by UNESCO. This effort is the result of Soviet initiatives begun in the mid-1970's to bring developing nations and totalitarian nations into an alliance to control, on an international basis, information and reporting the way it is controlled in their own countries. I think it is very important that we make it clear that the United States is firmly opposed to UNESCO's code to regulate the news and to control the world press, and thus shape news and information in ways that are more acceptable to Third World governments.

In 1980, the United States contributed $49 million for its share of UNESCO's operating expenses. I do not think that U.S. taxpayers want their dollars to be used to support a system that sets a new universal standard on world news flow that is ideologically opposed to the principles of a free press.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

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

Mr. DERWINSKI. Mr. Chairman, I would like to just clarify a couple of points and I will make an observation of my own.

First, let us please differentiate between an entity of the U.N. and the U.N. itself. This is UNESCO. They have their own staff and delegates with totally different interests than the U.N. as a whole. So I do not want us to tar and feather the entire U.N. because of a legitimate difference of opinion we have with this one entity within that structure.

The reason I am inclined to support the amendment, and I will do so, is because I felt that when the AFL-CIO was upset at developments in the International Labor Organization they served notice they were going to withhold U.S. dues. Under the provisions of that organization it was 2 years before it went into effect. Near the end of the second year when the ILO brass realized the AFL-CIO meant business and were supported by our Government they were quick to make an accommodation and cleaned up most of the abuses that had been allowed.

It seems to me that even though our committee has passed a resolution asking for them to reconsider this muzzling of the press, if I may use that term, it would be much more significant should we take the step of starting to withhold funds.

□ 1300

That they will understand. That is polite dollar diplomacy. And if they understand that the cost to them of trying to impose a form of censorship over the press is to lose the financial support of a major contributing country, I think that will have a sobering effect. I think it will have much more of a sobering effect than the resolution adopted by the House Foreign Affairs Committee.

So for that reason, thinking that an early, firm notice is better than a well-intended message, I support the Beard amendment.

Mr. DYMALLY. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Beard amendment.

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

Mr. DYMALLY. Mr. Chairman, I rise to speak against the Beard amendment. Reducing or cutting off assessed contributions, in my judgment, is a blunt instrument that should be reserved for cases involving a clear action violating an organization's charter, purposes, or vital U.S. interests. UNESCO has taken no decision to regulate news content. Therefore, the amendment offered by the gentleman from Florida (Mr. FASCELL) provides a reasonable alternative that signals to UNESCO that the U.S. Congress is monitoring their actions very closely.

It seems to me we need a thorough review of UNESCO's programs and activities. As the U.N. specialized agency with the broadest scope, many of its activities do not come to our attention. The amendment offered by the gentleman from Florida (Mr. FASCELL) will enable us for the first time to have a detailed examination of this organization's activities on which to base our future decisions.

There are many things that are good about UNESCO and some things that are critical, but it seems to me that we need to go about this in a very rational, a very reasonable manner, rather than responding hysterically to what we perceive as censorship but which censorship has not taken place.

Mr. BEARD. Mr. Chairman, will the gentleman yield?

Mr. DYMALLY. I yield to the gentleman from Tennessee.

Mr. BEARD. I appreciate the gentleman's sincerity, and I agree with the gentleman that this is not—and I do not mean for it to be—an attack on UNESCO as a total entity. I think the gentleman must not totally understand my amendment, and just for clarification in the RECORD, I would like at this time to reassure the gentleman that I am not cutting off one single penny.

Let me just read to the gentleman the wording of the amendment, if I may:

None of the funds authorized to be appropriated by section 102(a)(2) of this Act or by any other Act for "International Organizations and Conferences" may be used for payment by the United States of its contribution toward the assessed budget of the United Nations Educational, Scientific and Cultural Organization if that organization implements any policy or procedure the effect of which is to license journalists or their publications, to censor or otherwise restrict the free flow of information within or among countries, or to impose mandatory codes of journalistic practice or ethics.

So I am not cutting a single penny. I am just saying if they pursue that which they are discussing—I even say in my statement,

Let them discuss it, let them analyze it, debate it.

But the day they start implementing censorship of the press, I do not see, in

a country, in all good conscience, how we can use our tax dollars to implement suppression of freedom of the press.

And I also go on to say:

Not later than February 1 of each year, the Secretary of State shall report to the Congress with respect to whether the United Nations Educational, Scientific and Cultural Organization has taken any action described in subsection (a) of this section.

So it is not the hatchet approach. And I just want to make sure that the gentleman understands that, that I am not that unreasonable on that.

Mr. DYMALLY. I thank the gentleman.

Would the gentleman support an amendment to withdraw all Government inkind support to the U.S. press so that they may have some responsibility and objectivity in their reporting?

Mr. BEARD. Will the gentleman repeat his statement?

Mr. DYMALLY. Would the gentleman support an amendment to withdraw all inkind services that we give to the American media so that they may be responsible and objective in their reporting.

Mr. BEARD. What inkind support do we give at this time?

Mr. DYMALLY. They get free space, telephone.

Mr. BEARD. I think that is our responsibility, to find a place for the press, to sit up there so that they can report on some of the insanities that go on down here, and some of the good things, like my amendment, that go on down here also.

Mr. DYMALLY. I thank the gentleman.

Mr. Chairman, I support the Fascell amendment. The gentleman from Florida (Mr. FASCELL) knows this issue more than anyone else in this committee, and I think that he has taken a more constructive approach to solving this dilemma.

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

Mr. SOLOMON. Mr. Chairman, I rise in support of the Beard amendment.

Mr. Chairman, I would like to add my strong support to the gentleman's amendment. For all our occasional complaints about this story or that article, America has the greatest press in the world and the people are better informed here than anywhere else.

The reason we have the best press is clear—reporters and news organizations have almost unlimited freedom to gather and distribute the news. The press really does act as a fourth branch of Government, checking abuses and rooting out corruption.

The basic first American freedoms that we take for granted, including freedom of the press, have never been very well respected in most of the rest of the world and now they are under even more attack.

There's nothing that Communist leaders fear more than a free press. The horrors or the Communist system would be exposed for everyone to see if press organizations had free access to information in Soviet-bloc countries that they have here.

So it is really no surprise that the Soviet puppets and the various dictators around the world are trying to snuff out what press freedoms still exist in their countries.

What is a surprise—a shock really—is that the United States might be put in the position of tacitly approving this suppression. To think that UNESCO—an arm of the United Nations—would ever consider some sort of journalistic licensing. It is outrageous.

The idea that Soviet bloc and Third World governments would be given permission to license and regulate the press is ludicrous. It is like having the underworld picking FBI agents and telling them to investigate parking violations. If UNESCO actually goes forward with its press regulations, then this country should wash its hands of the entire organization. America should never condone any encroachment of freedom. UNESCO must know where this Congress stands.

● Mr. TRIBLE. Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague, the gentleman from Tennessee.

Freedom of the press is a right cherished in America. We believe that a free people, in order to maintain their freedom, must have unimpeded access to information about public affairs affecting their lives. We believe that only an informed public can achieve the goals of self-government.

The objectives of the UNESCO efforts to license journalists can only serve to stifle the flow of information in the world, and thus to stifle the hope of freedom people in other lands share with us.

Thomas Jefferson recognized the vital need of a free and unfettered press to a free society. He said that, were he required to make a choice, he would choose a free press over government control of information, and he maintained that advocacy throughout his life even though, of our Presidents, he was one most vilified by the very press he argued should be free.

Another great Virginian, George Mason, the father of our Bill of Rights, included freedom of the press among those rights a people must have to remain free. He felt so strongly that this right and others were so essential to a free America that, as a delegate to the Constitutional Convention, he refused to sign the Constitution because it did not contain a Bill of Rights.

Mr. Chairman, we cannot, in good conscience, force our form of government, our Constitution and our Bill of Rights on other nations, but we can—indeed, conscience should compel us—to strike down efforts of international institutions in which we participate from suppressing freedom and the dream of freedom in the world.

I urge my colleagues to vote "yea" on this amendment.●

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. BEARD).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BEARD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 372, noes 19, not voting 42, as follows:

[Roll No. 210]

AYES—372

Addabbo	Derrick	Hatcher
Akaka	Derwinski	Heckler
Albosta	Dickinson	Hefner
Alexander	Dicks	Heftel
Anderson	Dingell	Hendon
Andrews	Dixon	Hertel
Annunzio	Donnelly	Hiler
Anthony	Dorgan	Hillis
Applegate	Dornan	Holt
Archer	Dowdy	Hopkins
Ashbrook	Downey	Howard
Aspin	Dreier	Hoyer
Atkinson	Duncan	Hubbard
AuCoin	Dunn	Huckaby
Badham	Dwyer	Hughes
Bafalis	Dyson	Hunter
Bailey (MO)	Early	Hutto
Bailey (PA)	Eckart	Hyde
Barnes	Edwards (AL)	Ireland
Beard	Edwards (OK)	Jacobs
Bedell	Emerson	Jeffords
Benedict	Emery	Jeffries
Benjamin	English	Jenkins
Bennett	Erdahl	Johnston
Bereuter	Erlenborn	Jones (NC)
Bethune	Ertel	Jones (OK)
Bevill	Evans (DE)	Jones (TN)
Bingham	Evans (GA)	Kazen
Blanchard	Evans (IN)	Kemp
Bliley	Fary	Kildee
Boggs	Fascell	Kindness
Boland	Fazio	Kogovsek
Boner	Fenwick	LaFalce
Bonior	Ferraro	Lagomarsino
Bonker	Fiedler	Lantos
Bouquard	Fields	Latta
Bowen	Findley	Leach
Breaux	Fish	Leath
Brinkley	Fithian	LeBoutillier
Brooks	Flippo	Lee
Broomfield	Florio	Lent
Brown (CO)	Foglietta	Levitas
Brown (OH)	Foley	Lewis
Broyhill	Ford (MI)	Livingston
Burton, John	Forsythe	Loeffler
Butler	Fountain	Long (LA)
Campbell	Fowler	Long (MD)
Carman	Frank	Lott
Carney	Frost	Lowery (CA)
Chappell	Fuqua	Lowry (WA)
Chappie	Garcia	Luken
Cheney	Gaydos	Lundine
Clausen	Gejdenson	Lungren
Clinger	Gephardt	Madigan
Coats	Gibbons	Markey
Coleman	Gilman	Marks
Collins (IL)	Gingrich	Marlenee
Collins (TX)	Glickman	Marriott
Conable	Gonzalez	Martin (IL)
Conte	Goodling	Martin (NC)
Corcoran	Gore	Martin (NY)
Courter	Gradison	Matsui
Coyne, James	Gramm	Mattox
Coyne, William	Green	Mavroules
Crane, Daniel	Gregg	Mazzoli
Crane, Philip	Grisham	McClory
D'Amours	Guarini	McCollum
Daniel, Dan	Gunderson	McCurdy
Daniel, R. W.	Hagedorn	McDade
Danielson	Hall (OH)	McDonald
Dannemeyer	Hamilton	McEwen
Daschle	Hammerschmidt	McGrath
Daub	Hance	McHugh
Davis	Hansen (ID)	McKinney
Deckard	Harkin	Mica
DeNardis	Hartnett	Michel

Mikulski	Rhodes	Staton
Miller (CA)	Rinaldo	Stenholm
Miller (OH)	Ritter	Stratton
Mineta	Roberts (KS)	Studds
Minish	Roberts (SD)	Stump
Mitchell (NY)	Robinson	Swift
Moakley	Rodino	Synar
Molinari	Roe	Tauke
Mollohan	Roemer	Tauzin
Montgomery	Rogers	Taylor
Moore	Rose	Thomas
Moorhead	Rosenthal	Traxler
Morrison	Roth	Trible
Mottl	Roukema	Udall
Murphy	Rousselot	Vander Jagt
Murtha	Roybal	Vento
Myers	Russo	Volkmer
Napier	Sabo	Walgren
Natcher	Schneider	Walker
Neal	Schroeder	Washington
Nelligan	Schulze	Watkins
Nelson	Schumer	Waxman
Nichols	Seiberling	Weaver
Nowak	Sensenbrenner	Weber (MN)
Oakar	Shamansky	Weber (OH)
Oberstar	Shannon	Weiss
Ottinger	Sharp	White
Oxley	Shaw	Whitehurst
Panetta	Shelby	Whitley
Parris	Shumway	Whittaker
Pashayan	Shuster	Whitten
Patman	Siljander	Williams (MT)
Patterson	Simon	Williams (OH)
Paul	Skeen	Wilson
Pease	Skelton	Winn
Perkins	Smith (AL)	Wirth
Petri	Smith (IA)	Wolf
Peyser	Smith (NE)	Wolpe
Pickle	Smith (NJ)	Wortley
Porter	Smith (OR)	Wright
Price	Smith (PA)	Wyden
Pritchard	Snowe	Wylie
Pursell	Snyder	Yates
Rahall	Solarz	Yatron
Railsback	Solomon	Young (FL)
Ratchford	Spence	Young (MO)
Regula	Stangeland	Zablocki
Reuss	Stark	Zeferetti

