The original documents are located in Box 5, folder "Common Situs Picketing - H.R. 5900" of the Loen and Leppert Files at the Gerald R. Ford Presidential Library.

Vetoed 1/2/76
1/19/76 H. Rej. to Comte on Educ. + Labor

FILE

STATEMENT OF JOHN T. DUNLOP
SECRETARY OF LABOR
BEFORE THE
SUBCOMMITTEE ON LABOR MANAGEMENT RELATIONS
COMMITTEE ON EDUCATION AND LABOR
OF THE
HOUSE OF REPRESENTATIVES

June 5, 1975

Mr. Chairman and Members of the Subcommittee:

I appear before you today to discuss H. R. 5900, a bill designed to remove certain restrictions upon peaceful labor picketing at construction and building sites. Accompanying me is William Kilberg, Solicitor of the Department of Labor.

The industrial relations climate in the construction industry under collective bargaining improved significantly in the period 1971-1974, it is generally agreed, following years of deterioration after the middle sixties. Only the superficial observer would confine attention to the marked retardation in the rate of wage and benefit increases under the Construction Industry Stabilization Committee. (First year increases declined from 15-17 percent in 1970 to 5.4 percent for wages and fringes in 1973.) No less significant was the marked reduction in this period in work stoppages over the terms of collective bargaining agreements; the widening of the geographical and craft structure of negotiations in many localities; the differentiation of wages and conditions in many localities

to particular branches of the industry, such as housing and heavy and highway work; the rationalization of work rules and conditions in many areas; the greater cohesiveness and devotion of the national labor and contractor leaders to the problems of the industry; and the greater understanding and organization of the owners in their concern with construction. I wish to pay my respect to the courage and responsibility exercised by the national union and contractor officials in the public interest in that period.

It was not possible to maintain this momentum in the industry with the disappearance of wage and price controls in construction on May 1, 1974, despite my repeated advance urgings. Some parts of the country have reverted to the former malaise of widespread stoppages, whipsawing negotiations, disregard for productivity, and excessive increases, and to a decline in the respect for leadership from national union and contractor groups alike. The long-term state of the industry and national interests understandably attracts local people much less than the national leaders on both sides. But the national leaders on both sides are largely without authority to deal with the problems of local bargaining, although a number are courageously seeking to use their influence constructively in a limited number of situations.

Into this somewhat volatile situation at the height of the bargaining season enters another stage in the legislative debate over situs

picketing after a lapse of six years. I want to say publicly what I have been saying in recent weeks to all segments of the industry. I implore all interested parties to conduct the discussion and the resolution of these sensitive issues factually, dispassionately, realistically, and in tolerance and good humor. Only a reasoned discussion can encompass the complex conditions that characterize the industry. Moreover, I would hope that these discussions can be carried on in a way not to exacerbate industrial relations in the industry, but rather to contribute to greater understanding and resolve to get this and other basic problems behind us. The industry is far too important to the country.

The common situs issue has a long history with which many members of this Subcommittee are very familiar, indeed, more familiar than I am with the legislative background. The Taft-Hartley amendments to the National Labor Relations Act prohibited union efforts aimed at a neutral employer to have him cease doing business with the employer against whom the union had a dispute. Although such "secondary boycotts" became unlawful, a union's right to engage in a strike or picketing against the primary employer was preserved. In interpreting the secondary boycott prohibition under circumstances where there was more than one employer at a worksite, the courts and the NLRB drew a sharp distinction between lawful primary picketing in a general industry setting and lawful primary picketing on a construction site. In general

industry, the interpreters of the law had no difficulty in determining that picketing of the entire plant site was, ordinarily, lawful primary activity. In construction, a project with many different contractors was not considered a site which could be broadly picketed. Complex restrictions were placed upon activities at construction sites.

Turning to the bill itself, H. R. 5900 would amend the secondary boycott provisions of the NLRA to make it clear that certain activities affecting secondary employers engaged as joint venturers or in the relationship of contractors and subcontractors with a primary employer on construction projects are not prohibited. The bill also contains a requirement of 10-day notice to the Federal Mediation and Conciliation Service for disputes involving defense or NASA facilities. The bill further provides that certain other kinds of activities are not permitted: (1) activities otherwise unlawful under the NLRA; (2) activities in violation of an existing collective bargaining agreement; (3) activities when the issues in the dispute involve a union which represents employees of an employer not primarily engaged in the construction industry; and (4) picketing for the purpose of excluding an employee because of race, creed, color, or national origin.

Both sides in the construction industry have long been of the general view that a construction site should have a common labor relations policy regardless of how many separate contracts or contractors, prime

or subcontractors, are involved. The mixing of labor policies is not conducive to industrial peace, productivity, or good management. Despite short-term presumptions in many quarters, it is not clear whether the adoption of this principle in this legislative form will enhance or reduce the segment of the industry that operates under collective bargaining agreements.

The basic proposal embodied in H. R. 5900 has a long history of bipartisan endorsement. Over the past 25 years, four Presidents, all Secretaries of Labor, and many Members of Congress from both parties have supported enactment of similar legislation. (See Secretary Shultz's testimony of April 22, 1969 before this Committee for a full account.) For example, in 1954 President Eisenhower's labor-management relations message recommended clarification of the NLRA, making it specific that concerted action against an employer on a construction project who, with other employers, is engaged in work at the site of the project, will not be treated as a secondary boycott.

For my own part, in the words of former Secretary of Labor George P. Shultz, "I am here today to indicate my support for legislation to legalize common situs picketing, if that legislation is carefully designed to incorporate appropriate and essential safeguards."

At that time, Secretary Shultz enunciated several guidelines or principles which he felt should be reflected in such legislation. First,

other than common situs picketing, no presently unlawful activity should be transformed into lawful activity. Second, the legislation should not apply to general contractors and subcontractors operating under State laws requiring direct and separate contracts on State or municipal projects. Third, the interest of industrial and independent unions must be protected. Fourth, the legislation should include language to permit enforceability of no-strike clauses of contracts by injunction. Fifth, the legislation should encourage the private settlement of disputes which could lead to the total shutting down of a construction project by such means as a requirement for giving notice prior to picketing and limiting the duration of picketing.

Most of the principles which concerned Secretary Shultz have been met by the present bill, or have been the subject of subsequent developments in case law, or can be dealt with by appropriate legislative history. For example, one significant potential source of unlawful activity which should not be protected is picketing which has the objective of excluding any employee on the basis of race, creed, color or national origin; the bill's antidiscriminatory provisions are clear in this respect. Additionally, the Supreme Court decision in the Boy's Market case satisfies the principle that no-strike clauses in contracts should be enforceable by injunction.

There is one principle suggested by Secretary Shultz which might well be substantially expanded, and I suggest that consideration be given in your deliberations to its incorporation. My reference is to the encouragement of private settlement procedures by notice to picket and authorization at a national level.

Requiring a notice of intent to picket would assure at least a limited cooling-off period, during which the immediate parties to the dispute could have an opportunity for considered evaluation of alternatives and the consequences of their proposed actions. Secretary Shultz proposed that such notice be served upon all employees and unions at the site. I would carry that proposal a step further, requiring ten day's notice to the standard national labor and management organizations engaged in collective bargaining in the industry whose local unions or member contractors are involved in or affected by the dispute. I would also suggest the principle that authorization of such picketing by the appropriate national union be required. The national union should be held not liable for any damages growing out of such authorized picketing initiated by local unions. Consideration might also be given to making the authorization subject to a tripartite arbitration process within the 10-day period.

The international unions and the national employer associations are the major private interested groups functioning at a national level.

Notice to such organizations, which are in a position to assist in bringing together the parties to a dispute, could materially contribute to the resolution of the dispute. The parties to the dispute would have not only the benefit of a brief cooling-off period, but also the benefit of potential guidance and mediation by national organizations of unions and contractors who may be able to encourage a settlement. They could take into account the vast variety of situations which practical people recognize and which have not been recognized by the NLRB and the courts in the past. Furthermore, such notice provisions would recognize, in some measure, the interests of the other employees and employers at the site and give appropriate warning of activities which could affect them. I can envisage the development of a joint labor-management machinery to review individual cases.

Insofar as the duration of picketing is concerned, I would suggest a limit of 30 days, a period which is analogous to that provided by section 8(b)(7) of the NLRA for recognition and organizational picketing. As with notice provisions, a limit upon the duration of picketing of the entire site strikes a reasonable balance between the right of labor organizations to take appropriate action and the need to recognize the separate identities of the employing contractors and subcontractors, as well as the potential for disruption flowing from picketing which is unlimited as to duration.

As I previously indicated, the basic principles underlying this bill have been repeatedly endorsed, on a bipartisan basis for many years. A basic and adequate legal structure recognizing the rights of the affected parties and achieving a balance among those rights is essential. But a legal framework is only one element in the overall picture. To achieve needed improvements in industrial relations in the construction industry requires a responsible exercise of those rights by all parties, and a continuing effort to work toward adjustments in many areas of dispute prevention and resolution. Mechanisms to assure resolution of problems can be developed best in an atmosphere generated by reasoned discourse.

I would like to reemphasize, therefore, that in dealing with the immediate issues of H. R. 5900, it is important to recognize that the atmosphere which develops on this bill can affect, and set the tone for, the approaches to other problems of industrial relations in the construction industry as a whole. As a practical matter, reasoned discussion calculated to promote positive solutions, or vitriolic debate enhancing bitter conflict, may well be as significant as any statute itself.