NOES—19

Beilenson	Dymally	Leland
Bolling	Edgar	Mitchell (MD)
Brodhead	Edwards (CA)	Rangel
Brown (CA)	Ford (TN)	Richmond
Clay	Gray	Stokes
Conyers	Hawkins	
Dellums	Kastenmeier	

NOT VOTING—42

Barnard	Ginn	O'Brien
Biaggi	Goldwater	Obey
Burgener	Hall, Ralph	Pepper
Burton, Phillip	Hall, Sam	Quillen
Byron	Hansen (UT)	Rostenkowski
Chisholm	Hightower	Rudd
Coelho	Holland	Santini
Coughlin	Hollenbeck	Savage
Craig	Horton	Sawyer
Crockett	Kramer	Scheuer
de la Garza	Lehman	St Germain
Dougherty	Lujan	Stanton
Evans (IA)	McCloskey	Wampler
Frenzel	Moffett	Young (AK)

□ 1315

The Clerk announced the following pairs:

On this vote:

Mr. Coelho for, with Mr. Crockett against.

Messrs. HAWKINS, BOLLING, and BEILENSON changed their votes from "aye" to "no."

Mr. KEMP changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHAMANSKY

Mr. SHAMANSKY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHAMANSKY:

Page 31, immediately after line 12, insert the following new section:

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

SEC. 120. (a) The Congress finds that—

(1) a free press is vital to the functioning of free governments;

(2) Article 19 of the Universal Declaration of Human Rights provides for the right to freedom of expression and to "seek, receive and impart information and ideas through any media regardless of frontiers";

(3) the Constitution of the United Nations Educational, Scientific and Cultural Organization provides for the promotion of "the free flow of ideas by words and images";

(4) the signatories of the Final Act of the Conference on Security and Cooperation in Europe (Helsinki, 1975) pledged themselves to foster "freer flow and wider dissemination of information of all kinds, to encourage cooperation in the field of information and the exchange of information with other countries, and to improve conditions under which journalists from one participating State exercise their profession in another participating State"; and

(5) government censorship, domination, or suppression of a free press is a danger to free men and women everywhere.

(b) Therefore, it is the sense of the Congress that the United Nations Educational, Scientific and Cultural Organization should cease efforts to attempt to regulate news content and to formulate rules and regulations for the operation of the world press.

(c) The Congress opposes efforts by some countries to control access to and dissemination of news.

(d) The President shall evaluate and, not later than six months after the date of enactment of this Act, shall report to the Congress his assessment of—

(1) the extent to which United States financial contributions to the United Nations Educational, Scientific, and Cultural Organization, and the extent to which the programs and activities of that Organization, serve the national interests of the United States;

(2) the programs and activities of the United Nations Educational, Scientific, and Cultural Organization, especially its programs and activities in the communications sector; and

(3) the quality of the United States participation in the United Nations Educational, Scientific, and Cultural Organization, including the quality of United States diplomatic efforts with respect to that Organization, the quality of United States representation in the Secretariat of that Organization, and the quality of recruitment of United States citizens to be employed by that Organization.

Such report should include the President's recommendations regarding any improvements which should be made in the quality and substance of United States representation in the United Nations Educational, Scientific, and Cultural Organization.

Mr. SHAMANSKY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SHAMANSKY. Mr. Chairman, I want to commend the gentleman from Tennessee for his activity and concern over the efforts by UNESCO to develop a New World Information Order. This is also a problem that has concerned me for some time. On May 19, Congresswoman FENWICK and I introduced House Resolution 142, a resolution expressing the sense of the Congress that UNESCO should cease its effort to develop a so-called New World Information Order. This resolution currently has 55 cosponsors and was the subject of several days of joint hearings this past July before the Subcommittees on Human Rights and International Organizations, and the Subcommittee on International Operations. This morning the resolution was approved by the full Foreign Affairs Committee. My amendment is essentially the text of House Resolution 142. It contains a strong statement on the part of the Congress in opposition to any attempt to regulate the press.

While this New World Information Order has been discussed for many years, it has remained a rather vague series of proposals. Some of these suggestions are extremely dangerous, such as those to license journalists and develop government-imposed journalistic codes of conduct. Others, such as the call for aid from developed nations to less advance countries in setting up local and regional press operations, could be beneficial.

The dangers to the Western ideal of political freedom based on the free flow of information are inherent in any broad attempt to regulate the press. We must make clear to UNESCO and the world at large that we oppose such regulations unequivocally.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. SHAMANSKY. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Fenwick-Shamansky amendment.

This amendment is identical to House Resolution 142, which Mr. SHAMANSKY and I introduced on May 19 of this year, and which was reported by the Committee on Foreign Affairs this morning. The resolution has 55 cosponsors, including 17 members of the House Foreign Affairs Committee. In addition, the Department of State has written the Foreign Affairs Committee that it "commends this resolution as further evidence of the commitment of this Nation to defend without compromise first amendment principles."

The resolution was also the subject of 2 days of excellent and revealing hearings by the Subcommittee on International Organizations and the Subcommittee on Human Rights and International Organizations. Interestingly, at these hearings, the Assistant Secretary of State for International Organizations, Elliott Abrams, testified that it would be premature for the United States to withdraw from UNESCO or to threaten to cut off our rather substantial contribution to that

body. I agree with Assistant Secretary Abrams that we should stay in UNESCO and fight for what we believe is right.

The amendment which we are proposing is very straightforward. It is a simple expression of the sense of the House in support of a free press and in opposition to the threats now being posed to it by UNESCO's continuing activities. It calls upon UNESCO to cease efforts to regulate news content and the operation of the world press. It states our opposition to the efforts of certain countries to control in this way the flow of news. Finally, consistent with an amendment to House Resolution 142 which was adopted by the Foreign Affairs Committee this morning, it asks the President to report to Congress on the activities of UNESCO, on the quality of our representation in that Organization, and on the extent to which our contributions to UNESCO serve the national interests of the United States. This amendment was adopted at the suggestion of Representative FASCELL, the chairman of the Subcommittee on International Operations.

The amendment is very similar in spirit to the declaration made in May of this year by 60 leaders of independent news organizations from over 20 countries at the Voices of Freedom Conference in Talloires, France. In fact, Congressman SHAMANSKY and I introduced House Resolution 142 on the day after the Talloires Conference adjourned. Without objection, Mr. Speaker, I would like to insert in the RECORD a copy of the resolution which the leaders of the world's free press adopted at that conference. It provides an excellent statement of the commitment of these distinguished gentlemen and women to freedom of the press. The declaration follows:

THE DECLARATION OF TALLOIRES

We journalists from many parts of the world, reporters, editors, photographers, publishers and broadcasters, linked by our mutual dedication to a free press.

Meeting in Talloires, France, from May 15 to 17, 1981, to consider means of improving the free flow of information worldwide, and to demonstrate our resolve to resist any encroachment on this free flow.

Determined to uphold the objectives of the Universal Declaration of Human Rights, which in Article 19 states, "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 regardless of frontiers."

Mindful of the commitment of the constitution of the United Nations Educational, Scientific and Cultural Organization to "promote the free flow of ideas by word and image."

Conscious also that we share a common faith, as stated in the charter of the United Nations, "in the dignity and worth of the human person, in the equal rights of men and women, and of nations large and small."

Recalling moreover that the signatories of the final act of the Conference of Security and Cooperation in Europe concluded in 1975 in Helsinki, Finland, pledged themselves to foster "freer flow and wider dissemination of information of all kinds, to encourage cooperation in the field of information and the exchange of information with other countries, and to improve conditions under which journalists from one participating state exercise their profession in another participating state" and expressed their intention in particular to support "the improvement of the circulation of access to, and exchange of information."

Declare that:

1. We affirm our commitment to these principles and call upon all international bodies and nations to adhere faithfully to them.

2. We believe that the free flow of information and ideas is essential for mutual understanding and world peace. We consider restraints on the movement of news and information to be contrary to the interests of international understanding, in violation of the Universal Declaration of Human Rights, the constitution of UNESCO, and the final act of the Conference on Security and Cooperation in Europe; and inconsistent with the charter of the United Nations.

3. We support the universal human right to be fully informed, which right requires the free circulation of news and opinion. We vigorously oppose any interference with this fundamental right.

4. We insist that free access, by the people and the press, to all sources of information, both official and unofficial, must be assured and reinforced. Denying freedom of the press denies all freedom of the individual.

5. We are aware that governments, in developed and developing countries alike, frequently constrain or otherwise discourage the reporting of information they consider detrimental or embarrassing, and that governments usually invoke the national interest to justify these constraints. We believe, however, that the people's interest, and therefore the interests of the nation, are better served by free and open reporting. From robust public debate grows better understanding of the issues facing a nation and its peoples; and out of understanding greater chances for solutions.

6. We believe in any society that public interest is best served by a variety of independent news media. It is often suggested that some countries cannot support a multiplicity of print journals, radio and television stations because there is said to be a lack of an economic base. Where a variety of independent media is not available for any reason, existing information channels should reflect different points of view.

7. We acknowledge the importance of advertising as a consumer service and in providing financial support for a strong and self-sustaining press. Without financial independence, the press cannot be independent. We adhere to the principle that editorial decisions must be free of advertising influence. We also recognize advertising as an important source of information and opinion.

8. We recognize that new technologies have greatly facilitated the international flow of information and that the news media in many countries have not sufficiently benefited from this progress. We support all efforts by international organizations and other public and private bodies to correct this imbalance and to make this technology available to promote the worldwide advancement of the press and broadcast media and the journalistic profession.

9. We believe that the debate on news and information in modern society that has taken place in UNESCO and other international bodies should now be put to constructive purposes. We reaffirm our views on several specific questions that have arisen in the course of this debate, being convinced that:

Censorship and other forms of arbitrary control of information and opinion should be eliminated; the people's right to news and information should not be abridged.

Access by journalists to diverse sources of news and opinion, official or unofficial, should be without restriction. Such access is inseparable from access of the people to information.

There can be no international code of journalistic ethics; the plurality of views makes this impossible. Codes of journalistic ethics, if adopted within a country, should be formulated by the press itself and should be voluntary in their application. They cannot be formulated, imposed or monitored by governments without becoming an instrument of official control of the press and therefore a denial of press freedom.

Members of the press should enjoy the full protection of national and international law. We seek no special protection or any special status and oppose any proposals that would control journalists in the name of protecting them.

There should be no restriction on any person's freedom to practice journalism. Journalists should be free to form organizations to protect their professional interests.

Licensing of journalists by national or international bodies should not be sanctioned, nor should special requirements be demanded of journalists in lieu of licensing them. Such measures submit journalists to controls and pressures inconsistent with a free press.

The press's professional responsibility is the pursuit of truth. To legislate or otherwise mandate responsibilities for the press is to destroy its independence. The ultimate guarantor of journalistic responsibility is to the free exchange of ideas.

All journalistic freedoms should apply equally to the print and broadcast media. Since the broadcast media are the primary purveyors of news and information in many countries, there is particular need for nations to keep their broadcast channels open to the free transmission of news and opinion.