A more general comment may be appropriate. I have come to the conclusion over the past decade that the legal framework of collective bargaining in the construction industry is in need of serious review. On January 28, 1975 in a unanimous statement the leaders of labor and

management operating under collective agreements in this industry also expressed the view that "it is timely for labor and management to explore . . . a more viable and practical legal framework for collective bargaining." A vastly enhanced role for national unions and national contractor associations, working as a group, is essential in my view if the whipsawing and distortions of the past are to be avoided and if the problems of collective bargaining structure, productivity and manpower development are to be constructively approached by the industry itself, and in cooperation with governmental agencies. I would hope that this Subcommittee could give attention to this serious range of problems after the parties on each side have had the opportunity to consider the issues more thoroughly.

The Department of Labor will be available to the Committee to explore the suggestions which I have made in this testimony and to work with the Committee on the range of issues involved in the legislation.

Thank you for the opportunity to present my views on these issues. I shall seek to answer any questions you may have.

THE WHITE HOUSE

WASHINGTON

November 21, 1975

MEMORANDUM FOR: MAX FRIEDERSDORF

THROUGH: VERN LOEN VL

FROM: TOM LOEFFLER TL.

SUBJECT: Common Situs Picketing

Attached for your information is a letter which I received at my home urging the public to inform Congress of its opposition to legalizing common situs picketing and secondary boycotts in the construction industry. This letter was signed by Senator Paul Fannin.

In addition, during Congressman Lou Frey's congressional hour audience with the President, the Congressman made a very strong pitch that common situs must be vetoed. Congressman Skip Bafalis also made slight mention of his opposition to common situs during his congressional hour meeting with the President. The President reacted with a positive statement expressing appreciation of their views while indicating that this is a difficult issue. The President's response strongly inferred that he remains unchanged from his earlier stated position of accepting common situs if legislation also appropriately addresses the issue of secondary boycotts.

Attach.

cc: Charlie Leppert

PAUL J. FANNIN
ARIZONA

COMMITTEES:
INTERIOR AND INSULAR AFFAIRS
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United States Senate

WASHINGTON, D.C. 20510

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TUCSON, ARIZONA 85701
602-792-6336

November 18, 1975

Mr. & Mrs. Thomas Loeffler
4577 Airlie Way
Annandale, Virginia 22003

Dear Mr. & Mrs. Loeffler:

Our efforts to get America back to sensible economic programs are in serious jeopardy today, and so I'm writing to ask your urgent help. It's a matter of vital importance to our Nation and our Party.

The Administration and most Republicans in the Congress have been working hard to solve the problems of inflation, recession, rising taxes, excessive unemployment. Just as we seem to be achieving some successes, one top Administration advisor is undercutting our work by advocating defective special-interest legislation.

I'm referring to proposals endorsed and actively supported by Secretary of Labor Dunlop to legalize common situs picketing and secondary boycotts in the construction industry (HR 5900 and S 1479). These bills would strike at the heart of the building and construction industry, already one of the weakest spots in our economy.

Legalized situs picketing would give officials of building trades unions still more extraordinary powers to dictate who works and who doesn't work on contruction projects in this country. The result of legalized common situs picketing and secondary boycotts: a union disputing one subcontractor at a construction site could picket and thereby close down the entire building project even though other subcontractors and their employees on the job were uninvolved in the dispute and powerless to stop it. Even the sponsors admit that most disputes would be over the presence of non-union workers on the job.

HR 5900 was passed by the house on July 25. President Ford said he would veto that measure if it came to his desk. But now we are told that Secretary Dunlop has persuaded the President to accept situs picketing as a part

of a so-called "reform" package he, Mr. Dunlop, has written. The Dunlop bargaining reform bill (HR 9500 and S 2305) is no more than a smokescreen for the common situs picketing bill, however. It makes no meaningful reform.

Considering that Secretary of Labor Dunlop has a long association with the labor union movement, it is not surprising that he should be the chief architect of this ill-conceived legislation. If he and his labor friends have their way, building and construction costs will skyrocket, influencing inflationary pressures and tax rates accordingly. Every worker in those trades will be forced to pay union dues and fees or join the ranks of the unemployed. Millions of dollars more will pour into the union treasuries, money that will be spent to defeat any free-enterprise candidate who dares to stand up against union bosses' demands.

According to recent polls, common situs picketing is opposed by 68% of the American public, including 57% of union members. Common situs is opposed by virtually every public opinion spokesman and thought leader. The people who most support situs picketing are officials of international unions, Secretary Dunlop and the Democratic power bloc in Congress which is beholden to organized labor. Construction site picketing is Big Labor's biggest issue in this Congress, in fact.

This transparent attempt to undermine our own efforts must not succeed. A number of my colleagues and I are committed to an all-out fight to stop it, but we need your help. And you can be a very valuable help. Please write or wire President Ford and ask him to veto any situs picketing legislation which might come to him for signature. Better still, urge him to speak out publicly now against situs picketing so there will be no doubts in the minds of any Senator as to where the President stands. Please write also to both of your Senators to let them know how you feel about this issue.

Thank you for your attention and cooperation.

Sincerely,

Paul Fannin

Paul Fannin
United States Senator

PF:jhf

P.S. Please write or wire immediately--the Senate may take up the measure any day.

Opinion Research Corporation

NORTH HARRISON STREET, PRINCETON, NEW JERSEY 08540

LONDON • NEW YORK • SAN FRANCISCO • WASHINGTON, D.C.

January, 1975

Question: On building sites many unions represent different kinds of employees of contractors working there -- electricians, carpenters, plumbers, and so forth. When one of the unions is striking against one of the contractors, which of these two rules do you think should apply?

Rule A - The union should only be allowed to picket the work of the contractor with whom it has a dispute and not the whole building site.

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Women	70	16	14
18-29 Years Of Age	70	19	11
30-39	72	23	5
40-49	64	27	9
50-59	69	21	10
60 Years Or Over	63	19	18
Less Than High School Complete	61	25	14
High School Complete	71	19	10
Some College	71	21	8
Professional	77	12	11
Managerial	70	21	9
Clerical, Sales	77	15	8
Craftsman, Foreman	65	26	9
Other Manual, Service	62	31	7
Farmer, Farm Laborer	80	1	19
Non-Metro			
Rural	61	17	22
Urban	74	11	15
Metro			
50,000 - 999,999	72	23	5
1,000,000 Or Over	64	25	11
Northeast	63	25	12
North Central	67	22	11
South	70	21	9
West	72	15	13
Under $5,000 Family Income	60	23	17
$5,000 - $6,999	67	18	15
$7,000 - $9,999	61	26	13
$10,000 - $14,999	73	18	9
$15,000 Or Over	75	21	4
White	69	21	10
Nonwhite	55	29	16
Union Members	57	36	7
Union Families	62	30	8
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An Editorial
TULSA WORLD
October 7

Ford Eyes Union Bait

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North Central	67	22	11
South	70	21	9
West	72	15	13
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FILE

94TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 94-697

ECONOMIC RIGHTS OF LABOR IN THE CONSTRUCTION INDUSTRY

DECEMBER 8, 1975.—Ordered to be printed

Mr. PERKINS, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 5900]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—PROTECTION OF ECONOMIC RIGHTS OF LABOR IN THE CONSTRUCTION INDUSTRY

SEC. 101. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended by inserting before the semicolon at the end thereof ": Provided further, That nothing contained in clause (B) of this paragraph (4) shall be construed to prohibit any strike or refusal to perform services or any inducement of any individual employed by any employer primarily engaged in the construction industry on the site to strike or refuse to perform services at the site of the construction, alteration, painting, or repair of a building, structure, or other work and directed at any of several employers who are in the construction industry and are jointly engaged as joint venturers or in the relationship of contractors and subcontractors in such construction, alteration, painting, or repair at such site: Provided further, That nothing in the above proviso shall be construed to permit a strike or refusal to perform services or any

inducement of any individual employed by any person to strike or refuse to perform services in furtherance of a labor dispute, unlawful under this Act or in violation of an existing collective bargaining contract, relating to the wages, hours, or other working conditions of employees employed at such site by any of such employers, and the issues in dispute involve a labor organization which is representing the employees of an employer at the site who is not engaged primarily in the construction industry: Provided further, Except as provided in the above provisos nothing herein shall be construed to permit any act or conduct which was or may have been an unfair labor practice under this subsection: Provided further, That nothing in the above provisos, shall be construed to prohibit any act which was not an unfair labor practice under the provisions of this subsection existing prior to the enactment of such provisos: Provided further, That nothing in the above provisos shall be construed to authorize picketing, threatening to picket, or causing to be picketed, any employer where an object thereof is the removal or exclusion from the site of any employee on the ground of sex, race, creed, color, or national origin or because of the membership or nonmembership of any employee in any labor organization: Provided further, That nothing in the above provisos shall be construed to authorize picketing, threatening to picket, or causing to be picketed, any employer where an object thereof is to cause or attempt to cause an employer to discriminate against any employee, or to discriminate against an employee with respect to whom membership in a labor organization has been denied or terminated on some ground other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership, or to exclude any labor organization on the ground that such labor organization is not affiliated with a national or international labor organization which represents employees of an employer at the common site: Provided Further, That nothing in the above provisos shall be construed to permit any attempt by a labor organization to require an employer to recognize or bargain with any labor organization presently prohibited by paragraph (7) of subsection (b): Provided further, That if a labor organization engages in picketing for an object described in paragraph (7) of subsection (b) and there has been filed a petition under subsection (c) of section 9, and a charge under subsection (b) of section 10, the Board shall conduct an election and certify the results thereof within fourteen calendar days from the filing of the later of the petition and the charge: Provided further, That nothing in the above provisos shall be construed to permit any picketing of a common situs by a labor organization to force, require, or persuade any person to cease or refrain from using, selling, purchasing, handling, transporting, specifying, installing, or otherwise dealing in the products or systems of any other producer, processor, or manufacturer. In determining whether several employers who are in the construction industry are jointly engaged as joint venturers at any site, ownership or control of such site by a single person shall not be controlling".

(b) Section 8 of such Act is amended by adding at the end thereof the following new subsections:

"(h) Notwithstanding the provisions of this or any other Act, where a State law requires separate bids and direct awards to employers for construction, the various contractors awarded contracts in accordance with such applicable State law shall not for the purposes of the third proviso at the end of paragraph (4) of subsection (b) of this section, be considered joint venturers or in the relationship of contractors and subcontractors with each other or with the State or local authority awarding such contracts at the common site of the construction.

"(i) Notwithstanding the provisions of this or any other Act, any employer at a common construction site may bring an action or injunctive relief under section 301 of the Labor Management Relations Act (29 U.S.C. 141) to enjoin any strike or picketing at a common situs in breach of a no-strike clause of a collective-bargaining agreement relating to an issue which is subject to final and binding arbitration or other method of final settlement of disputes as provided in the agreement.

"(j) The provisions of the third proviso at the end of paragraph (4) of subsection (b) of this section shall not apply at the site of the construction, alteration, painting, or repair of a building, structure, or other work involving residential structures of three residential levels or less constructed by an employer who in the last taxable year immediately preceding the ear in which the determination under this subsection is made had, in his own capacity or with or through any other person, a gross volume of construction business of $9,500,000 or less, adjusted annually as determined by the Secretary of Labor, based upon the revisions of the Price Index for New One Family Houses prepared by the Bureau of the Census, if the employer within 10 days of being served with the notice required by subsection (g) (2) (A) of this section notifies each labor organization which served that notice in an affidavit that he satisfies the requirements set forth in this subsection.".

(c) Section 8(g) of such Act is amended by redesignating the present section 8(g) as section 8(g) (1), and adding at the end thereof the following:

"(2) (A) A labor organization before engaging in activity permitted by the third proviso at the end of paragraph (4) of subsection (b) of this section shall provide prior written notice of intent to strike or to refuse to perform services of not less than ten days to all unions and the employers and the general contractor at the site and to any national or international labor organization of which the labor organization involved is an affiliate and to the Construction Industry Collective Bargaining Committee: Provided, That at any time after the expiration of ten days from transmittal of such notice, the labor organization may engage in activities permitted by the third proviso at the end of paragraph (4) of subsection (b) of this section if the national or international labor organization of which the labor organization involved is an affiliate gives notice in writing authorizing such action: Provided further, That authorization of such action by the national or international labor organization shall not render it subject to criminal or civil liability arising from activities, notice of which was given pursuant to this subparagraph, unless such authorization is given with

actual knowledge that the picketing is to be willfully used to achieve an unlawful purpose.

"(B) In the case of any such site which is located at any military facility or installation of the Army, Navy, or Air Force, or which is located at a facility or installation of any other department or agency of the Government if a major purpose of such facility or installation is or will be the development, production, testing, firing or launching of munitions, weapons, missiles, or space vehicles, prior written notice of intent to strike or to refuse to perform services, of not less than ten days shall be given by the labor organization involved to the Federal Mediation and Conciliation Service, to any State or territorial agency established to mediate and conciliate disputes within the State or territory where such site is located, to the several employers who are jointly engaged at such site, to the Army, Navy, or Air Force or other department or agency of the Government concerned with the particular facility or installation, and to any national or international labor organization of which the labor organization involved is an affiliate.

"(C) The notice requirements of subparagraphs (A) and (B) above are in addition to, and not in lieu of the notice requirements prescribed by section 8(d) of the Act.".

SEC. 102. The amendments made by this title shall take effect 90 days after the date of enactment of this title except (1) with respect to all construction work having a gross value of $5,000,000 or less which was constracted for and on which work had actually started on November 15, 1975, the amendments made by this title shall take effect one year after such effective date, and (2) with respect to all construction work having a gross value of more than $5,000,000 which was contracted for and on which work had actually started on November 15, 1975, the amendments made by this title shall take effect two years after such effective date.

TITLE II—CONSTRUCTION INDUSTRY COLLECTIVE BARGAINING

SHORT TITLE

SEC. 201. This title may be cited as the "Construction Industry Collective Bargaining Act of 1975".

FINDINGS AND PURPOSES

SEC. 202. (a) The Congress finds and declares that the legal framework for collective bargaining in the construction industry is in need of revision; and that an enhanced role for national labor organizations and national contractor associations working as a group is needed to minimize instability, conflict, and distortions, to assure that problems of collective-bargaining structure, productivity and manpower development are constructively approached by contractors and unions themselves, and at the same time to permit the flexibility and variations that appropriately exist among localities, crafts, and branches of the industry.

(b) It is therefore the purpose of this title to establish a more viable and practical structure for collective bargaining in the construction industry by establishing procedures for negotiations with a minimum of governmental interference in the free collective-bargaining process.

CONSTRUCTION INDUSTRY COLLECTIVE BARGAINING COMMITTEE

SEC. 203. (a) There is hereby established in the Department of Labor a Construction Industry Collective Bargaining Committee. The Committee members shall be appointed as follows:

(1) Ten members shall be appointed by the President from among individuals qualified by experience and affiliation to represent the viewpoint of employers engaged in collective bargaining in the construction industry.

(2) Ten members shall be appointed by the President from among individuals qualified by experience and affiliation to represent the viewpoint of the standard national labor organizations in the construction industry.

(3) Up to three members shall be appointed by the President from among individuals qualified by training and experience to represent the public interest, one of whom shall be designated by him to serve as Chairman.

(4) The Secretary of Labor, ex officio.

(5) The Director of the Federal Mediation and Conciliation Service, ex officio.

The employer, labor, and public members shall be appointed by the President after consultation with representative labor and management organizations in the industry whose members are engaged in collective bargaining. Any alternate members who may be appointed shall be appointed in the same manner as regular members. An organizational meeting of the Committee shall be held at the call of the Chairman at which there shall be in attendance at least five members qualified to represent the viewpoint of employers, five members qualified to represent the viewpoint of labor organizations, and one member qualified to represent the public interest. All actions of the Committee shall be taken by the Chairman or the Executive Director on behalf of the Committee.

(b) The Secretary of Labor may appoint such staff as is appropriate to carry out the Committee's functions under this title and with the approval of the Committee, may appoint an Executive Director.

(c) The Committee may, without regard to the provisions of section 553 of title 5, United States Code, promulgate such rules and regulations as may be necessary or appropriate to carry out the purposes of this title including the designation of "standard national construction labor organizations" and "national construction contractor associations" qualified to participate in the procedures set forth in this title.

NOTICE REQUIREMENTS

SEC. 204. (a) In addition to the requirements of any other law, including section 8(d) of the National Labor Relations Act, as amended, where there is in effect a collective bargaining agreement

covering employees in the construction industry between a local construction labor organization or other subordinate body affiliated with a standard national construction labor organization, or between a standard national construction labor organization directly, and an employer or association of employers in the construction industry, neither party shall terminate or modify such agreement or the terms or conditions thereof without serving a written notice of the proposed termination or modification in the form and manner prescribed by the Committee effective sixty days prior to the expiration date thereof, or in the event such collective bargaining agreement contains no expiration date, sixty days prior to the time it is proposed to make such termination or modification. The notice required by this subsection shall be served as follows:

(1) A local construction labor organization or other subordinate body affiliated with a standard national construction labor organization shall serve such notice upon such national organization.

(2) An employer or local association of employers shall serve such notice upon all national construction contractor associations with which the employer or association is affiliated. An employer or local association of employers, which is not affiliated with any national construction contractor association shall serve such notice upon the Committee.

(3) Standard national construction labor organizations and national construction contractor associations shall serve such notice upon the Committee with respect to termination or modification of agreements to which they are directly parties.

The parties shall continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the existing collective bargaining agreement for a period of sixty days after the notice required by this subsection is given or until the expiration of such collective bargaining agreement, whichever occurs later.

(b) Standard national construction labor organizations and national construction contractor associations shall furnish forthwith to the Committee copies of all notices served upon them as provided by subsection (a) of this section.

(c) The Committee may prescribe the form and manner and other requirements relating to the submission of the notices required by this section.

ROLE OF THE COMMITTEE AND NATIONAL LABOR AND EMPLOYER ORGANIZATIONS IN COLLECTIVE BARGAINING

SEC. 205. (a) Whenever the committee has received notice pursuant to section 204 it may take jurisdiction of the matter, with or without the suggestion of any interested party, by transmitting written notice to the signatory labor organization or organizations and the association or associations of employers directly party to the collective bargaining agreement, during the ninety-day period which includes and immediately precedes the later of: (1) the ninetieth day following the giving of notice under section 204(a); or (2) whichever is applicable, (A) the thirtieth day following the expiration of the collective bargaining agreement, or (B) the thirtieth day following the date proposed for termination or modification of such agreement.

(b) The Committee shall decide whether to take such jurisdiction in accordance with the standards set forth in section 206. When the Committee has taken jurisdiction under this section, it may in order to facilitate a peaceful voluntary resolution of the matter and the avoidance of future disputes: (1) refer such matter to voluntary national craft or branch boards or other appropriate organizations established in accordance with section 207; (2) meet with interested parties and take other appropriate action to assist the parties; or (3) take the action provided for in both preceding clauses (1) and (2) of this subsection. At any time after the taking of jurisdiction, the Committee may continue to meet with interested parties as provided herein.

(c) When the Committee has taken jurisdiction within the ninety-day period specified in this section over a matter relating to the negotiation of the terms or conditions of any collective bargaining agreement involving construction work between: (1) any standard national construction labor organization, or any local construction labor organization or other subordinate body affiliated with any standard national construction labor organization, and (2) any employer or association of employers, notwithstanding any other law, no such party may, at any time prior to the expiration of the ninety-day period specified in this subsection, engage in any strike or lockout, or the continuing thereof, unless the Committee sooner releases its jurisdiction.