10. We pledge cooperation in all genuine efforts to expand the free flow of information worldwide. We believe the time has come within UNESCO and other intergovernmental bodies to abandon attempts to regulate news content and formulate rules for the press. Efforts should be directed instead to finding practical solutions to the problems before us, such as improving technological progress, increasing professional interchanges and equipment transfers, reducing communication tariffs, producing cheaper newsprint and eliminating other barriers to the development of news media capabilities.

Our interests as members of the press, whether from the developed or developing countries, are essentially the same: Ours is joint dedication to the freest, most accurate and impartial information that is within our professional capability to produce and distribute. We reject the view of press theoreticians and those national or international officials who claim that while people in some countries already for a free press, those in other counties are insufficiently developed to enjoy that freedom.

We are deeply concerned by a growing tendency in many countries and in international bodies to put government interests above those of the individual, particularly in regard to information. We believe that the state exists for the individual and has a duty to uphold individual rights. We believe that the ultimate definition of a free press

lies not in the actions of governments or international bodies, but rather in the professionalism, vigor and courage of individual journalists.

Press freedom is a basic human right. We pledge ourselves to concerted action to uphold this right.

Andres Garcia-Levin, (Inter American Press Association). Novidades de Yucatan. Merida. Yucatan. Mexico.

Murray J. Gart, Washington Star, 255 Virginia Ave., S.E., Washington, DC 20061. USA.

Dr. Mohamed Abdel Gawad, Middle East News Agency, 4 El-Sherifein Street. Cairo Egypt.

Henry A. Grunwald, Time, Inc., Time-Life Building. Rockefeller Center, New York NY 10020, USA.

William G. Harley, 6323 Waterway Drive Falls Church, Va. 20520.

Stephen Hearts,. British Broadcasting Corporation. Broadcasting House, Portland Place, London W1A 1AA, England.

Argentina S. Hills (American Society of Newspaper Editors). c/o Miami Herald. One Herald Plaza. Miami. Fla 33101, USA.

Lee Hills (American Society of Newspaper Editors), Knight-Ridder Newspapers. Inc. One Herald Plaza, Miami. Fla. 33101, USA.

Toshio Horikawa (Nihon Shimbun Kyokai), 7-23 14 Kitakoiwa, Edogawa-ku, Tokyo 133, Japan.

Julius Humi, United Press International, 8 Bouverie Street, London EC 4Y 8VB, England.

Cushow Irani (International Press Institute), The Statesman, House 4, Chowringhee Square, Calcutta 1, India.

Manuel Jimenez (Central American News Agency), La Nacion, San Jose, Costa Rica.

Alma Kadragic (Women in Communications), ABC News, 7 West 66th Street, New York, N.Y. 10023, USA.

Gerald Long, The Times Newspapers, 200 Gray's Inn Road, Thompson House, London 8C1X 8EZ, England.

K. Prescott Low (American Newspaper Publishers Association), Quincy Patriot-Ledger, 13 Temple, Quincy, Mass. 02169, USA.

Arch L. Madsen (National Association of Broadcasters), Bonneville International Corp., 36 South State, Suite 2100, Salt Lake City, Utah 84111, USA.

Leonard H. Marks (World Press Freedom Committee), Cohn & Marks, 1333 New Hampshire Ave., N.W., Washington, D.C. 20036, USA.

Georges-Henri Martin, Tribune de Geneve, Rue du Stand 42, 1204 Geneva, Switzerland.

Lord McGregor of Durris, (University of London), Far End, Wyldes Close, London NW11 7JB, England.

Simopekka Nortamo, (International Press Institute), Helsingin Sanomat, PO Box 240, SF-00101, Helsinki 10, Finland.

Dr. Sid-Ahmed Nugdalla, University of Khartoum, Khartoum, Sudan.

Henri Pigeat, Agence France-Presse, 11 Place de la Bourse, Paris, France.

Philip H. Power (World Press Freedom Committee), Suburban Communications Corp., 527 E. Liberty, Rm. 202, Ann Arbor, Mich, 48104, USA.

Sarah Goddard Power, 527 E. Liberty, Rm. 207, Ann Arbor, Mich. 48104, USA.

Curtis Prendergast (World Press Freedom Committee), Time, Inc., Time-Life Building, Rockefeller Center, New York, NY 10020, USA.

R. P. Ralph, Foreign and Commonwealth Office, London, SW1A 2AH, England.

SIGNATURES

V. O. Adefela, News Agency of Nigeria, National Theater, IGANMU, Post Mail box 2756, Lagos, Nigeria.

Horacio Aguirre, (Inter American Press Association), Diario de las Americas, 2900 NW 39th Street, Miami, Fla. 33142, USA.

Robert C. Amerson, (Fletcher School of Law and Diplomacy), Center for International Business, 22 Batterymarch, Boston, Mass. 02109, USA.

Harold W. Andersen, (World Press Freedom Committee), Omaha World-Herald, World-Herald Square, Omaha, NE 68102, USA.

Jean d'Arcy, (International Institute of Communication), 8 rue Leroux, 75116 Paris, France.

Lord Ardwick of Barnes, (Commonwealth Press Union), 10 Chester Close, Queen's Ride, Barnes Common, London SW13, England.

Maribel Bahia, International Federation of Newspaper Publishers (FIEJ), 6 rue du Faubourg-Poissoniere, 75010 Paris, France.

R. Balakrishnan, Asia-Pacific Institute for Broadcasting Development, PO Box 1137, Pantal, Kuala Lumpur, Malaysia.

Frank Batten, Landmark Communications, Inc., 150 West Brambleton Ave., Norfolk, Va. 23501, USA.

Roderick Beaton, United Press International, 220 East 42nd Street, New York, NY 10017, USA.

George Beebe, (World Press Freedom Committee), Miami Herald, One Herald Plaza, Miami, Fla. 33101, USA.

Dr. Hans Benirschke, Deutsche Presse-Agentur, Hamburg 13, Mittelweg 38, West Germany.

Dr. Johannes Binkowski, (International Federation of Newspaper Publishers), Schwaebiscag Post, Villestrasse 11, 7009 Stuttgart 1, West Germany.

B. Brandolini d'Adda (International Federation of the Periodical Press), Selezione dal Readers Digest S.p.A., Via Alserio 10, 20159 Milan, Italy.

Dana Bullen, Fletcher School of Law and Diplomacy, Tufts University, Medford, MA 02155, USA.

Oliver F. Clarke, The Daily Gleaner, PO Box 40, Kingston, Jamaica.

Pedro Crespo de Lara, Asociacion de Editores de Diarios Espanoles, Espronceda 32, 6a, Madrid 3, Spain.

Anthony Day, (American Society of Newspaper Editors), Los Angeles Times, Times-Mirror Square, Los Angeles, CA 90053, USA.

Jonathan Fenby, 47 Rue de l'Universite, 75007 Paris, France.

Don Ferguson, (North American National Broadcasters Association), Canadian Broadcasting Association, Box 500, Station A, Toronto, Ontario M5W 1E6, Canada.

Julio C. Ferreira de Mesquita, (Inter American Press Association), O Estado do Sao Paulo, A.B. Eng. Caetano, Alvarez, 55 Bairro de Limao, Sao Paulo, Brazil.

Keith Fuller, Associated Press, 50 Rockefeller Plaza, New York, NY 10020, USA.

Peter Galliner, International Press Institute, 280 St. John Street, London EC1V 4PB, England.

Joseph P. Rawley (American Newspaper Publishers Association), The High Point Enterprise, PO 1009, High Point, N.C. 27261, USA.

Rosemary Righter (the Sunday Times), 10 Quick Street, London N1, England.

Oliver G. Robinson, International Press Telecommunications Council, Studio House, Hen and Chickens Court, 184 Fleet Street, London EC4A 2DU, England.

Mort Rosenblum, 40 rue de St. Louis en l'Ile, 75004 Paris, France.

Murray Rossant, Twentieth Century Fund, 41 East 70th Street, New York, NY 10021, USA.

Hewson A. Ryan, Fletcher School of Law and Diplomacy, Tufts University, Medford, MA 02155, USA.

Michael Saint-Pol, Agence France-Presse, 11 Place de la Bourse, Paris, France.

Victor de la Serna, Associacion de Editores de Diarios, Espanoles, Espronceda 32, 6a Madrid 3, Spain.

Dr. M. L. Snijders, (International Press Institute), Utrecht Niewsblad, Drift 23, 3512 BR Utrecht, Holland.

H. L. Stevenson, United Press International, 220 East 42nd Street, New York, NY 10017, USA.

Dr. Robert Stevenson, University of North Carolina at Chapel Hill, Howell Hall 021A, Chapel Hill, NC 27514, USA.

Leonard Sussman, Freedom House, 20 West 40th Street, New York, NY 10018, USA.

Stanley M. Swinton, Associated Press, 50 Rockefeller Plaza, New York, NY 10020, USA.

Frans Vink, (International Federation of Newspaper Publishers), Het Laatste Nieuws, Em. Jacqmainlaan 105, 1000 Brussels, Belgium.

Walter N. Wells, International Herald Tribune, 181 avenue Charles de Gaulle, 92521 Neuilly Cedex, Paris, France.

Dr. Brigitte Weyl, (International Federation of Newspaper Publishers), Sudkurier, Toftach 4300, D-7750 Konstanz, West Germany.

Hector Wynter, The Daily Gleaner, PO Box 40, Kingston, Jamaica.

The involvement of UNESCO in freedom of information issues is not a new development. The United Nations adopted its Declaration on Freedom of Information, which declared that "all states should proclaim policies under which the free flow of information within countries and across frontiers will be protected" in 1946. Freedom of information issues have been a central focus of discussion at UNESCO General Conferences for more than 10 years. But the debate has sharpened especially since the Nairobi meeting of 1976. As the price for tabling a draft declaration on fundamental principles governing the mass media, which was slanted toward control of the press, the United States agreed at that time to the establishment of the 16-member International Commission for the Study of Communication Problems, better known as the MacBride Commission. At the 20th UNESCO general conference in Paris 2 years later, a somewhat watered-down "Draft Declaration on Fundamental Principles Concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War" was adopted with our assent. Unfortunately, this declaration still contained references to concepts that should have troubled our representatives greatly: The need to protect journalists, the guaranteed right of reply by those who have had seriously prejudiced information disseminated about them, and discussion of codes of ethics for journalists.

The two most recent major UNESCO meetings on information issues, in Belgrade in 1980 and in Paris

earlier this year, have further demonstrated the dangers that still remain. In Belgrade, final approval was given to the International Program for Development of Communication (IPDC), a body created to assist the developing countries in improving their communications capability. The United States initiated this proposal, demonstrating our willingness to cooperate in addressing the perceived inequities in this area. Unfortunately, the U.S. contribution was not matched by an elimination of some of the more troublesome issues raised by the MacBride Commission—those concerning protection and licensing of journalists, professional regulations, codes of ethics, and other such unacceptable concepts—from the UNESCO agenda. These issues deserved further study, thus keeping them under consideration.

The events surrounding the Paris meeting earlier this year demonstrated just what type of further study UNESCO Director General M'Bow and some of the Soviet and Third World bloc had in mind. The Director General originally invited only nine press groups—mostly from the U.S.S.R. and sympathetic Third World countries—to the Paris meeting for journalists to discuss these concepts. When our diplomats learned of the meeting, we were told that it was a private meeting, even though it was listed as official. Luckily, the Western delegates who were subsequently invited to this meeting were able to block proposals for licensing journalists and adopting codes of ethics, but the continuing threat to press freedom was highlighted by the secret approach which UNESCO originally took to the meeting. Perhaps most importantly, these threatening concepts remain on UNESCO's agenda for the next general conference in Venezuela in 1983.

The reason these concepts are so dangerous to the West is that they are based on a principle which is totally contrary to a fundamental tenet of Western society. The Soviet Union and many other countries in the world believe that the press exists as an instrument—a tool—of the State; that its duty is to promote the power and stability of the State. They do not believe, as we do, and our first amendment proves it, that the press exists for the people.

This amendment is intended to provide force for the voice of the free world against any regulation of the free press. By offering it, we hope to strengthen the hand of our representatives in UNESCO. They will be able to point to the expressed view of the Congress as a demonstration of American resolve on the issue of the free press. At the same time, we hope that our American delegation will work more closely with other nations who share our view on this issue.