(d) When the Committee receives any notice required by section 204 it is authorized to request in writing at any time during the ninety-day period specified in subsection (a) of this section participation in the negotiations by the standard national construction labor organizations with which the local construction labor organizations or other subordinate bodies are affiliated and the national construction contractor associations with which the employers or local employer associations are affiliated.

(e) In any matters as to which the Committee takes jurisdiction under subsection (a) of this section and makes a referral authorized by subsection (d) of this section, no new collective bargaining agreement or revision of any existing collective bargaining agreement between a local construction labor organization or other subordinate body affiliated with the standard national construction labor organization, and an employer or employer association shall be of any force or effect unless such new agreement or revision is approved in writing by the standard national construction labor organization with which the local labor organization or other subordinate body is affiliated. Prior to such approval the parties shall make no change in the terms or conditions of employment. The Committee may at any time suspend or terminate the operation of this subsection as to any matter previously referred pursuant to subsection (d) of this section.

(f) No standard national construction labor organization or national construction contractor association shall incur any criminal or civil liability, directly or indirectly, for actions or omissions pursuant to a request by the Committee for its participation in collective bargaining negotiations, or the approval or refusal to approve a collective bargaining agreement under this title: Provided, That this immunity shall not insulate from civil or criminal liability a standard national

construction labor organization or national construction contractor association when it performs an act under this statute to willfully achieve a purpose which it knows to be unlawful: Provided further, That a standard labor organization shall not by virtue of the performance of its duties under this Act be deemed the representative of any affected employees within the meaning of section 9(a) of the National Labor Relations Act or become a party to or bear any liability under any agreement it approves pursuant to its responsibilities under this Act.

(g) Nothing in this title shall be deemed to authorize the Committee to modify any existing or proposed collective bargaining agreement.

STANDARDS FOR COMMITTEE ACTION

SEC. 206. The Committee shall take action under section 205 only if it determines that such action will—

(1) facilitate collective bargaining in the construction industry, improvements in the structure of such bargaining, agreements covering more appropriate geographical areas, or agreements more accurately reflecting the condition of various branches of the industry;

(2) promote stability of employment and economic growth in the construction industry;

(3) encourage collective bargaining agreements embodying appropriate expiration dates;

(4) promote practices consistent with appropriate apprenticeship training and skill level differentials among the various crafts or branches;

(5) promote voluntary procedures for dispute settlement; or

(6) otherwise be consistent with the purposes of this title.

OTHER FUNCTIONS OF THE COMMITTEE

SEC. 207. (a) The Committee may promote and assist in the formation of voluntary national craft or branch boards or other appropriate organizations composed of representatives of one or more standard national construction labor organizations and one or more national construction contractor associations for the purpose of attempting to seek resolution of local labor disputes and review collective-bargaining policies and developments in the particular craft or branch of the construction industry involved. Such boards, or other appropriate organizations, may engage in such other activities relating to collective bargaining as their members shall mutually determine to be appropriate.

(b) The Committee may, from time to time, make such recommendations as it deems appropriate, including those intended to assist in the negotiations of collective-bargaining agreements in the construction industry; to facilitate area bargaining structures; to improve productivity, manpower development, and training; to promote stability of employment and appropriate differentials among branches of the industry; to improve dispute settlement procedures; and to provide for the equitable determination of wages and benefits. The

Committee may make other suggestions, as it deems appropriate, relating to collective bargaining in the construction industry.

MISCELLANEOUS PROVISIONS

SEC. 208. (a) This title shall apply only to activities affecting commerce as defined in sections 2(6) and 2(7) of the National Labor Relations Act, as amended.

(b) Nothing in this title shall be construed to require an individual employee to render labor or services without the employee's consent, nor shall anything in this title be construed to make the quitting of labor by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or services, without the employee's consent; nor shall the quitting of labor by an employee or employees in good faith because of abnormally dangerous conditions for work at the place of employment of such employee or employees be deemed a strike under this title.

(c) The failure or refusal to fulfill any obligation imposed by this title on any labor organization, employer, or association of employers shall be remediable only by a civil action for equitable relief brought by the Committee in a district court of the United States, according to the procedures set forth in subsection (d) of this section.

(d) The Committee may direct that the appropriate district court of the United States having jurisdiction of the parties be petitioned to enforce any provision of this title. No court shall issue any order under section 205(c) prohibiting any strike, lockout, or the continuing thereof, for any period beyond the ninety-day period specified in section 205(a).

(e) The findings, decisions and actions of the Committee, pursuant to this title may be held unlawful and set aside only where they are found to be arbitrary or capricious, in excess of its delegated powers, or contrary to a specific requirement of this title.

(f) Service of members or alternate members of the Committee may be utilized without regard to section 665(b) of title 31, United States Code. Such individuals shall be deemed to be special Government employees on days in which they perform services for the Committee.

(g) In granting appropriate relief under this title the jurisdiction of United States courts sitting in equity shall not be limited by the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C. 101).

(h) The Committee may make studies and gather data with respect to matters which may aid in carrying out the provisions of this title.

(i) Notwithstanding anything in subchapter II of chapter 5 of title 5, United States Code, in carrying out any of its functions under this title, the Committee shall not be required to conduct any hearings. Any hearings conducted by the Committee shall be conducted without regard to the provisions of subchapter II of chapter 5 of title 5, United States Code.

(j) Except as provided herein, nothing in this title shall be deemed to supersede or modify any other provision of law.

(k) In all civil actions under this title, attorneys appointed by the Secretary may represent the Committee (except as provided in section 518(a) of title 28, United States Code), but all such litigation shall be subject to the direction and control of the Attorney General.

COORDINATION

SEC. 209. (a) At the request of the Committee, the other agencies and departments of the Government shall provide, to the extent permitted by law, information deemed necessary by the Committee to carry out the purposes of this title.

(b) The Committee and the Federal Mediation and Conciliation Service shall regularly consult and coordinate their activities to promote the purposes of this title.

(c) Other agencies and departments of the Federal Government shall cooperate with the Committee and the Federal Mediation and Conciliation Service in order to promote the purposes of this title.

DEFINITIONS

SEC. 210. (a) The terms "labor dispute", "employer", "employee", "labor organization", "person", "construction", "lockout", and "strike" shall have the same meaning as when used in the Labor-Management Relations Act, 1947, as amended.

(b) As used in this title the term "Committee" means the Construction Industry Collective Bargaining Committee established by section 203 of this title.

SEPARABILITY

SEC. 211. If any provision of this title or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this title or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

AUTHORIZATION OF APPROPRIATIONS

SEC. 212. There are authorized to be appropriated such sums as may be necessary to carry out this title.

EXPIRATION DATE AND REPORTS

SEC. 213. (a) This title shall expire on December 31, 1980.

(b) No later than one year following the date of enactment of this title and at one-year intervals thereafter, the Committee shall transmit to the President and to the Congress a full report of its activities under this title during the preceding year.

(c) No later than June 30, 1980, the Committee shall transmit to the President and to the Congress a full report on the operation of this title together with recommendations, including a recommendation as to whether this title should be extended beyond the expiration date specified in subsection (a) of this section, and any other recommendations for legislation as the Committee deems appropriate.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

CARL D. PERKINS,
FRANK THOMPSON, JR.,
JOHN BRADEMAS,
WILLIAM D. FORD,
WILLIAM CLAY,
MARIO BIAGGI,
GEO MILLER,
ALBERT H. QUIE,
Managers on the Part of the House.

HARRISON A. WILLIAMS,
JENNINGS RANDOLPH,
CLAIBORNE PELL,
GAYLORD NELSON,
W. D. HATHAWAY,
WALTER F. MONDALE,
JOHN A. DURKIN,
JACOB K. JAVITS,
RICHARD S. SCHWEIKER,
ROBERT TAFT, JR.,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference of the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing equal treatment of craft and industrial workers, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate amendment to the text of the bill struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting clarifying changes.

The House bill's title is "To protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers." The Senate amendment modifies the title as "An Act to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers and to establish a national framework for collective bargaining in the construction industry, and for other related purposes."

In addition, the Senate amendment establishes a Title I containing the substance of the House bill, and a Title II adding the text of the "Construction Industry Collective Bargaining Act of 1975" containing the substance of H.R. 9500. The House recedes.

I. Protection of Economic Rights of Labor in the Construction Industry

Both the House bill and the Senate amendment modify section 8(b)(4) of the National Labor Relations Act to permit picketing at the common site of a construction project, overruling the case of *NLRB* v. *Denver Building Trades Council*, 342 U.S. 675 (1951).

Employers in the Construction Industry

The House bill confines the right to engage in common situs picketing, with respect to the inducement of employees at a construction site to strike or refuse to perform services, to "any individual employed by any employer primarily engaged in the construction industry."

The Senate amendment permits inducements of "any individual employed by any person." The Senate recedes with an amendment per-

mitting the "inducement of any individual employed by any employer primarily engaged in the construction industry on the site."

Utility companies, manufacturers, department stores, petroleum companies, transit companies, and so on are not *primarily engaged* in the construction industry, although they do a lot of construction both within their own premises and elsewhere.

The intent of the Conference Amendment is to make it clear that if the employer is primarily engaged in the construction industry on the site of the construction, H.R. 5900 is applicable. The following examples make this clear.

1. If an employer, primarily engaged in the utility, merchandising, manufacturing, or other business elsewhere engages in the construction of a new facility, he is primarily engaged in the construction industry on the site and the construction project is within the terms of H.R. 5900.

2. If the same employer uses his own employees to paint or make alterations or repairs in his existing structures, he is not primarily engaged in the construction industry on the site of construction; rather, he is primarily engaged in his regular business, whatever it may be, and H.R. 5900 would not apply in this situation.

3. If the same employer engages an outside general contractor, or utilizes a corporate subsidiary, for the construction project the general contractor, or corporate subsidiary is primarily engaged in the construction industry and H.R. 5900 would apply at the construction gates.

4. If the same employer extends his existing facilities within his general premises acting as his own general contractor and using his own employees, he is not primarily engaged in the construction industry on the site, and H.R. 5900 would not apply.

5. The Conference amendment is not intended to preclude a union at a construction site from exercising its right to primary picket or otherwise induce the employees of employers not in the construction industry when making deliveries, etc., to the construction employer or employers with whom the union has a primary dispute.

6. The Conference amendment does not prohibit separate gates, but does prohibit common situs picketing of employees of employers not in the construction industry when making deliveries, etc., to the construction employer or employers with whom the union does not have a primary dispute.

Residential Construction

The Senate amendment exempts construction of residential structures of three stories or less without an elevator. The House bill contains no such exemption. The conferees agree to an amendment that provides for a new section (8)(j) exempting the construction of residential structures of up to three residential levels by employers who, alone or with others, in the preceding year engaged in construction activity at a gross volume of up to $9.5 million, adjusted annually to reflect changes in housing construction costs.

Unlawful Labor Disputes

The House bill contains the following language: "and there is a labor dispute, not unlawful under this Act or in violation of an existing collective-bargaining contract, relating to the wages, hours, or other working conditions of employees employed at such site by any of such employers and the issues in the dispute do not involve a labor organization which is representing the employees of an employer at the site who is not engaged primarily in the construction industry:" The Senate amendment recasts this provision in the form of a second proviso to the bill. The House recedes.

Discrimination

The House bill contains a proviso stating "That nothing in the above provisos shall be construed to authorize picketing, threatening to picket, or causing to be picketed, any employer where an object thereof is to cause or attempt to cause an employer to discriminate against any employee, or to discriminate against an employee with respect to whom membership in a labor organization has been denied or terminated on some ground other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership:" The Senate amendment contains a provision stating that the right to engage in common situs picketing does not apply "where an object thereof is the removal or exclusion from the site of any employee on the ground of . . . membership or non-membership of any employee in any labor organization:" The conferees agreed to include the language of both the House bill and Senate amendment with the understanding that the House provision is to be given the meaning as expressed by the House and the Senate provision is to be given the meaning as expressed by the Senate.

Organizational Picketing

The House bill prohibits picketing for organizational purposes where another labor organization is already lawfully recognized. The Senate amendment prohibits picketing for organizational purposes as provided by section 8(b)(7) of the Act, and adds a proviso requiring an expedited election and certification by the National Labor Relations Board within 14 days of the filing of a petition and an unfair labor practice charge. The House recedes.

It is the understanding and intention of the conferees that within the mandatory 14-day period prescribed by this proviso the Board will follow insofar as possible its present procedure for expedited elections under the first proviso to section 8(b)(7)(C). The conferees emphasize that in every case the regional director, within the 14-day period, must investigate any charge that picketing for an object described in section 8(b)(7) is taking place and must, within 14 days, make a finding, based upon a preponderance of the evidence, as to whether or not there has been a violation as charged. In all such situations, this process of investigation, and of an election and certification (where appropriate) must take place within 14 days.

State Separate Bidding Statutes

The House bill prohibits common situs picketing directed against multiple employers at a public construction site who are required by State laws to bid separately for certain categories of work. The Senate amendment contains a similar provision protecting the employer or employers who are required by State laws to bid separately for certain categories of work. The House recedes.

Notice Requirements

The House bill establishes special notice requirements applicable to the right to engage in common situs picketing. The Senate amendment contains the same requirements in the form of a new section 8(g)(2)(A), (B) and (C) of the Act. The House recedes, with the understanding that the present section 8(g) is not affected.

Liability

The House bill provides certain limitations on the liability of national labor organizations with respect to common situs picketing. The Senate amendment contains a comparable provision, amended to conform to a similar provision in H.R. 9500 (Title II of the Senate amendment). The House recedes.

Injunctions

The Senate amendment adds a new section 8(i) which provides that "Notwithstanding the provisions of this or any other Act, any employer at a common construction site may bring an action for injunctive relief under section 301 of the Labor Management Relations Act (29 U.S.C. 141) to enjoin any strike or picketing at a common situs in breach of a no-strike clause of a collective-bargaining agreement relating to an issue which is subject to final and binding arbitration or other method of final settlement of disputes as provided in the agreement." The House bill contains no comparable provision. The House recedes.

Effective Date

The Senate amendment adds a proviso exempting construction work on which work had actually started on November 15, 1975. The House bill contains no comparable provision. The House recedes with an amendment delaying the effective date for one year for construction projects valued at $5 million or less on which work had actually started on November 15, 1975, and delays the effective date for two years with respect to such projects valued at more than $5 million.

II. Construction Industry Collective Bargaining

The House bill and the Senate amendments establish in the Department of Labor a Construction Industry Collective Bargaining Committee (CICBC) to be comprised of 23 members appointed by the President. 10 members to represent the viewpoint of labor organizations in the construction industry, 10 members to represent construction employers, and up to three members qualified to represent the public interest. The Secretary of Labor and the Director of the Federal Mediation and Conciliation Service (FMCS) shall serve as ex-officio members.

Quorum

The House bill provides that the Committee must have a quorum of five members. The Senate amendment has no such quorum requirement. The Senate recedes to the House with an amendment that, at the first organizational meeting, the quorum shall be at least five members representing the viewpoint of the labor organizations, five representing employers, and one member qualified to represent the public interest.

Administrative Procedures Act

The House bill and the Senate amendments provide that the Committee may promulgate such rules and regulations as may be necessary and appropriate to carry out the provisions of this law, the "Constitution Industry Collective Bargaining Act of 1975". The House bill provides that the Committee may promulgate such rules and regulations without regard to the provisions of the Administrative Procedures Act contained in Title 5, U.S. Code, Section 553. The Senate amendment was silent on this point. The Senate recedes to the House with the understanding that the other provisions of that Act would apply as appropriate (e.g. the freedom of information provisions contained in Title 5, U.S. Code, Section 552).

Rules and Regulations

The Senate amendments also contain additional provisions that authorize the Committee to promulgate rules and regulations, including the authority to designate the "standard national construction labor organizations" and "national construction contractors associations" qualified to participate under this title. The House bill has no such provision. The House recedes.

Notice Requirements

The House bill and the Senate amendments establish special notice requirements in collective bargaining in the construction industry. The House bill provides that such notices must be given *at least* 60 days prior to the termination or modification of the collective bargaining agreement. The Senate amendments have similar provisions, but omit the term "at least" in order to eliminate any ambiguity as to the 90-day jurisdictional period of the CICBC. The House recedes with the understanding that, although the required notice may be given more than 60 days in advance, such advance notice does not alter the timing of the 90-day jurisdictional period of the Committee.

Role of the Committee

The House bill and the Senate amendments both provide that, after receiving notice of an intention to terminate or modify the terms or conditions of a collective bargaining agreement, the Committee may assume jurisdiction over the pending issue within a certain 90-day period. The Senate amendments provide an additional phrase stating that the Committee can assume jurisdiction with or without the suggestion of any interested party. The House recedes.

The House bill and the Senate amendments include provisions directing the Committee to facilitate the peaceful resolution of disputes by referring matters to appropriate voluntary national craft or branch boards, by meeting with interested parties, and by taking other actions that would be appropriate to assist the parties in their negotiations. The Senate amendments also provide that, at any time after taking jurisdiction, the Committee can continue to meet with interested parties. The House recedes.

The House bill and the Senate amendments establish a procedure whereby once the Committee has assumed jurisdiction, and has referred the matter to the national organizations with which the parties are affiliated, no new collective bargaining agreement or revision of any existing collective bargaining agreement shall become effective unless approved in writing by the national construction labor organization. The Senate amendments add an additional procedure by which the Committee may, in its discretion, suspend or terminate this approval requirement. The House recedes.

Scope of Judicial Review

The House bill contains language in Section 8(c) which provides that the decisions of the Committee concerning its jurisdiction, or its actions arising out of the exercise of jurisdiction may not be examined by the Federal courts, unless such decisions are in excess of its delegated powers and contrary to a specific prohibition in the Act. The House bill also contains language in Section 8(d) which provides that the factual determinations of the Committee shall be conclusive unless arbitrary or capricious. The Senate amendments add a new subsection which places all of the judicial review provisions in one subsection. The House recedes with an amendment adding that the findings, decisions and actions of the Committee are subject to the judicial review provisions of the Senate amendments.

Responsibility for Litigation

The Senate amendments add a new section, 8(k), which provides that, except for Supreme Court litigation under this title, attorneys from the Department of Labor may represent the Committee in court, subject to the direction and control of the Attorney General. The House recedes.

Cooperation with Other Agencies

The House bill establishes a requirement that other agencies and departments of the Federal Government cooperate with the Committee and the Federal Mediation and Conciliation Service. The Senate recedes.

Effect on Other Laws

The House bill and the Senate amendments contain provisions as to the effect of this Title on existing law. The House bill states that nothing in this Title shall be construed to supersede or affect the provisions of the National Labor Relations Act, Labor Management Reporting and Disclosure Act of 1959, or the Labor Management Relations Act of 1947. The Senate amendments provide that, except as provided, nothing in this Title shall be deemed to supersede or modify any other law. The House recedes.

Expiration Date and Reports

The House bill provides that this title shall expire on February 28, 1981. The Senate amendments provide for its expiration on December 31, 1980. The House recedes.

The House bill provides that no later than September 1, 1980, the Committee shall report to the President and the Congress on its operations, together with recommendations. The Senate amendment provides that the Committee shall make such a report no later than June 30, 1980. The House recedes.

CARL D. PERKINS,
FRANK THOMPSON, Jr.,
JOHN BRADEMAS,
WILLIAM D. FORD,
WILLIAM CLAY,
MARIO BIAGGI,
GEO MILLER,
ALBERT H. QUIE,
Managers on the Part of the House.