At the same time, this amendment avoids any premature cutoff of our contribution to UNESCO. UNESCO continues to do much valuable work in the educational and scientific fields. I agree with the administration's position that it would be premature and perhaps counterproductive to cut off our rather substantial contribution to that body. I believe that we should stay in there and fight for what is right, and I think that we should not forego the opportunity to exert our influence in the continuing debate.

If we remain in UNESCO and prevail, we can turn the attention of that body to constructive proposals in the communication field, such as that which established the International Program for Development of Communication (IPDC) to aid the LDC's in developing their communications capabilities. If we fail, and the discussion turns to less productive ideas, we can always exercise more drastic options at a later date.

I urge the adoption of the amendment, and I hope that other Members will join me in making this strong statement in support of a free press.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment was considered by the Committee on Foreign Affairs and was adopted by the full committee. We are ready on this side to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. SHAMANSKY).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I? If not, the Clerk will read title II.

The Clerk read as follows:

TITLE II—INTERNATIONAL COMMUNICATION AGENCY

SHORT TITLE

SEC. 201. This title may be cited as the "International Communication Agency Authorization Act, Fiscal Years 1982 and 1983".

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 202. There are authorized to be appropriated for the International Communication Agency $561,402,000 for the fiscal year 1982 and $656,505,000 for the fiscal year 1983 to carry out international communication, educational, cultural, and exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan Numbered 2 of 1977, and other purposes authorized by law.

CHANGES IN ADMINISTRATIVE AUTHORITIES

SEC. 203. (a)(1) Title III of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1451-1453) is amended—

(A) in section 301 by striking out "citizen of the United States" and inserting in lieu thereof "person"; and

(B) in sections 302 and 303 by striking out "citizen of the United States" and inserting in lieu thereof "person in the employ or service of the Government of the United States".

(2) Such title is further amended—

(a) in section 301—

(i) by striking out "Secretary" the first place it appears and inserting in lieu thereof "Director of the International Communication Agency", and

(ii) by striking out "Secretary" the second place it appears and inserting in lieu thereof "Director"; and

(B) in section 303 by striking out "Secretary" and inserting in lieu thereof "Director of the International Communication Agency".

(3) Section 302 of such Act is amended—

(A) in the second sentence by striking out "section 901(3) of the Foreign Service Act of 1946 (60 Stat. 999)" and inserting in lieu thereof "section 905 of the Foreign Service Act of 1980"; and

(B) in the last sentence by striking out "section 1765 of the Revised Statutes" and inserting in lieu thereof "section 5536 of title 5, United States Code".

(b) Section 802 of such Act (22 U.S.C. 1472) is amended—

(1) by inserting "(a)" immediately after "Sec. 802."; and

(2) by adding at the end thereof the following new subsection:

"(b)(1) Any contract authorized by subsection (a) and described in paragraph (3) of this subsection which is funded on the basis of annual appropriations may nevertheless be made for periods not in excess of five years when—

"(A) appropriations are available and adequate for payment for the first fiscal year and for all potential cancellation costs; and

"(B) the Director of the International Communication Agency determines that—

"(i) the need of the Government for the property or service being acquired over the period of the contract is reasonably firm and continuing;

"(ii) such a contract will serve the best interests of the United States by encouraging effective competition or promoting economies in performance and operation; and

"(iii) such method of contracting will not inhibit small business participation.

"(2) In the event that funds are not made available for the continuation of such a contract into a subsequent fiscal year, the contract shall be canceled and any cancellation costs incurred shall be paid from appropriations originally available for the performance of the contract, appropriations currently available for the acquisition of similar property or services and not otherwise obligated, or appropriations made for such cancellation payments.

"(3) This subsection applies to contracts for the procurement of property or services, or both, for the operation, maintenance, and support of programs, facilities, and installations for or related to telecommunication activities, newswire services, and the distribution of books and other publications in foreign countries.".

(c) Paragraph (16) of section 804 of such Act (22 U.S.C. 1474(16)) is amended by inserting "and security" immediately after "right-hand drive".

(d) Title VIII of such Act (22 U.S.C. 1471-1475b) is amended by adding at the end thereof the following new section:

"ACTING ASSOCIATE DIRECTORS

"SEC. 808. If an Associate Director of the International Communication Agency dies, resigns, or is sick or absent, the Associate Director's principal assistant shall perform the duties of the office until a successor is appointed or the absence or sickness stops.".

(e) Title VIII of such Act is further amended by adding at the end thereof the following new section:

"COMPENSATION FOR DISABILITY OR DEATH

"SEC. 809. A cultural exchange, international fair or exposition, or other exhibit or demonstration of United States economic

accomplishments and cultural attainments, provided for under this Act or the Mutual Educational and Cultural Exchange Act of 1961 shall not be considered a 'public work' as that term is defined in the first section of the Act of August 16, 1941 (42 U.S.C. 1651; commonly known as the Defense Base Act).".

(f) Section 1011(h) of such Act (22 U.S.C. 1442(h)) is amended by adding at the end thereof the following new paragraph:

"(4) Section 701(a) of this Act shall not apply with respect to any amounts appropriated under this section for the purpose of liquidating the notes (and any accrued interest thereon) which were assumed in the operation of the informational media guaranty program under this section and which were outstanding on the date of enactment of this paragraph.".

DISTRIBUTION WITHIN THE UNITED STATES OF THE FILM ENTITLED "REFLECTIONS: SAMUEL ELIOTT MORISON"

SEC. 204. (a) Notwithstanding the second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461)—

(1) the Director of the International Communication Agency shall make available to the Administrator of General Services a master copy of the film entitled "Reflections: Samuel Eliott Morison"; and

(2) the Administrator shall reimburse the Director for any expenses of athe Agency in making that master copy available, shall secure any licenses or other rights required for distribution of that film within the United States, shall deposit that film in the National Archives of the United States, and shall make copies of that film available for purchase and public viewing within the United States.

(b) Any reimbursement to the Director pursuant to this section shall be credited to the applicable appropriation of the International Communication Agency.

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOMFIELD: Page 37, immediately after line 6, insert the following new section:

DISTRIBUTION WITHIN THE UNITED STATES OF THE I.C.A. FILM ENTITLED "AND NOW MIGUEL"

SEC. 205. (a) Notwithstanding the second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461)—

(1) the Director of the International Communication Agency shall make available to the Administrator of General Services a master copy of the film entitled "And Now Miguel"; and

(2) the Administrator shall reimburse the Director for any expenses of the Agency in making that master copy available, shall secure any licenses or other rights required for distribution of that film within the United States, shall deposit that film in the National Archives of the United States, and shall make copies of that film available for purchase and public viewing within the United States.

(b) Any reimbursement to the Director pursuant to this section shall be credited to the applicable appropriation of the International Communication Agency.

Mr. BROOMFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

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

Mr. BROOMFIELD. Mr. Chairman, I am offering an amendment on behalf of Mr. LUJAN. This amendment which is similar to section 204(a) of the bill, would provide for the release within the United States of an ICA film entitled, "And Now Miguel."

This film was produced in 1951 and, because the Government then had worldwide rights the film was made available to the American public prior to 1972 through the U.S. Office of Education and the National Audiovisual Center. In 1972, the U.S. Information and Education Exchange Act of 1948 was amended to prohibit the Distribution of ICA program materials within the United States. The Library of the State of New Mexico, in possession of a worn copy of the film which it is unable to replace, feels that the film is an educational aid peculiary suited to use in the State of New Mexico.

The film relates the story of a family in the Southwest which has inherited from its Spanish ancestors the tradition of sheep raising. It portrays the development of family relationships and examines a way of life in New Mexico.

This amendment would allow the General Services Administration to secure licenses or other rights required for distribution of that film in the United States and to make it available for purchase from the Nation Audio Visual Center.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

We have examined the amendment on this side and we are perfectly agreeable to it and will accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. BROOMFIELD).

The amendment was agreed to.

□ 1330

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: Page 37, immediately after line 6, insert the following new section:

REDESIGNATION OF THE INTERNATIONAL COMMUNICATION AGENCY AS THE UNITED STATES INFORMATION AGENCY

SEC. 205. (a) The International Communication Agency, established by Reorganization Plan Numbered 2 of 1977, is hereby redesignated the United States Information Agency. The Director of the International Communication Agency or any other official of the International Communication Agency is hereby redesignated the Director or other official, as appropriate, of the United States Information Agency.

(b) Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination; or other official document or proceeding to the International Communication Agency or the Director or other official of the International Communication Agency shall be deemed to refer respectively to the United States Information Agency or the Director or other official of the United States Information Agency, as so redesignated by subsection (a).

(c) This section shall take effect on January 1, 1982.

Mr. DERWINSKI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Chairman, I rise today to propose an amendment, on behalf of the administration, which would restore the name "United States Information Agency" to the Agency which is our principal instrument for explaining American society and policy to the peoples of the world.

For the last 3½ years, this Agency has labored under the name "U.S. International Communication Agency." When USIA and the Bureau of Educational and Cultural Affairs of the Department of State were merged, on April 1, 1978, to form ICA—or USICA as it subsequently became—a good faith effort was made to select a name which would reflect the diverse functions of the reconstituted Agency. But the name which was chosen simply has not worked. In my travels and conversations with Foreign Service officers and foreign leaders around the world, I have heard a multitude of stories about how the new Agency has been confused—sometimes deliberately, but more often honestly and unintentionally—with the CIA, ITT, the local postal service, and even, in one country, the Agricultural Extension Service which had the same initials. Even when the Agency's officers were successful in explaining to foreign audiences what the Agency was not, it was sometimes difficult to explain what a communication agency was.

A variety of other names have been suggested over the years, but they all seemed to have at least two drawbacks in common: they were unwieldy, and they were not accurate descriptions of the Agency's work. "Information" is clearly understood. The name "U.S. Information Agency" explains what the Agency does—it provides information about American policy, society, and values to the peoples of the world.

It is a name which is simple, plain English—and which translates into

plain French and Spanish and Thai and Swahili. The name "USIA" also has the advantage of being known overseas where it is widely recognized and accepted. Finally, it is my understanding that there is virtually unanimous support within the Agency itself for restoring the old name, and its adoption would have a decided and positive impact upon Agency morale.

I recommend that we authorize a return to this shorter, more accurate name, and urge adoption of my amendment to accomplish this goal.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the distinguished chairman.

Mr. FASCELL. Mr. Chairman, I agree with the gentleman. It is not the most exciting thing in the world. I hate to go up the hill and down the hill, but basically this is an Executive decision, unless the Congress has strong objection; so I am prepared to go along with it.

Mr. DERWINSKI. I thank the gentleman from Florida for his diplomatic attitude.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DERWINSKI).

The amendment was agreed to.

Mr. LOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to H.R. 3518, the State Department authorization for fiscal years 1982 and 1983. Mr. Chairman, we have spent the major part of this first session of the 97th Congress struggling to cut Federal spending. I think it would be safe to say that there is not a single program in the entire Federal budget that has escaped the careful perusal of the budget cutters. Many, many of the programs, some laudable, in the Federal budget and to suffer necessary reductions in funding.

I say that as a preface, Mr. Chairman, to saying that we are now considering, unfortunately, a piece of legislation authorizing in excess of $6 billion for only 2 fiscal years. The agencies are programs funded by this bill have apparently and miraculously escaped the budget-cutting knife. In 1983 alone, this bill authorizes the expenditure of approximately $805 million more than the President requested. That is $805 million that I feel could be better spent. It is absolutely impossible for this Member to justify the expenditure of $6 billion on the programs funded by this bill after the cuts this Congress has voted for in various domestic programs.

Members may ask where the $805 million, which this bill is over the President's request, is to be spent.

First, the bill authorizes an additional $496.3 million above the President's request of $1,248,059,000 for administration of foreign affairs. This is in 1983 alone. I will remind my colleagues that if there is waste, fraud, and abuse elsewhere in the Federal Government, we can all rest assured that there is plenty in the State Department and this massive increase is totally unrealistic and unjustified.

Second, the bill authorizes an excess of $95.6 million above the President's request for migration and refugee assistance. This may be a reasonable and humanitarian program but is it justified in light of the cuts we have demanded in domestic programs? I think my colleagues will agree that the answer is a resounding "no."