HARRISON A. WILLIAMS,
JENNINGS RANDOLPH,
CLAIBORNE PELL,
GAYLORD NELSON,
W. D. HATHAWAY,
WALTER F. MONDALE,
JOHN A. DURKIN,
JACOB K. JAVITS,
RICHARD S. SCHWEIKER,
ROBERT TAFT, Jr.
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

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FOR IMMEDIATE RELEASE DECEMBER 22, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I am today announcing my intention to veto H. R. 5900, commonly known as the Common Situs Picketing Bill. I and my principal advisors have thoroughly analyzed the proposed legislation and all of its ramifications. The issues involved have become the subject of much controversy, and I believe the matter should be resolved as soon as possible. Therefore, I am taking the action of announcing my decision now.

Actually the bill before me represents a combination of H. R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit and it is to the common situs picketing title that I address my objections.

For many years I have been familiar with the special problems of labor-management relations in the construction industry and sysmpathetic to all good faith efforts to find an equitable solution that would have general acceptance by both union and non-union workers and building contractors.

Because this key industry has been particularly hard hit by the recession and its health is an essential element of our economic recovery, I have been especially hopeful that a solution could be found that was acceptable to all parties and would stimulate building activity and employment, curtail excessive building costs and reduce unnecessary strikes, layoffs and labor-management strife and discord in the construction field.

Therefore, since early this year Secretary of Labor John Dunlop, at my direction, has been working with members of Congress and leaders of organized labor and management, to try to obtain comprehensive legislation in this field that was acceptable and fair to all sides, and in the public interest generally. Without such a general concensus I felt that changing the rules at this time would merely be another Federal intervention that might delay building and construction recovery but not effectively compose the deep differences between contractors and union and between organized and non-organized American workers.

(MORE)

From the outset, I specified a set of conditions which, if met, would lead to my approval of this legislation. Virtually all of these conditions have been met, thanks to the good faith efforts of Secretary Dunlop and others in the Building Trades Unions and the Congress. During the course of the legislative debate, I did give private assurances to Secretary Dunlop and others that I would support the legislation if the conditions specified were met.

Nonetheless, after detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto the bill. My reasons for vetoing the bill focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience, sign this measure, given the lack of agreement among the various parties to the historical dispute, over the impact of this bill on the construction industry.

There are intense differences between union and non-union contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

Some believe the bill will not have adverse effects on construction, and indeed rectifies an inequity in treatment of construction labor. But with equal sincerity and emotion there are many who maintain that this bill, if enacted into law, would result in severe disruption and chaos in the building industry. I have concluded that neither the building industry nor the nation can take the risk that those who claim the bill, which proposes a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry are right.

It has become the subject of such heated controversy that its enactment under present economic conditions could lead to more idleness for workers, higher costs for the public, and further slowdown in a basic industry that is already severely depressed. This is not the time for altering our national labor-management relations law if the experiment could lead to more chaotic conditions and a changed balance of power in the collective bargaining process.

# # #

FOR IMMEDIATE RELEASE January 2, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

TO THE HOUSE OF REPRESENTATIVES:

I am returning without my approval H.R. 5900, commonly known as the Common Situs Picketing Bill.

The bill before me represents a combination of H.R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation, I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit. It is to the common situs picketing title that I address my objections.

I had hoped that this bill would provide a resolution for the special problems of labor-management relations in the construction industry and would have the support of all parties. My earlier optimism in this regard was unfounded. My reasons for this veto focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry.

There are intense differences between union and nonunion contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue. I have concluded that neither the building industry nor the Nation can take the risk that the bill, which proposed a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry.

GERALD R. FORD

THE WHITE HOUSE,
January 2, 1976

# # # #

February 4, 1976

MEMORANDUM FOR: MAX L. FRIEDERSDORF

THRU: VERN LOEN

FROM: CHARLES LEPPERT, JR.

SUBJECT: Rep. Bob Michel (R-Ill.)

On February 2nd Bob Michel inserted in the Congressional Record a study showing "Organized Labor 1974 Contributions to Senators and Congressmen who Voted for the Common Situs Picketing Bill."

Ralph Vinovich called to bring the article to our attention and stated that Michel has been getting angry calls from some Congressmen and Senators. Vinovich thought the attached Member by Member list of recipients of Labor's contributions could be useful to our speech writers and others.

Attachment

One example of this is the controversial program to build a relatively small plant—the "Clinch River Breeder Reactor" at Oak Ridge, Tenn.—"to "demonstrate" that such a reactor will work.

The government claims the nation must build breeders because it is running short of Uranium-235, a hard-to-get element which is growing more costly.

Uranium-235 is used in the presently operating "Light Water Reactors," in which the heat of chain reaction boils water and generates electricity.

A breeder-reactor uses Uranium-238, which is very plentiful and actually creates more nuclear fuel—in the form of plutonium—that it uses.

The original 1972 cost estimate for the Clinch River Reactor was $700 million, of which $258 million was to come from 720 privately-owned utilities and nuclear power companies.

The private contribution has remained the same. But the estimated cost of the project has risen to $1.7 billion, and ERDA officials acknowledge that they are about to give Congress a new estimate which will be close to $2 billion. And construction on the project, now nearly two years behind schedule, has not yet begun.

Why the runaway cost overruns? ERDA officials blame it on inflation, construction problems, technical difficulties, and delays in obtaining parts.

The breeder program, according to ERDA, will supply U.S. energy needs between the end of the next decade and 20 years after the turn of the century, when other reactors and energy sources will be available.

But Chow's study says that with other, safer reactors and energy sources in the works "there is practically no justification for a parallel breeder program."

Chow's analysis charges that ERDA, in order to justify and continue building the breeder program, has overestimated future energy demands, underestimated the future supply and overestimated the costs of Uranium-235 and the net benefits of breeder plants.

THE ABSURDITY OF MR. KISSINGER'S LATEST DEAL WITH SPAIN

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, some of the proposals of the administration that call for the United States to pay other nations so that we may have the privilege of protecting them would be humorous if they were not so serious. The proposed new treaty allowing this country the privilege of continuing to have some bases in Spain—while phasing out our nuclear submarine base—is the latest example.

This is the same country that refused to allow American planes to fly over its territory to resupply Israel during and after the 1973 war. This is the regime that has shown so little inclination to move toward a restoration of democratic government that the nations of the European Common Market are still unwilling to consider its application for membership. For like reasons, our partners in NATO are unwilling to admit Spain to NATO. Evidently, they do not consider Spain threatened militarily nor that an authoritarian Spanish regime would make a significant contribution to the common defense.

Nevertheless, Dr. Kissinger has initialed a proposed new military defense treaty with Spain and reportedly has agreed to provide $1.2 billion worth of military hardware in exchange for the treaty.

The political effects in Spain are obvious. This action can only serve to bolster the position of Franco's political heirs, who have already announced the postponement for 1 year of the elections which they promised for this coming April, who have made no disclosure as to whether such elections will indeed take place on democratic lines or merely be a perpetuation of the present "appointed" parliament, and who are continuing many of the repressions and all of the repressive laws of the Franco era.

Only yesterday, we saw on television massive demonstrations in Barcelona, with the demands of the demonstrators for restoration of basic political liberties being met with brutal reprisals by the police. One may well ask whether bases in a country with such a dubious and precarious regime are worth the political price, quite apart from the financial one.

It is unfortunate indeed that our Secretary of State did not inform the Spanish regime that the initialing of a treaty would have to wait until we have a clearer picture as to the steps the regime is prepared to take to restore at least a modicum of democracy to the Spanish people. Since he has failed to do so, it is to be hoped that the Senate will defer action on such a treaty until the situation in Spain becomes clearer. Certainly, I would hope that the House will take no action to appropriate $1.2 billion or any other sum to bolster the oppressive Spanish regime until we have some satisfactory answers to these basic questions.

As to the humorous aspects of this situation, I offer for inclusion in the RECORD following these remarks a column by Art Buchwald that appeared in the Washington Post on January 9:

LET'S MAKE A TREATY: U.S. MILITARY AID FOR WORLD FRIENDSHIP

(By Art Buchwald)

The United States has just signed a new military treaty with Spain. In exchange we will, of course, supply the Spanish with armaments so we can keep our bases there.

It seems that we can't make a deal with any country without giving them arms in exchange for friendship. There is a suspicion that the State Department has been influenced by all the TV program called "Let's Make a Treaty."

Henry Kissinger would be the master of ceremonies and the audience would be made up of ambassadors from all the countries of the "free world."

He would call out a number and the ambassador from that nation would jump up on the stage.

Henry would say, "Where are you from, sir?"

"Zambia," the ambassador would reply excitedly. (Applause)

"All right. I'm going to ask you a question. If you can answer it correctly I will give you $100 million. Are you ready?"

The ambassador, jumping up and down, says, "Yes, yes."

"The question is: 'Who is the President of the United States?'"

The ambassador hesitates, "Gerry Ford?"

"That is correct." Henry shouts, and he counts out $100 Million. The ambassador hugs and kisses Mr. Kissinger as the audience goes wild.

"Now don't go away," says Henry. "You can keep the $100 million or give it back to me in exchange for what is behind one of the three curtains over there. Joan Braden, will you tell us some of the prizes that are behind the curtains?"

"Henry, we have the new version of the Hawk missile, a 1976 super Sherman tank, a year's supply of cruise missiles, a complete nuclear energy plant which will be installed absolutely free, and a squadron of F-15 fighter planes."

"All right, Mr. Ambassador," Henry says, "do you want to keep the $100 million or do you want to go for the prizes behind the curtains?"

The ambassador clutching the money looks out at the audience. "Keep the money," some ambassadors scream. Others yell, "Go for the curtain."