Finally, the bill authorizes $174.2 million more for the International Communication Agency than the President requested and $16.7 million more for the Board for International Broadcasting than the President requested. Again, when these increases are weighed in the balance against the cuts we have made in the other areas of the Federal budget, it simply is not fair and cannot be justified.

Mr. Chairman, I will not offer amendments to cut the additional $805 million in this bill. It would serve no useful purpose because the money would simply be placed back in the bill in conference. But the fact of the matter is that the fight against deficit spending, especially such an outrageous and blatant waste of the taxpayers' money as is encompassed in this bill, will be fought; if not here, then during the appropriations process. Nevertheless, Mr. Chairman, I plan to vote "no" on final passage and against this waste of money and I urge my colleagues to do likewise.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. LOTT. I yield to the distinguished gentleman.

Mr. DERWINSKI. May I advise the gentleman from Mississippi that, obviously in anticipation of his vigorous views, an amendment was adopted earlier which cut approximately——

Mr. LOTT. $496.3 million.

Mr. DERWINSKI. $496 million which really, in my opinion, gutted the administration and the State Department.

At the risk of being impolite to my distinguished whip, may I point out that even the State Department is part of the administration and that on the subject the gentleman is discussing——

Mr. LOTT. If the gentleman will yield, I am not sure of that yet. Go ahead.

Mr. DERWINSKI. On the subject the gentleman really is concerned with, the level of foreign aid, it is my understanding that our distinguished noble heroic Secretary of State wants the full amount pending in the budget, so we are going to have to clarify that. I have a sneaking suspicion that Mr. Haig has a little bit to say about foreign affairs. Mr. Stockman really is not in complete charge of that shop yet.

Mr. LOTT. I thank the gentleman for his comments.

I would like to say, first of all, that I am not quite sure who is in charge of that shop from top to bottom. I do not intend to be critical of our Secretary of State. I know the Secretary is trying to do his job; but just because we changed administations and a few people at the top, I am not convinced yet that we made all the changes necessary in the State Department. I still represent the people of the Fifth Congressional District of Mississippi and as whip I am working with the Members of the House. I am not going to take everything this administration says and accept it, particularly when it applies to the State Department and foreign aid.

There is a higher duty and a higher responsibility here. I am not going to go back home and try to defend all these other budget cuts if we do not make the necessary cuts in foreign aid and the State Department.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. LOTT. I would be glad to yield to the distinguished gentleman.

Mr. FASCELL. I thank the gentleman for yielding. I surely do not want to persuade the gentleman or try to convince him. The gentleman knows his own politics better than I do; but I must get the record straight that, with the amendments that have been adopted, we are at the President's request.

Now, you know, if what the gentleman is saying is that he is not happy with that, and the gentleman wants to cut it even more, that is a different proposition and certainly that is the gentleman's right; but let me just say two things that I think we need to consider.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent, Mr. LOTT was allowed to proceed for 1 additional minute.)

Mr. LOTT. I yield to the gentleman.

Mr. FASCELL. I thank the gentleman. I would have gotten the gentleman the time.

One is that we are talking about three or four agencies here in that total the gentleman is talking about.

The other is that we are talking about the smallest department. No matter how much the gentleman may dislike it, it is the smallest department budgetwise, personnelwise; so there is a limit, in other words, to how far we want to go.

Now, as far as cleaning house, if the gentleman wants to appoint Republicans all the way down to the bottom level, they can do that. The gentlemen on that side are running it. That is different; but we ought to at least give the people that have got the responsibility some of the tools to do the kind of job the gentleman thinks they have to do.

I do not want to stand up here and be a spokesman for the administration. I have enough problems.

Mr. LOTT. The gentleman is doing an excellent job, Mr. Chairman.

Mr. FASCELL. So that is all I wanted to say. I just wanted to try to in some way reassure the gentleman at least with respect to this bill that the gentleman can hold his head up plenty high in talking about these other cuts because these people have been scalped to the bone.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

(By unanimous consent, Mr. LOTT was allowed to proceed for 1 additional minute.)

Mr. LOTT. Mr. Chairman, I have asked for just 1 additional minute so I can respond, and I will be brief.

My understanding was that this bill was $805 million above what the President asked for. According to the gentleman's committee report, when we took out $496.3 million, it still left about $300 million over what the administration asked for.

Again, we can start quibbling over figures, but I want to make the point that I think it certainly would be all right with me if we could cut some of these bills below what the administration asked for.

We, after all, must make those final judgments.

I think I have made my point. I appreciate the difficult job the gentleman has done on the committee. Just keep their feet to the fire is all I am asking.

Mr. EDWARDS of Oklahoma. Mr. Chairman, I move to strike the last word.

Mr. Chairman, sitting on my desk, in my office, is an amendment to the State Department authorization bill which would require the Secretary of State to reduce funding to the United Nations organizations if the United States is denied a seat we traditionally have held on a U.N. board, committee, or commission.

I will not introduce that amendment today, but I do want to serve notice that if we continue to let opposing nations to direct the course of U.N. policy against our best interests, I will work very hard to reduce, if not eliminate, our contributions to the various U.N. organizations.

Ostensibly, we belong to the United Nations because its goals enhance our foreign policy goals; however, increasingly, U.N. bodies are being exploited to promote programs and activities that are inimical to the interests of the United States and our Western allies.

There are many examples of this.

In an episode that is without precedent, the United States last spring was denied, for the first time ever, a seat on the United Nations Statistical Commission, which establishes guidelines for gathering statistical data used by other agencies.

In accordance with a longstanding tradition, permanent members of the Security Council are routinely represented on this and several other commissions. By secret vote, however, the Economic and Social Council removed the United States from the Commission. Thus, the opportunity for the United States to influence the policies of the Statistical Commission has been greatly diminished. Ambassador Jeane Kirkpatrick has said she believes the vote was orchestrated by a group of Third World nations bent on taking a slap at certain U.S. policies—especially our insistence that Israel be treated in a manner consistent with the U.N.'s formal rules of procedure.

This action establishes a precedent which should not go unnoticed by American taxpayers, who contribute 25 percent of the U.N. budget—more than twice the amount paid by any other nation—or by this Congress, which should insist that the funds we appropriate for foreign affairs in these lean years by used only to enhance our foreign policy goals.

In another ominous move, the United Nations Educational, Scientific, and Cultural Organization is embarked on a scheme to regulate news content and to control press conduct around the world. The plan is an essential part of UNESCO's promotion of the new world information order, which is hailed by its proponents—principally the Soviet Union and its Third World allies—as a systematic effort to insure so-called balanced dissemination of news and information around the world.

Apart from the absurdity of entrusting a body as political as UNESCO with formulating rules and regulations for the world's news media, the very notion smacks of censorship and conjures up the prospect of an Orwellian Big Brother which is contrary to our concepts as embodied in the first amendment and going back to John Peter Zenger's trial.

It is no wonder that representatives of major news organizations in some 20 countries met in France to condemn the proposal as a dangerous encroachment on press freedom. Unfortunately, the strong opposition from the media and many Western governments has not dissuaded UNESCO from going forward with plans to implement the proposal.

Taking swipes at Israel is another favorite exercise in the United Nations. Last spring, a bloc of Arab and African nations attempted to have Israel disinvited to an international conference aiding African refugees after a formal invitation had been extended by the conference organizers and accepted by Israel. Only when the United States threatened to boycott the conference was Israel finally allowed to attend.

A group that is particularly adept at using the United Nations for purposes in opposition to the United States best interests is the Palestine Liberation Organization. Not content with its status as an observer, the PLO has repeatedly sought to take part in U.N. activities, especially in the Security Council, as though it were a full-fledged member nation.

Rule 37 of the Provisional Rules of Procedure of the Security Council applies to nations who are members of the U.N. but not of the Security Council. Rule 39 applies to interested parties who do not enjoy U.N. membership. For several years, the PLO has attempted to gain access to the Security Council by way of rule 37. The PLO is attempting to do, behind the barn, what peace-loving nations have not allowed out front. That terrorist organization is attempting to gain recognition as a legitimate government. Unfortunately, U.S. opposition to the use of rule 37 by the PLO is ineffective as most other Western nations on the Security Council abstain on votes to allow the PLO access to the Security Council under this rule.

Mr. Chairman, I could recite other examples of actions taken in opposition to our expressed foreign policy and in attempts to prevent our influence, but the recitation would be so long that it would bore the Chamber.

The point is that the United States is losing—if it has not lost already—its efficacy in promoting American foreign policy goals through the United Nations. Increasingly, the dollars we give to the United Nations underwrite organizations which subvert or circumvent our foreign policy goals. If this continues, I, for one, will move to significantly reduce our funding for the United Nations.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DERWINSKI. Mr. Chairman, I rise in support of this authorization bill. H.R. 3518 provides the resources for the principal elements of this country's foreign affairs programs, the principal being the Department of State which conducts our affairs with foreign governments here and abroad. At the request of the administration, we have reduced the number of State Department personnel positions in fiscal year 1982 by 500. State has fewer employees today that it did a dozen years ago—16,285, down from a peak of 17,012 in 1959, yet the burdens on our Foreign Service people continue to mount—hazardous conditions and increasing workloads, and reporting requirements continue to increase. Consular workloads, especially, are on the rise. This is a barebones bill, then, and I urge you to support it.

One particularly important feature of H.R. 3518 is the authority granted to the State Department to enforce reciprocity with other governments. With this authority, the United States will be able to act more like the power it is; the benefits, privileges, and immunities it extends to foreign governments here, under this legislation, could be directly related to those af-

forded the United States abroad. The treatment of U.S. missions and personnel overseas could be reflected in our treatment of the missions and personnel of foreign nations in the United States.

The International Communication Agency (ICA), whose name was, and I trust will be again, the U.S. Information Agency (USIA), is also covered by this bill. ICA's job is to provide information abroad about the United States and its objectives. It counters Communist propaganda around the world and I hope will play a greater role in exposing and countering Soviet propaganda and disinformation activities. ICA's programs, especially.

The Voice of America (VOA) radio broadcasts are necessary to give the U.S. side of the story to the rest of the world. As elsewhere, the Soviets are outspending us in the informational competition they are so clever at. We must stay in the contest in the sphere of public diplomacy.

The Board of International Broadcasting (BIB) provides for Radio Free Europe (RFE) and Radio Liberty (RL). They provide timely news and analysis to the captive peoples of the Soviet empire without which these peoples would have little or no access to the truth. They provide a communications link with the courageous defenders of human rights behind the Iron Curtain. RFE, particularly, has played a profound and salutary effect on events unfolding in Poland during the past year and more. These radios counter Soviet propaganda with a diet of truth for the information-starved peoples of the Communist world.

I urge passage of H.R. 3518.

The CHAIRMAN. Are there any further amendments of title II? If not, the Clerk will read title III.

The Clerk read as follows:

TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

SHORT TITLE

SEC. 301. This title may be cited as the "Board for International Broadcasting Authorization Act, Fiscal Years 1982 and 1983".

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 302. Subparagraph (A) of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)(1)(A)) is amended to read as follows:

"(A) $100,300,000 for fiscal year 1981, $98,317,000 for the fiscal year 1982, and $115,031,000 for the fiscal year 1983; and".

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

□ 1345

The CHAIRMAN. Are there any amendments to title III?

If not, the Clerk will read title IV.

The Clerk read as follows:

TITLE IV—MISCELLANEOUS PROVISIONS

INTER-AMERICAN FOUNDATION

SEC. 401. (a) The first sentence of section 401(s)(2) of the Foreign Assistance Act of 1969 (22 U.S.C. 290f(s)(2)) is amended by striking out "$25,000,000 for each of the fiscal years 1979 and 1980" and inserting in lieu thereof "$12,000,000 for the fiscal year 1982 and $20,000,000 for the fiscal year 1983".

(b) Section 401(h) of that Act (22 U.S.C. 290f(h)) is amended by striking out "actual and necessary expenses not in excess of $50 per day, and for transportation expenses" and inserting in lieu thereof "travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code".