The ambassador says to Henry, "Can I consult with my government?"

"I'm sorry, we don't have time. What's it going to be?"

The ambassador hands back the $100 million. "I'll go for what's behind the curtain."

The audience applauds loudly.

"All right," Henry says. "He's going for what's behind the curtain. We have curtain number one, curtain number two and curtain number three. Which one will you choose?"

The ambassador hesitates as the audience shouts out, "Two." "One." "Three."

Finally, he says "Curtain number three."

The curtain opens and there is a pile of rotten wheat.

The audience groans.

"Well, Mr. Ambassador, it looks like you made a mistake. But since you've been such a good sport we've got a consolation prize for you. Joan, what's the consolation prize?"

Ms. Braden pushes away the pile of rotten wheat and behind it is a brand-new nuclear submarine.

Henry, grinning, says, "You gave up $100 million in cash, but you have won a new nuclear submarine which is worth $450 million. Here are the keys to it."

The audience goes crazy as the ambassador jumps up and down and rushes over to the nuclear submarine and climbs up on the conning tower.

Henry, beaming, says to the audience, "Well, that's it for tonight, folks. If you are an accredited member of any freedom loving country in the world and you would like to be on 'Let's Make a Treaty,' write to me at the State Department for tickets. All the prizes given away on this program were donated through the courtesy of the American taxpayer in the interests of world peace. Thank you, God bless you, and we'll see you all next week."

(Mr. BROYHILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. BROYHILL's remarks will appear hereafter in the Extensions of Remarks.]

COMMON SITUS PICKETING BILL AND LABOR

(Mr. MICHEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MICHEL. Mr. Speaker, I was interested to read over the weekend that a study has been done showing the contributions by organized labor to Mem-

bers of Congress who voted for the common situs picketing bill last December.

I remember that Mr. Meany had some interesting things to say when President Ford vetoed that bill. He said the President had sold out his principles to contractors and other businessmen who had promised big campaign contributions.

Well, perhaps it takes one to know one, but the simple fact is that if anyone has been buying votes with contributions, it is Mr. Meany's own forces of organized labor.

The study shows that the Senators and Representatives who voted for this unwise and destructive legislation received a total of $5,758,780.64 in direct, reported contributions in 1974. You may be sure that their loyalty to their contributors, as evidenced by the common situs vote, will be repaid again in this election year.

It is time to set the record straight on this matter. The American people are entitled to know what pressures are being put on their representatives. I am therefore asking that the Member-by-Member list of the recipients of these contributions be printed here in the RECORD.

ORGANIZED LABOR 1974 CAMPAIGN CONTRIBUTIONS TO SENATORS AND CONGRESSMEN WHO VOTED FOR THE COMMON SITUS PICKETING BILL

Member	State	Democrat	Republican
SENATE			
John Durkin	New Hampshire	[1]$172,065.93	
Birch Bayh	Indiana	170,949.53	
Mike Gravel	Alaska	170,701.78	
Harrison Williams	New Jersey	153,466.30	
Thomas Eagleton	Missouri	120,000.00	
John Culver	Iowa	110,688.12	
Richard Schweiker	Pennsylvania		$107,266.1
John Tunney	California	105,850.00	
Stuart Symington	Missouri	103,060.50	
Warren Magnuson	Washington	94,560.00	
Vance Hartke	Indiana	93,531.85	
Jacob Javits	New York		86,871.08
Claiborne Pell	Rhode Island	86,746.15	
Wendell Ford	Kentucky	86,436.45	
Walter Mondale	Minnesota	85,025.00	
Lee Metcalf	Montana	84,324.00	
Alan Cranston	California	83,967.51	
Philip Hart	Michigan	81,521.25	
Dick Clark	Iowa	78,595.70	
James Abourezk	South Dakota	75,830.00	
Adlai Stevenson	Illinois	74,350.00	
Frank Moss	Utah	70,421.95	
George McGovern	South Dakota	65,375.69	
Hubert Humphrey	Minnesota	63,000.00	
Gary Hart	Colorado	62,610.53	
Charles Mathias	Maryland		58,675.00
Joseph Biden	Delaware	58,351.00	
Patrick Leahy	Vermont	49,847.80	
William Proxmire	Wisconsin	46,331.00	
Gale McGee	Wyoming	45,940.00	
Frank Church	Idaho	45,000.00	
Quentin Burdick	North Dakota	44,781.00	
Clifford Case	New Jersey		39,900.00
Edmund Muskie	Maine	39,350.00	
William Hathaway	Maine	36,913.00	
Floyd Haskell	Colorado	33,135.40	
Russell Long	Louisiana	32,800.00	
Edward Kennedy	Massachusetts	30,965.00	
Daniel Inouye	Hawaii	30,500.00	20,000
Ted Stevens	Alaska		300.00
Jennings Randolph	West Virginia	17,475.00	
Abraham Ribicoff	Connecticut	16,850.03	
John Pastore	Rhode Island	16,100.000	
Bob Packwood	Oregon		14,300.00
Henry Jackson	Washington	13,825.00	
Charles Percy	Illinois		3,700.00
Mike Mansfield	Montana	12,050.00	
Edward Brooke	Massachusetts		9,150.00
Robert Byrd	West Virginia	7,150.00	
Robert Stafford	Vermont		0
Robert Taft	Ohio		0
Lowell Weicker	Connecticut		0
Subtotal		2,871,992.44	650,162.69
Total		3,222,155.1	
HOUSE			
Robert Traxler	8—Michigan	[1]88,355.00	
Robert Carr	6—Michigan	57,093.00	
Richard Vander Veen	5—Michigan	50,852.00	
James Blanchard	18—Michigan	48,211.99	
John Burton	5—California	37,430.00	
Thomas O'Neill	8—Massachusetts	35,750.00	
Les AuCoin	1—Oregon	35,508.43	
Mike Blouin	2—Iowa	35,200.00	
Allan Howe	2—Utah	32,550.00	
Edward Mezvinsky	1—Iowa	31,525.00	
Richard Nolan	6—Mississippi	30,775.00	
Pat Schroeder	1—Colorado	30,715.00	
John Dent	21—Pennsylvania	29,275.00	
Alvin Baldus	3—Wisconsin	28,650.00	
John Murphy	17—New York	28,450.00	
Robert Cornell	8—Wisconsin	28,415.00	
Paul Simon	24—Illinois	28,075.00	
James Santini	At Large—Nevada	28,050.00	
James Florio	1—New Jersey	26,600.82	
Frank Thompson	4—New Jersey	26,300.00	
Philip Sharp	10—Indiana	26,250.00	
Tim Wirth	2—Colorado	24,894.74	
Norman Mineta	13—California	24,636.50	
Martha Keys	2—Kansas	24,063.57	
John LaFalce	36—New York	23,739.30	
William Brodhead	17—Michigan	23,674.50	
Herb Harris	8—Virginia	22,595.00	
Mark Hannaford	34—California	23,430.00	
Lloyd Meeds	2—Washington	22,500.00	
Floyd Fithian	2—Indiana	22,425.00	
Philip Hayes	8—Indiana	22,100.00	
Don Bonker	3—Washington	22,050.00	

Footnotes at end of table.

District and State	Democrat	Republican
HOUSE		
Peter Peyser	23—New York	$21,555.00
Lester Wolff	6—New York	$21,290.00
Jerry Patterson	38—California	20,750.00
Joshua Eilberg	4—Pennsylvania	20,570.00
William Roush	4—Indiana	19,750.00
William Clay	1—Missouri	18,850.00
James Oberstar	8—Minnesota	18,850.00
John Brademas	3—Indiana	18,700.00
Andrew Jacobs	11—Indiana	18,650.00
William Lehman	13—Florida	18,550.00
Martin Russo	3—Illinois	18,525.00
Gladys Spellman	5—Maryland	18,100.00
Toby Moffett	6—Connecticut	17,915.62
Chris Dodd	2—Connecticut	17,737.50
Claude Pepper	14—Florida	17,700.00
Joseph Karth	4—Minnesota	17,150.00
Ronald Mottl	23—Ohio	16,900.00
Ted Risenhoover	2—Oklahoma	16,900.00
Brock Adams	7—Washington	16,750.00
Lenore Sullivan	3—Missouri	16,700.00
James Hanley	32—New York	16,600.00
John Melcher	2—Montana	16,525.00
Gerry Studds	12—Massachusetts	16,468.82
James Lloyd	35—California	16,050.00
Wayne Hays	18—Ohio	15,900.00
Andrew Maguire	7—New Jersey	15,500.00
Joe Minish	11—New Jersey	15,400.00
Robert Duncan	3—Oregon	15,100.00
George Shipley	22—Illinois	15,100.00
Leo Zefferetti	15—New York	14,762.96
Helen Meyner	13—New Jersey	14,700.00
James O'Hara	12—Michigan	14,300.00
John Murtha	12—Pennsylvania	14,150.00
George Miller	7—California	13,950.00
Frank Annunzio	11—Illinois	13,600.00
Gus Yatron	6—Pennsylvania	13,600.00
James Symington	2—Missouri	13,380.00
Philip Burton	6—California	13,300.00
Henry Waxman	24—California	13,000.00
Bob Mollohan	1—West Virginia	12,950.00
Max Baucus	1—Montana	12,737.30
Andrew Young	5—Georgia	12,635.00
James Stanton	20—Ohio	12,575.00
Dominick Daniels	14—New Jersey	12,550.00
Frederick Richmond	14—New York	12,550.00
Teno Roncalio	At Large—Wyoming	12,500.00
Fortney Stark	9—California	12,290.00
Thomas Downey	2—New York	11,772.00
Robert Edgar	7—Pennsylvania	11,500.00
Edward Patten	15—New Jersey	11,450.00
Mike McCormack	4—Washington	11,282.62
Les Aspin	1—Wisconsin	11,262.00
James Burke	11—Massachusetts	10,950.00
Matthew Rinaldo	12—New Jersey	10,840.00
William Ford	15—Michigan	10,650.00
James Howard	3—New Jersey	10,500.00
Fernand St Germain	1—Rhode Island	10,300.00
Robert Bergland	7—Minnesota	10,250.00
James Ambro	3—New York	10,178.55
Ray Madden	1—Indiana	10,100.00
Donald Riegle	7—Michigan	9,750.00
James Weaver	4—Oregon	9,668.27
John Joseph Moakley	9—Massachusetts	9,650.00
Joseph Early	3—Massachusetts	9,550.00
Doc Morgan	22—Pennsylvania	9,350.00
Robert Giaimo	3—Connecticut	9,100.00
Charles Carney	19—Ohio	8,500.00
John Dingell	16—Michigan	8,750.00
Tim Hall	15—Illinois	8,650.00
Harold Ford	8—Tennessee	8,650.00
Charles Wilson	31—California	8,500.00
John Moss	3—California	8,450.00
Clifford Allen	5—Tennessee	8,400.00
John Slack	3—West Virginia	8,350.00
Frank Horton	34—New York	8,280.00
Margaret Heckler	10—Massachusetts	8,120.00
Torbert Macdonald	7—Massachusetts	8,100.00
William Cotter	1—Connecticut	7,500.00
Mario Biaggi	10—New York	7,450.00
Matthew McHugh	27—New York	7,300.00
Louis Stokes	21—Ohio	7,300.00
Ralph Metcalfe	1—Illinois	7,250.00
James Scheuer	11—New York	7,250.00
James Delaney	9—New York	7,250.00
George Danielson	30—California	7,200.00
Thomas Foley	5—Washington	7,150.00
Bob Eckhardt	8—Texas	7,150.00
Lindy Boggs	2—Louisiana	6,850.00
Peter Rodino	10—New Jersey	6,600.00