Mr. FASCELL (during the reading). Mr. Chairman, I ask unanimous consent that title IV be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: Page 38, after line 8, insert the following new section:

SCIENTIFIC EXCHANGES WITH THE SOVIET UNION

SEC. 402. (a) Prior to renewal of the General Agreement on Contacts, Exchanges and Cooperation between the United States and the Union of Soviet Socialist Republic, and prior to resumption of high-level meetings or of planning for future exchange activities or to increasing significantly individual exchange activities pursuant to the 11 agreements for cooperation in specialized fields which were entered into by United States and the Union of Soviet Socialist Republic between 1972 and 1974, or by June 1, 1982 (whichever occurs first), the Secretary of State shall submit to the Speaker of the House of Representatives and Chairman of the Committee on Foreign Relations of the Senate a report containing—

(1) an assessment of the risk of the transfer to the Soviet Union of militarily significant technology through research, exchanges, and other activities conducted pursuant to those agreements; and

(2) a detailed description on the exchanges and other activities conducted pursuant to those agreements during fiscal year 1979, fiscal year 1980, and fiscal year 1981, including—

(A) the areas of cooperation,

(B) the specific research and projects involved,

(C) the man-hours spent in short-term (less than 60 days) and long-term exchanges,

(D) the level of United States and Soviet funding in each such fiscal year, and

(E) an assessment of the equality or inequality in value of the information exchanged.

(b) The Secretary of State shall prepare the report required by subsection (a) in counsultation and cooperation with the Secretary of Defense and the heads of the other agencies involved in the exchange and other cooperative activities conducted pursuant to the agreements described in that subsection.

(c) No funds appropriated for the Department of State or the International Communication Agency may be obligated or expended after June 30, 1982, to finance any long-term scientific or technological study in the United States by citizens of the Soviet Union in the U.S.-U.S.S.R. Graduate Student/Young Faculty Exchange or in the U.S.-U.S.S.R. Senior Scholar Exchange.

Mr. FINDLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Chairman, this amendment does two things. First of all, it requires a report from the administration before the administration can resume the traditional scientific conference exchanges and other activities in the scientific field with the Soviet Union. These activities were suspended in the wake of the Afghanistan invasion, for the most part, and they may not be resumed at all. But it is my feeling that before they are resumed, the Congress should have the analysis of the executive branch as to the risk to our national security that might be involved in the resumption of these conferences.

The amendment does one other thing, and that is to assure the mutuality of any academic exchanges that may occur between the United States and the Soviet Union in the future.

Despite Afghanistan, we have continued the academic scientific exchange program with the Soviet Union under which 70 U.S. academics, mostly in their thirties and forties, hardly the high-school age level, have come to this country to study for the entire 9-month period of the academic year.

Now, in exchange we have had the opportunity to send 70 of our people over there, but never has the Soviet Union permitted our academics to study designs or technology in any aspect. Our people study opera history and humanities; that sort of thing. But the Soviets that come to our country under this program study high technology.

Let me list just a few of the examples of the scientific study that Soviet scientists are today being permitted to undertake in this country: measuring computing systems for automation; oxidation of flow discharge silicon films; interaction of ions with solid surfaces; models in rarefied gas dynamics problems; fluid mechanics, heat and mass transfer in duct flows at low velocity; synthesis of variable valency complexes for polymer materials; solar cell semiconductor problems; gas dynamics of reactive and multiphase systems; photoelectric and luminescent properties of heterojunctions; microelectronic apparatus and computer-aided design; mass transfer of gases and vapors in multicomponent polymer materials; space flight trajectories in the target plane; heating and

stability of plasmas in magnetic fields; development of electronic computers for solution of nonlinear and differential equations.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Florida.

Mr. FASCELL. I think the gentleman has made his point. Frankly, the question of reciprocity in these kinds of things is a frustrating issue. I think basically it ought to be primarily an Executive decision on when and how they obtain reciprocity. However, I see nothing wrong with a congressional expression.

I would not want to lock in the President. However, I think basically, fundamentally, the amendment proceeds in the right direction, and on this I am prepared to accept it, and if we have any difficulties, we can try to straighten it out.

Mr. FINDLEY. It does require mutuality, because the Soviets are unwilling to let us study technology over there.

Mr. FASCELL. I understand that thoroughly. I am not sure we can define mutuality here specifically legislatively is the only point I was making. Ultimately that becomes an Executive decision.

Mr. FINDLEY. I thank the gentleman for his support.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, we on this side have had the opportunity to look over the gentleman's amendment. We think it is a valuable contribution to the bill and we accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DANIELSON

Mr. DANIELSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANIELSON: On page 38, insert the following after line 8:

REPORT TO THE CONGRESS

SEC. 402. (a) Not later than 60 days after the date of enactment of this act, the President shall prepare and transmit to the Congress a full and complete report on the total cost of Federal, State, and local efforts to assist refugees and Cuban and Haitian entrants within the United States or abroad for each of the fiscal years 1981 and 1982. Such report shall include and set forth for each such fiscal year—

(1) the costs of assistance for resettlement of refugees and Cuban and Haitian entrants within the United States or abroad;

(2) the costs of United States contributions to foreign governments, international organizations, or other agencies which are attributable to assistance for refugees and Cuban and Haitian entrants;

(3) the costs of Federal, State, and local efforts other than described in paragraphs (1) and (2) to assist, and provide services for, refugees and Cuban and Haitian entrants; and

(4) administrative and operating expenses of Federal, State, and local governments that are attributable to programs of assistance or services described in paragraphs (1), (2) and (3); and

(5) administrative and operating expenses incurred by the United States because of the entry of such aliens into the United States.

(b) For purposes of this section—

(1) the term "refugees" is used within the meaning of paragraph (42) of section 101 (a) of the Immigration and Nationality Act; and

(2) the phrase "Cubans and Haitian entrants" means Cuban and Haitians paroled into the United States, pursuant to section 212(d)(5) of the Immigration and Nationality Act, during 1980 who have not been given or denied refugee status under the Immigration and Nationality Act.

Mr. DANIELSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DANIELSON. I yield to the gentleman from Florida.

Mr. FASCELL. The gentleman has been very courteous in making the amendment available to us in sufficient time to consider it thoroughly. We think it is a very important contribution. We are prepared to accept the amendment on this side.

Mr. DANIELSON. I thank the chairman.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. DANIELSON. I am pleased to yield to the gentleman.

Mr. DERWINSKI. Mr. Chairman, we recognize the gentleman's special interest and expertise in refugee problems. I realize he has worked at this as hard as any individual Member of Congress.

This bill lends itself to this amendment. Therefore, I am pleased to indicate the acceptance on this side.

May I also add, by the way, if the gentleman will permit me, that I call to the attention of the House that in this bill we do provide for an increase in funds for refugee assistance. I am pleased that in their wisdom the Members of the House have not attempted to cut into that figure because, quite frankly, given the world situation, we are apt to be facing more rather than fewer refugee problems.

Therefore, I commend the gentleman from California for his special leadership in this field.

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

Mr. DANIELSON. I thank the gentleman for his comments.

I will be very brief under the circumstances.

I would like to remind some of our Members who have not been totally involved in this particular issue that the cost of refugee assistance has reached astronomical proportions and, unfortunately, none of us knows exactly what it costs.

For example, in the bill before us, as I understand it, it calls for an authorization of $553,100,000 for the fiscal year 1982 and $555,600,000 for the following fiscal year, somewhat more than a half billion dollars in each year. However, this is nothing but the foam on the surface. There is a lot more that we do not know about.

There is at least another half a billion dollars in the Department of Health and Human Services for State-administered programs, voluntary agency programs, Cuban programs for those who arrived prior to 1978, education assistance for children, preventive health screening, Federal administrative costs, aid to families with dependent children (AFDC), supplemental security income (SSI), medicaid and formula grants for education of refugee children. In addition to the moneys in HHS, there are funds in the Department of Agriculture for food stamps, the school lunch and breakfast programs, the Family Extension Service and the Forest Service Job Corps Center. The Department of Commerce provides assistance through the national sea grant program and the Minority Business Development Administration. The Department of Housing and Urban Development provides assistance through public housing and section 8 housing. The Department of Justice provides services through their Community Relations Service. I know that the Department of Labor has provided services through the Job Corps, CETA, and Federal-State employment service programs. ACTION provides assistance, the INS has a major involvement, and the Defense Department is involved. The list goes on and on.

I have recently returned from a trip to Southeast Asia where most of these refugees are generated. I find that the costs are disbursed through so many different accounts, through so many different purses, that there is no place where we can truly find out what it costs.

I do know, through some information I have acquired, that although we had comparable figures 2 years ago, a more accurate estimate was that there were $1.7 billion in the 1980 fiscal year and $2.112 billion in the fiscal year 1981. But that estimate was put together before—I say again—before the invasion of Cubans and Haitians a little over a year ago. So it means absolutely nothing.

My best guess is that we may be up in the $3 billion figure at the present time, and that is just a downpayment, because when they arrive here, then we still have to put them through educational, technical training, and other programs in order to help them to assimilate and become adapted to our society and to our economy.

It is essential, I submit, that the Congress know what this costs so that we can properly evaluate our programs in the near future.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DANIELSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ZABLOCKI

Mr. ZABLOCKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZABLOCKI: Page 38, after line 8, insert the following new section:

SUPPORTING IMPLEMENTATION OF THE WORLD HEALTH ORGANIZATION VOLUNTARY CODE ON INFANT FORMULA

SEC. 402. (a) The Congress finds that—

(1) there is overwhelming scientific evidence that breastfeeding has substantial advantages for infant health and growth, that it offers an uncontaminated food supply, an early transfer of antibodies protective against infectious diseases, and a naturally evolved and tested nutritional source, and that it is an important factor in bonding between mother and child;

(2) numerous studies, in a wide variety of developed and developing countries, over a long period of time, have shown that artificial infant feeding is associated with higher rates of illness and death and, in poor communities, with lessened growth and nutrition;

(3) the problem of unrefrigerated infant formula prepared with polluted water and placed in inadequately cleaned bottles is futher complicated by flies and heat in tropical climates;

(4) 100 million of the 125 million children in the world below the age of one are born in developing countries;

(5) 10 million of these 100 million children will probably not live until their first birthday;

(6) diarrhea and other infectious diseases, when combined with the problems of malnutrition, account for more than half of these deaths;

(7) the use of infant formula rather than breastfeeding is estimated to account for up to a million of these deaths per year; and

(8) at a recent meeting of the World Health Organization, the United States was the only country, in a 118 to 1 vote, to vote against a voluntary code to encourage breastfeeding and to curb inappropriate marketing and advertising of infant formula, particularly in the Third World.

(b) Therefore, the Congress—

(1) expresses its dismay at the negative vote cast by the United States on May 21, 1981, at the Thirty-Fourth World Health Assembly of the World Health Organization on the "International Code of Marketing of Breastmilk Substitutes";

(2) urges the administration to notify promptly the World Health Organization that the Government of the United States will cooperate fully with other nations in implementation of that code;

(3) urges the United States infant formula industry to abide by the guidelines of the code, particularly with respect to exports and the activities of subsidiaries in developing countries; and

(4) reaffirms the dedication of the United States to the protection of the lives of all the world's children and the support of the United States for efforts to improve world health.

Mr. ZABLOCKI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

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

Mr. ZABLOCKI. Mr. Chairman, this is an amendment we have already passed earlier in the Congress.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I would be delighted to yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, this amendment is the same language as passed by the House previously?

Mr. ZABLOCKI. Mr. Chairman, the amendment offered is identical to language the House approved by a 3-to-1 margin on June 16.

The House is being asked to approve this language again in order to take it into conference with the Senate, since it appears the Senate will not take up the House resolution.

Senate-passed language on infant formula is much more general than the House language. Specifically, it:

First, expresses only "concern" at the U.S. vote on the issue at the World Health Assembly (House language expresses dismay);

Second, urges the U.S. Government and the infant formula only to "support the basic aim" of the code. House language urges the industry to abide by the guidelines of the code, particularly with respect to exports and activities of subsidiaries in developing countries, where problems are most severe.

In short, while the Senate-passed language speaks to the general issue of the infant formula problem, it is very gentle in its treatment of the U.S. position as expressed in the "no" vote at the World Health Assembly. By bringing the previously House-approved language into conference, a much more meaningful statement can be enacted.

Mr. FASCELL. The other body, as I understand it, has language in this bill in order to go to conference? Is that correct?

Mr. ZABLOCKI. The other body has language in their version of this bill somewhat similar. I believe our language is much more supportive of our position. I would hope that the House would accept this.

Mr. FASCELL. On this, we have no objection, if that is the only purpose.

Mr. ZABLOCKI. I thank the gentleman for accepting the amendment.

Mr. GILMAN. Mr. Chairman, would the gentleman yield?

Mr. ZABLOCKI. I would be delighted to yield to the gentleman from New York.

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

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the amendment offered by the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI), which endorses the World Health Organization Code on the Marketing of Breast Milk Substitutes. As the gentleman explained, the language of this amendment is identical to House Joint Resolution 287, legislation which the House passed earlier this session by a vote of 301 to 100.

As a sponsor of an earlier resolution supporting that code, introduced by my colleague, the gentleman from Iowa (Mr. HARKIN), I have come to recognize the critical problems stemming from the improper use of infant formula.

The Marketing of Breast Milk Substitutes Code was developed principally in response to the improper use of breast milk substitutes in developing countries. When mixed with contaminated water and overly diluted so as to stretch out meager supplies, infant formula poses a severe and widely recognized health hazard. Under such conditions, higher rates of infant disease and death are unavoidable.

The United States was the only nation to oppose adoption of this code, doing so primarily because its delegation to the World Health Organization meeting claimed that the code would interfere with the legitimate marketing of infant formula, and that such marketing alone was not responsible for the increased use of infant formula in developing nations.

Mr. Chairman, as drafted, the code is not a regulation, but instead recommends action to be taken to help assure that infant formula is not used improperly.

In testimony before the Committee on Foreign Affairs, Mr. Stuart F. Pierson, an expert on constitutional procedures, stated that industry claims that there is a constitutional prohibition against voting to consider the recommended code are clearly invalid.

The Senate has also passed a resolution expressing concern about the U.S. vote in opposition to the code. However, the House-passed measure expresses stronger support for the infant formula code, especially as concerns implementation in developing countries where problems have proved to be most critical.

If the sense of the House, as expressed in House Joint Resolution 287, is to be given the credence it deserves on this important issue, adoption of this amendment is imperative.

Accordingly, I urge my colleagues to support this amendment to stress our Nation's strong endorsement of the code on the marketing of breast milk substitutes. The lives of millions of infants throughout the world are at stake.

Mr. ZABLOCKI. Is there acceptance on the minority side? Otherwise, I would have to perhaps reserve my time.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am happy to yield to the gentleman from Illinois.

Mr. DERWINSKI. Given the tremendous wisdom and logic of the gentleman from Wisconsin, we naturally accept the amendment.

Mr. KINDNESS. Mr. Chairman, I move to strike the last word, and as many others as are required.

Mr. Chairman, I object strongly to this amendment being considered by so few on the floor of the House. There has been perhaps precious little attention paid to the content of this total authorization bill up to now, but I hardly understand the reason for again presenting to the House the same language which it has already acted upon back in June.

I understand that it is desired that a particular set of words be in this authorization bill so as to meet up with some different words from the other body in conference, but I am not persuaded that it is necessary to go through this same exercise that has been done already one more time in order to do that.

There is already passed by this House the resolution having to do with this very same subject matter and the same words. Why that cannot be discussed in the conference as against the language that the other body may or may not produce is beyond me.

I think what we are really presented with is a question of whether the other body may delete the language in its comparable version of the authorization bill. If that is the case, then there would not be any such language to be discussed in conference. I would think that would be a highly desirable result.

I think it was a mistake on the part of this House to have been stampeded into acting on the resolution back in June saying, "Oh, we deplore the action that has been taken by the administration," after it had already occurred.

I do not seek to argue the question of whether breast feeding or infant formula feeding is appropriate or inappropriate in certain circumstances. That was not even the question that was presented to the House on that occasion, and it is not the question presented to the House now.

The question presented to the House now is: Shall we one more time say to the administration that "You have taken a position that is now in the past with which we disagree." All right. We have done that. Nothing really is going to be accomplished further by once more inserting these words in some legislation passed by this House.

I would implore the Members of the House not to do this one more time, simply wringing our hands over something which is a past action by the administration. I happen to have agreed with the administration. Others disagree. And it apparently runs at the ratio of about 3 to 1.

Now, I certainly do not see any reason why we should one more time go through this process of voting on some language. Despite the 3-to-1 vote on that language back in June, I trust there were a lot of those who voted for it who were really stampeded into it, and reason and logic would impel them otherwise, and perhaps we might even get a record vote on it.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. KINDNESS. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

I want to make it indelibly clear: It is true that in June of this year, by a 3-to-1 margin, we had passed a resolution on this issue. The Senate has refused thus far to even consider our version. The only purpose of repeating our language for the sake of having some language in conference with the Senate is the purpose of my amendment. If we do not have anything in our version, then certainly the resolution we passed earlier would not be in conference.

Mr. KINDNESS. I would suggest to the gentleman that that is one of the great benefits of a bicameral legislature.

Mr. ZABLOCKI. But unfortunately, we do not have the situation here at the present time. I would hope that the gentleman understands the purpose of the gentleman from Wisconsin is to bring the issue of the two versions, the Senate and the House version, into conference.

□ 1400

Mr. KINDNESS. I thank the gentleman for that clarification, which I did state, and I did not mean to twist in what I expresssed, but I think it is clear that if this action is not taken today, we may very well not have any language considered in the conference that goes to this point. And indeed the gentleman from Wisconsin, the chairman of the committee, would like to see it otherwise.

I would agree with the result that would obtain if we do not pass this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. ZABLOCKI).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. McDONALD. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

The pending business is the demand of the gentleman from Georgia (Mr. McDONALD) for a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

The CHAIRMAN. Are there other amendments to the bill or to title IV? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. KAZEN) having assumed the chair, Mr. HALL of Ohio, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3518) to authorize appropriations for fiscal years 1982-83 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes, pursuant to House Resolution 182, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is there a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. LOTT

Mr. LOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LOTT. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LOTT moves to recommit the bill, H.R. 3518, to the Committee on Foreign Affairs.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LOTT. 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 pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 165, nays 226, not voting 42, as follows:

[Roll No. 211]

YEAS—165

Addabbo	Foley	Murtha
Akaka	Ford (MI)	Natcher
Annunzio	Ford (TN)	Nichols
Barnes	Forsythe	Nowak
Bedell	Fowler	Oberstar
Beilenson	Frank	Obey
Benjamin	Frost	Ottinger
Biaggi	Fuqua	Pease
Bingham	Garcia	Petri
Blanchard	Gejdenson	Peyser
Boggs	Gibbons	Porter
Bolling	Gilman	Price
Bonior	Gonzalez	Pritchard
Bonker	Gore	Rahall
Bowen	Gray	Railsback
Brodhead	Green	Regula
Brooks	Hagedorn	Reuss
Broomfield	Hall (OH)	Rhodes
Brown (CA)	Hamilton	Richmond
Burton, John	Hatcher	Rodino
Chappell	Hawkins	Rosenthal
Chisholm	Heckler	Roth
Clay	Heftel	Roybal
Clinger	Hertel	Sabo
Coleman	Howard	Schumer
Collins (IL)	Hoyer	Seiberling
Conte	Jeffords	Shamansky
Coyne, William	Jones (NC)	Shannon
Danielson	Kastenmeier	Simon
Daschle	Kazen	Smith (IA)
Davis	Kildee	Smith (NJ)
Dellums	Lantos	Smith (PA)
DeNardis	Leach	Solarz
Derrick	LeBoutillier	Stanton
Derwinski	Lehman	Stokes
Dicks	Leland	Stratton
Dixon	Lent	Studds
Dorgan	Long (LA)	Swift
Dornan	Long (MD)	Traxler
Dwyer	Lowry (WA)	Vander Jagt
Dymally	Lundine	Vento
Edgar	Madigan	Walgren
Edwards (AL)	Markey	Washington
Edwards (CA)	Marks	Waxman
Erdahl	Mavroules	Weiss
Erlenborn	McClory	White
Ertel	McHugh	Whitten
Evans (DE)	McKinney	Winn
Fary	Mica	Wolpe
Fascell	Mikulski	Wright
Fazio	Mineta	Yates
Fenwick	Minish	Yatron
Findley	Mitchell (MD)	Young (MO)
Fish	Mitchell (NY)	Zablocki
Foglietta	Mollohan	Zeferetti

NAYS—226

Albosta	Bethune	Coats
Alexander	Bevill	Coelho
Anderson	Bliley	Collins (TX)
Andrews	Boner	Conable
Anthony	Bouquard	Conyers
Applegate	Breaux	Corcoran
Archer	Brinkley	Courter
Ashbrook	Brown (CO)	Coyne, James
Aspin	Brown (OH)	Crane, Philip
Atkinson	Broyhill	D'Amours
AuCoin	Butler	Daniel, Dan
Badham	Byron	Daniel, R. W.
Bafalis	Campbell	Dannemeyer
Bailey (MO)	Carman	Daub
Bailey (PA)	Carney	Deckard
Benedict	Chappie	Dickinson
Bennett	Cheney	Donnelly
Bereuter	Clausen	Dowdy
Downey	Kogovsek	Robinson
Dreier	LaFalce	Roe
Duncan	Lagomarsino	Roemer
Dunn	Latta	Rogers
Dyson	Leath	Rose
Eckart	Lee	Roukema
Edwards (OK)	Levitas	Rousselot
Emerson	Lewis	Russo
Emery	Livingston	Schneider
English	Loeffler	Schroeder
Evans (GA)	Lott	Schulze
Evans (IN)	Lowery (CA)	Sensenbrenner
Ferraro	Luken	Sharp
Fiedler	Lungren	Shaw
Fields	Marlenee	Shelby
Fithian	Marriott	Shumway
Flippo	Martin (IL)	Shuster
Fountain	Martin (NC)	Siljander
Frenzel	Matsui	Skeen
Gaydos	Mattox	Skelton
Gephardt	Mazzoli	Smith (AL)
Gingrich	McCollum	Smith (NE)
Glickman	McCurdy	Smith (OR)
Goodling	McDade	Snowe
Gradison	McDonald	Snyder
Gramm	McEwen	Solomon
Gregg	McGrath	Spence
Grisham	Michel	Stangeland
Guarini	Miller (OH)	Stark
Gunderson	Moakley	Staton
Hall, Sam	Moffett	Stenholm
Hammerschmidt	Molinari	Stump
Hance	Montgomery	Synar
Hansen (ID)	Moore	Tauke
Hansen (UT)	Moorhead	Tauzin
Harkin	Morrison	Taylor
Hartnett	Murphy	Thomas
Hefner	Myers	Trible
Hendon	Napier	Udall
Hiler	Neal	Volkmer
Hillis	Nelligan	Walker
Holt	Nelson	Watkins
Hopkins	Oxley	Weaver
Hubbard	Panetta	Weber (MN)
Huckaby	Parris	Weber (OH)
Hughes	Pashayan	Whitehurst
Hunter	Patman	Whitley
Hutto	Patterson	Whittaker
Hyde	Paul	Williams (MT)
Ireland	Perkins	Williams (OH)
Jacobs	Pickle	Wirth
Jeffries	Pursell	Wolf
Jenkins	Rangel	Wortley
Johnston	Ratchford	Wyden
Jones (OK)	Rinaldo	Wylie
Jones (TN)	Ritter	Young (FL)
Kemp	Roberts (KS)	
Kindness	Roberts (SD)	

NOT VOTING—42

Barnard	Florio	O'Brien
Beard	Ginn	Oakar
Boland	Goldwater	Pepper
Burgener	Hall, Ralph	Quillen
Burton, Phillip	Hightower	Rostenkowski
Coughlin	Holland	Rudd
Craig	Hollenbeck	Santini
Crane, Daniel	Horton	Savage
Crockett	Kramer	Sawyer
de la Garza	Lujan	Scheuer
Dingell	Martin (NY)	St Germain
Dougherty	McCloskey	Wampler
Early	Miller (CA)	Wilson
Evans (IA)	Mottl	Young (AK)

□ 1415

The Clerk announced the following pairs:

On this vote:

Mr. Pepper for, with Mr. Mottl against.