ORGANIZED LABOR 1974 CAMPAIGN CONTRIBUTIONS TO SENATORS AND CONGRESSMEN WHO VOTED FOR THE COMMON SITUS PICKETING BILL.—Continued

	District and State	Democrat	Republican
HOUSE			
George Brown	36—California	6,350.00	
John McFall	14—California	6,275.00	
Daniel Flood	11—Pennsylvania	6,100.00	
Robert Leggett	4—California	6,050.00	
Dan Rostenkowski	8—Illinois	6,000.00	
David Obey	7—Wisconsin	5,950.00	
Glenn Anderson	32—California	5,900.00	
Otis Pike	1—New York	5,900.00	
Joel Pritchard	1—Washington		$5,850.00
Joseph Addabbo	7—New York	5,800.00	
Gillis Long	8—Louisiana	5,650.00	
Donald Fraser	5—Minnesota	5,550.00	
Richard Bolling	5—Missouri	5,510.00	
Joseph Fisher	10—Virginia	5,423.64	
Bill Hungate	9—Missouri	5,350.00	
Edward Beard	2—Rhode Island	5,350.00	
Morgan Murphy	2—Illinois	5,150.00	
Paul Tsongas	5—Massachusetts	4,953.08	
Robert Drinan	4—Massachusetts	4,900.00	
David Evans	6—Indiana	4,860.00	
Bella Abzug	20—New York	4,850.00	
Stephen Solarz	13—New York	4,650.00	
Joseph McDade	10—Pennsylvania		4,600.00
John Conyers	1—Michigan	4,550.00	
Spark Matsunaga	1—Hawaii	4,550.00	
Samuel Stratton	28—New York	4,500.00	
Morris Udall	2—Arizona	4,400.00	
Paul McCloskey	12—California		4,150.00
Romeno Mazzoli	3—Kentucky	4,050.00	
Clement Zablocki	4—Wisconsin	4,050.00	
Leo Ryan	11—California	4,000.00	
Henry Nowak	37—New York	3,975.00	
Barbara Jordan	18—Texas	3,875.00	
Edward Roybal	25—California	3,750.00	
William Barrett	1—Pennsylvania	3,600.00	
Patsy Mink	2—Hawaii	3,560.00	
Floyd Hicks	6—Washington	3,500.00	
William Walsh	33—New York		3,500.00
Ronald Dellums	8—California	3,460.00	
Lucien Nedzi	14—Michigan	3,450.00	
Charles Rangel	19—New York	3,450.00	
Richard Ottinger	24—New York	3,400.00	
Lionel Van Deerlin	41—California	3,350.00	
Al Ullman	2—Oregon	3,210.00	
John Seiberling	14—Ohio	3,200.00	
Yvonne Burke	28—California	3,150.00	
Don Edwards	10—California	3,000.00	
Cardiss Collins	7—Illinois	2,950.00	
Jerry Litton	6—Missouri	2,950.00	
James Corman	21—California	2,860.00	
Melvin Price	23—Illinois	2,800.00	
Henry Reuss	5—Wisconsin	2,750.00	
Thomas Ashley	9—Ohio	2,650.00	
John Fary	5—Illinois	2,600.00	
Silvio Conte	1—Massachusetts		2,600.00
Robert Roe	8—New Jersey	2,597.30	
Benjamin Rosenthal	8—New York	2,550.00	
Charles Wilson	2—Texas	2,500.00	
Parren Mitchell	7—Maryland	2,450.00	
Ronald Sarasin	5—Connecticut		2,350.00
Robert Kastenmeier	2—Wisconsin	2,300.00	
William Moorhead	14—Pennsylvania	2,250.00	
Jack Brooks	9—Texas	$2,200.00	
Shirley Chisholm	12—New York	2,125.00	
Dante Fascell	15—Florida	2,100.00	
Bill Burlison	10—Missouri	2,100.00	
Edward Koch	18—New York	2,075.00	
William Randall	4—Missouri	2,050.00	
Al Quie	1—Minnesota		$2,000.00
Fred Rooney	15—Pennsylvania	2,000.00	
Lee Hamilton	9—Indiana	1,950.00	
Michael Harrington	6—Massachusetts	1,950.00	
Harold Johnson	1—California	1,950.00	
Alphonzo Bell	27—California		1,900.00
Thomas Rees	23—California	1,700.00	
Benjamin Gilman	26—New York		1,600.00
Richard Ichord	8—Missouri	1,600.00	
Augustus Hawkins	29—California	1,450.00	
B. F. Sisk	15—California	1,350.00	
Elizabeth Holtzman	16—New York	1,250.00	
Charles Diggs	13—Michigan	1,050.00	
Don Clausen	2—California		1,000.00
Hamilton Fish	25—New York		800.00
Elwood Hillis	5—Indiana		800.00
Paul Sarbanes	3—Maryland	800.00	
Jonathan Bingham	22—New York	750.00	
Robert Jones	5—Alabama	560.00	
Ken Hechler	4—West Virginia	550.00	
Carl Perkins	7—Kentucky	500.00	
Edward Biester	8—Pennsylvania		300.00
Henry Gonzalez	20—Texas	300.00	
Sidney Yates	9—Illinois	250.00	
Robert Lagomarsino	19—California		250.00
Herman Badillo	21—New York	240.00	
Charles Bennett	3—Florida	0	
Edward Boland	2—Massachusetts	0	
John Breaux	7—Louisiana	0	
Joe Evins	4—Tennessee	0	
Barry Goldwater, Jr	20—California		0
Gilbert Gude	8—Maryland		0
Stewart McKinney	4—Connecticut		0
William Natcher	2—Kentucky	0	
Robert Nix	2—Pennsylvania	0	
Neal Smith	4—Iowa	0	
Burl Talcott	16—California		0
Charles Vanik	22—Ohio	0	
Joseph Vigorito	24—Pennsylvania	0	
Charles Whalen, Jr	3—Ohio		0
Subtotal		2,368,675.51	80,495.00
Total		2,449,170.51	
"PAIRED" HOUSE MEMBSRS			
Abner Mikva	10—Illinois	36,325.00	
John Jenrette	6—South Carolina	15,600.00	
Henry Helsloski	9—New Jersey	13,350.00	
Mendel Davis	1—South Carolina	8,600.00	
John Heinz	18—Pennsylvania		5,850.00
William Green	3—Pennsylvania	5,180.00	
Harley Staggers	2—West Virginia	2,550.00	
Subtotal		81,605.00	5,850.00
Total		87,455.00	

The amount of contribution to John Durkin represents both the General and Special Elections.

Total:	
Senate	$3,222,155.13
House	3,449,170.51
"Paired Members"	87,455.00
Grand total	5,758,780.64

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. LEHMAN (at the request of Mr. O'NEILL), for today, on account of illness in the family.

Mr. CONTE (at the request of Mr. MICHEL), for today, on account of weather—snowbound in Massachusetts.

Mr. HUNGATE (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. JEFFORDS (at the request of Mr. MICHEL), for February 2, 3, and 4, on account of death of close personal friend.

Mr. LAGOMARSINO (at the request of Mr. MICHEL), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. GRADISON) to revise and extend their remarks and include extraneous material:)

Mr. ANDERSON of Illinois, for 30 minutes, today.

Mr. GOLDWATER, for 5 minutes, today.

(The following Members (at the request of Mr. EVINS of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. KRUEGER, for 60 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. WIRTH, for 5 minutes today.

Mr. MOSS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BROWN of California and to include extraneous matter, notwithstanding the fact that it exceeds two pages of

THE WHITE HOUSE

WASHINGTON

Charlie --

Ralph Vinnovich called to bring our attention to the article printed in the Congressional Record February 2 - submitted by Michel. They have been getting a few calls from angry Congressmen and Senators and he thought our speechwriters might want to use this to some advantage.

Neta
2/4/76

Neta
make copies for ~~[illegible]~~ Marsh, Hartmann + Cheney