Mr. Boland for, with Mr. Miller of California against.

Mr. Santini for, with Mr. Quillen against.

Mr. Crockett for, with Mr. Rudd against.

Until further notice:

Ms. Oakar with Mr. Young of Alaska.

Mr. St Germain with Mr. O'Brien.

Mr. Early with Mr. Goldwater.

Mr. Barnard with Mr. Wampler.

Mr. Phillip Burton with Mr. Ralph M. Hall.

Mr. de la Garza with Mr. Sawyer.

Mr. Hightower with Mr. Lujan.

Mr. Scheuer with Mr. Dougherty.

Mr. Wilson with Mr. Horton.

Mr. Rostenkowski with Mr. Burgener.

Mr. Ginn with Mr. Daniel B. Crane.

Mr. Florio with Mr. Coughlin.

Mr. Dingell with Mr. McCloskey.

Mr. Holland with Mr. Beard.

Mr. Hollenbeck with Mr. Kramer.

Mr. Evans of Iowa with Mr. Craig.

Mr. Savage with Mr. Martin of New York.

Messrs. ASPIN, ANTHONY, ALBOSTA, ALEXANDER, PATTERSON, ROE, BUTLER, and MOFFETT, Mrs. SCHNEIDER, and Mr. HARKIN changed their votes from "yea" to "nay."

Mr. WEISS and Mr. DICKS changed their votes from "nay" to "yea."

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. FASCELL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FASCELL. Mr. Speaker, I assume that the motion to reconsider has been laid on the table. I hope that is true.

The SPEAKER pro tempore. The Chair will inform the gentleman that it has.

Mr. FASCELL. That is good, Mr. Speaker, because with this overwhelming endorsement of the Secretary of State I would not want to be put in the position of having to do something affirmative. I will make a request to allow all Members to have 5 days in which to extend their remarks, and in that way they can vent their spleen on whomever they want.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 15 legislative days in which to revise and extend their remarks, and to include extraneous matter, on the bill just considered.

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

There was no objection.

THE "SURPRISE" VOTE ON THE DEPARTMENT OF STATE AUTHORIZATION ACT

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

Mr. DERWINSKI. Mr. Speaker, I share with the gentleman from Florida the slight surprise at the developments this afternoon.

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

Mr. DERWINSKI. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I am not surprised by this vote. I predicted it before we started.

Mr. DERWINSKI. I actually thought that most of the serious opposition had disappeared. I did not expect to have the result we did.

But I have a slightly different interpretation. I interpret this to mean that the unexpected vote will of necessity have to be reversed in the next week or two. I believe it is a result of the misunderstood relationship between the operating of Government and the confusing positions taken by the Director of OMB. Given the confusion that I think comes from OMB and the overkill that is involved there this vote can be understood. We should understand that if we do not have a functioning government, we then have anarchy. We have to have authorization of Government.

So, Mr. Speaker, when this gets turned around, the world will stay on its course and the Department of State will ultimately be saved.

Mr. Speaker, this vote should not be considered a reflection on the conduct of our foreign affairs by Secretary of State Al Haig. He is the strongest member of the Cabinet and the best appointment of the President. If there is any confusion in the conduct of our foreign affairs it is in the unseen advisers in the White House. As the Secretary is allowed to take hold, foreign policy matters will be handled effectively and well.

REQUEST FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 183, NATIONAL RUGBY TEAM OF SOUTH AFRICA

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the concurrent resolution (H. Con. Res. 183) expressing the sense of the Congress that the national rugby team of South Africa should not play in the United States.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. McDONALD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3112, VOTING RIGHTS ACT OF 1965 EXTENSION

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 97-229) on the resolution (H. Res. 222) providing for consideration of the bill (H.R. 3112) to amend the Voting Rights Act of 1965 to extend certain provisions for an additional 10 years, to extend certain other provisions for an additional 7 years, and for other purposes; which was referred to the House Calendar and ordered to be printed.

□ 1430

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4, INTELLIGENCE IDENTITIES PROTECTION ACT

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 97-230) on the resolution (H. Res. 223) providing for consideration of the bill (H.R. 4) to amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying certain U.S. intelligence officers, agents, informants, and sources; which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3210, FEDERAL-AID HIGHWAY ACT OF 1981

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 97-231) on the resolution (H. Res. 224) providing for consideration of the bill (H.R. 3210) to amend the Surface Transportation Assistance Act of 1978, to establish obligation limitations for fiscal year 1982, and for related purposes; which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION of H.R. 3377, AUTHORIZING APPROPRIATIONS FOR JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 97-232) on the resolution (H. Res. 225) providing for consideration of the bill (H.R. 3377), authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes; which was referred to the House Calendar and ordered to be printed.

OBJECTION TO CONSIDERATION OF SENSE OF CONGRESS ON SOUTH AFRICAN RUGBY TEAM

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

Mr. MITCHELL of Maryland. Mr. Speaker, this body just had an opportunity to vote on a resolution which would have spoken to the apartheid practices of South Africa. One Member of the House objected and, therefore, with that objection it may be that the interpretation will come out that, indeed, the present administration is tilting toward South Africa and embracing the apartheid policies.

It may be that the impression will come out that this body is unwilling to stand up against a racist regime which is committing unspeakable crimes against black Africans.

Through a parliamentary maneuver, my colleagues were denied an opportunity to stand up and vote for that which is right. However, I am assured by the gentleman from Pennsylvania (Mr. GRAY) and others that there will be an opportunity to vote on this resolution and I would hope that before my colleagues vote on it they will consider the importance of it.

America cannot, must not, ever be allied with anything that is racist and anything that is as wicked and venal as the Government of South Africa.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. DIXON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1982, and for other purposes.

Mr. PORTER reserved all points of order on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO FILE REPORT ON HOUSE CONCURRENT RESOLUTION 179

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may have until midnight tonight to file a report on the concurrent resolution, House Concurrent Resolution 179.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

A PERSONAL EXPLANATION

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

Mr. FUQUA. Mr. Speaker, I was unable to be here for the session of Tuesday, September 15, and missed three important votes. Had I been able to be here and vote, I would have voted "aye" on rollcall No. 202, a concurrent resolution authorizing a bust or statue of Dr. Martin Luther King, Jr.

I would also have voted "aye" on rollcall No. 203, the HUD-Independent Agencies Appropriations Act conference report.

Additionally, I would have voted "aye" on rollcall No. 205, the legislation increasing pay and allowances for members of the Armed Forces.

LEGISLATIVE PROGRAM

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

Mr. LOTT. Mr. Speaker, I would like to address the House so we may be advised of the schedule for the rest of this week and the agenda for next week.

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

Mr. LOTT. I yield to the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. I thank the distinguished Republican whip for yielding.

Mr. Speaker, this concludes the business for today. Tomorrow the House will meet in pro forma session at 10 a.m.

It will be my intention subsequently to ask unanimous consent that when the Houese adjourns on Friday it stand adjourned to meet on Monday, September 21.

On Monday, September 21, the House will consider a Suspension Calendar of 12 bills. Those bills are:

H. Con. Res. 183, expressing the sense of Congress that the National Rugby Team of South Africa should not play in the United States;

H. Res. 142, sense of Congress objecting to UNESCO's World News and Information Control efforts;

H. Con. Res. 111, sense of Congress opposing Soviet treatment of Yuriy Shukhevych;

H. Res. 193, regarding the safety and freedom of Soviet Citizen Yuri Badzyo;

H. Res. 152, sense of Congress opposing Soviet imprisonment of Anatoli Shcharansky;

H. Res. 214, condemning South Africa's invasion of Angola;

H.R. 1952, authorizations for conservation on military installations and public lands;

H.R. 3016, Fisherman's Protection Act;

H.R. 1953, CEQ (Council on Environmental Quality) authorizations;

H.R. 4084, Marine Mammals Protection Act;

H. Con. Res. 179, highway allocations authorizations; and

H.R. 3995, veterans survivors benefits.

Then we have H.R. 3136, the Overseas Private Investment Corporation amendments of 1981, an open rule, 1 hour of general debate. The rule has already been debated and adopted and we will have general debate only on Monday.

On Tuesday, September 22, we will meet at noon and there will be no suspensions, but recorded votes on suspensions debated on Monday will take place on Tuesday. I will repeat that. There are no substantive votes anticipated for Monday. All votes due on any suspensions on Monday will be considered on Tuesday.

Also on Tuesday we have the District of Columbia appropriations for fiscal year 1982.

We will then come back to H.R. 3136, to complete action on the Overseas Private Investment Corporation Amendments of 1981.

On Wednesday and Thursday the House will meet at 10 a.m. and consider:

H.R. 4, Intelligence Agents Identities Protection Act, open rule, 1 hour.

H.R. 1520, NSF (National Science Foundation) authorization, open rule, 1 hour.

H.R. 3210, Federal Aid Highway Act of 1981, open rule, 1 hour.

H.R. 3377, authorizations for nonperforming arts functions for the Kennedy Center, open rule, 1 hour.

On Friday next, that is the 25th of September, the House will meet in pro forma session only, at 10 a.m.

This announcement is made subject to the usual reservations that conference reports may be brought up and that further announcements may be made at any time.

Mr. LOTT. So the gentleman is saying that there will not be any votes on Friday, the 25th? Did the gentleman say it would be a pro forma session a week from today?

Mr. FOLEY. Yes. The House will meet in pro forma session tomorrow and a week from tomorrow, on Friday, the 25th of September.

Mr. LOTT. The votes on suspensions on Monday will be deferred until Tuesday?

Mr. FOLEY. The gentleman is correct.

Mr. LOTT. I thank the gentleman for the schedule.

ADJOURNMENT TO MONDAY, SEPTEMBER 21, 1981

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, September 18, 1981, it adjourns to meet at noon on Monday, September 21, 1981.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

EFFECT OF REAGAN BUDGET CUTS

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

Mr. DANNEMEYER. Mr. Speaker, if the breadwinner of a family earns $20,000 in a given year and he sought another, higher paying job, and he requested a salary of $30,000 and he was in fact offered that job but at a salary of $25,000, could that breadwinner rightfully charge that the offer is unfair because he is taking a cut in pay? The $25,000 is certainly less than the $30,000 he was asking for, but it is also certainly higher than the $20,000 he was making.

My point is this: What has been all too infrequently mentioned, if not conveniently overlooked, by most critics and commentators on the effect of the President's budget package is that fiscal year 1982 outlays total $723 billion compared to $685.2 billion for fiscal year 1981 and $593.8 billion for fiscal year 1980.

□ 1445

Including the so-called cuts enacted this summer by the Congress, the 1982 budget is still $37.8 billion higher than 1981 and represents a 21.8-percent increase from 1980.

How can this be called a massive, drastic and harsh cut, when we are spending more than the preceding year?

The Congressional Budget Office, which is less optimistic about administration estimates, believes 1982 will wind up costing from $48 billion to $54 billion more than fiscal year 1981. This even more clearly underlines the fact that what we have is a far cry from an actual cut.

The problem is, of course, that we cannot simply be satisfied with this relatively modest budget increase. Outgo continues to run consistently ahead of income.

Now, for those who are uneasy, skeptical, or merely appalled at my list of possible additional budget cuts, if all of these proposals were enacted, totaling $52 billion, that would most likely result in 1982 outlays being from $5 to $10 billion higher than 1981. There would still be more spending that the preceding year. And, at the worst, outlays would roughly approximate 1981 outlays.

So even if we slice off another $52 billion from what has already been reduced, there would be no actual cut from the preceding year's budget.

Budget cuts, as we call them, are cuts in proposed increases, not decreases and, as such, do not deserve the panic-instilling aura that has been created around them. This is what Wall Street knows. This is what taxpayers who look at the figures know. This is what we have to remember when we pace the floor, wondering what to do next about the killer deficits.

The Members will recall that over the course of the past 3 or 4 days, this Member has taken the well of the