

The original documents are located in Box 8, folder “Common Situs Picketing” of the John Marsh Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

U. S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY
WASHINGTON

July 17, 1975

MEMORANDUM FOR THE PRESIDENT

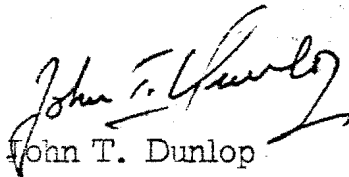
Subject: Situs Picketing

After the meeting from 1:15 to 2:30 PM yesterday with members of the House and Senate Labor Committees and other Congressional leaders, I called Mr. Georgine at Jim Lynn's suggestion to indicate, on your behalf, the developments. Mr. Georgine shortly thereafter received detailed reports from Congressman Thompson.

As you might have expected, Mr. Georgine was not very happy with the postponement of the vote in the House, and subsequently Georgine and Andy Biemiller met with Thompson to seek a different course. It is my understanding that Congressman Thompson indicated that, while he had agreed to the arrangements made, he had advised the group that he would have to seek approval of the leadership, and I gather that Georgine, Meany and Biemiller sought to prevent that agreement.

It is my understanding that Biemiller, Thompson and Rhodes are scheduled to meet this morning in order to discuss the situation further. The labor people would like to see the vote in the House next week since they are already ready for it, and have the bill reported out of the Senate committee before August 1. They would then agree to have the Senate committee develop the follow-on bill, have it added or handled concurrently in the Senate, and then take the full package back to the House through conference for final, simultaneous enactment.

This memorandum is solely for your information.


John T. Dunlop



SEP 5 1975

THE WHITE HOUSE
WASHINGTON

Date: 9-4-75

TO: Jack Marsh

FROM: Max L. Friedersdorf

For Your Information

Please Handle _____

Please See Me _____

Comments, Please _____

Other

*Sheldn. John
Dunlop get together
with Frank & give
him draft legislation?*



THE WHITE HOUSE
WASHINGTON

September 4, 1975

MEMORANDUM FOR: MAX FRIEDERSDORF
FROM: JACK MARSH *gaul*
SUBJECT: Construction Industry Collective Bargaining Act of 1975

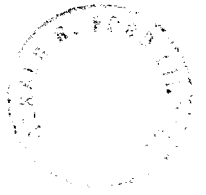
If I have not seen you to advise you, Frank Thompson talked with me Wednesday afternoon, and he is very anxious that the House consider the bill to amend the collective bargaining agreement first.

Frank says that his Committee is prepared to handle this quickly. He talked with Al Quie about it and he thinks it should go through the House first rather than be considered first in the Senate. He thinks the Senate will try to capture the bill and take all the credit for having passed it.

If you have any thoughts on this, maybe we should discuss it.

cc: Jim Cannon

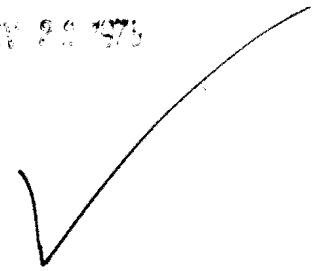
*Max - yes!
I thought it had
gone. Could Bob W.
check?
JM*



NOV 21 1975

THE WHITE HOUSE
WASHINGTON

November 21, 1975



MEMORANDUM FOR: JACK MARSH
BOB HARTMANN
DICK CHENEY

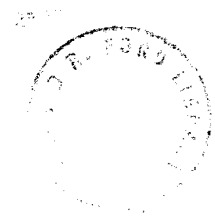
FROM: MAX FRIEDERSDORF *M.F.*

SUBJECT: Situs Picketing/Rep. Bill Dickinson

Congressman Dickinson requested that I make the President aware of his opposition to signing common situs.

Bill said he is refusing to sign a letter endorsing the President and if "he sells out on this I'm not going to help at the Convention."

Dickinson was irate and very threatening. He insisted the President be made aware of his views.



see: Ink

Cong

November 24, 1975

MEMORANDUM TO: JACK MARSH
MAX FRIEDERSDORF

FROM: RUSS ROURKE

Dwight Ink (GSA) called to express great concern over the effect upon GSA of the prospective passage of the Common Situs legislation.

Ink complains that GSA did not have an opportunity to "get into the act". The "phased government construction" advantage that was enjoyed by GSA has been knocked out of this legislation. Ink met with Dunlop, who suggested that GSA speak with the unions. The unions were not enthusiastic about the inclusion of an amendment on this subject.

Eckerd feels very strongly about the need for an amendment on this subject. Paul O'Neill, while sympathetic, indicated that it was "too late in the day" to get such an amendment into the legislation.

In any event, while Ink frankly feels that this whole matter is now moot, GSA is disturbed that this critically important item did not have the support of the Administration.

FYI, GSA's current head count on final passage of Common Situs is 55/45 in favor of passage. (OBE'2)

RAR:cb

(OBE'2)



November 24, 1975

Dear Mr. Pearson:

Your telegram addressed to Mr. Marsh regarding the Common Situs Picketing Bill has come to me for acknowledgment.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

Sincerely,

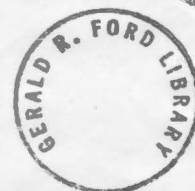
Roland L. Elliott
Director of Correspondence

Mr. Jerry L. Pearson
Chairman and Chief Executive Officer
Seabrook Foods, Inc.
Montezuma, Georgia 31063

cc: Mr. Marsh

RLE:HMW:eb

NOTE TO REVIEWER: LETTER SHOULD BE RETURNED TO RLE
AFTER TYPING.



November 24, 1975

Dear Mr. Bell:

Your telegram addressed to Mr. Marsh regarding the Common Situs Picketing Bill has come to me for acknowledgment.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. Francis L. Bell
Vice President
Springs Mills, Inc.
Fort Mill, South Carolina

RLE:DHL:JH:eb
RLE-136v

cc: Mr. Marsh



November 26, 1975

Dear Mr. Hammaker:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

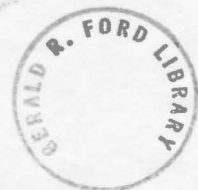
Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. P. B. Hammaker
4033 Dorsett
Casper, Wyoming 82601

RLE:DHL:JH:jfc
RLE-136 (1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Dils:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. James L. Dils
Director
North Manchester Chamber of Commerce
The Heckman Bindery, Incorporated
North Manchester, Indiana 46962

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Kunz:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. Foster M. Kunz
Vice President
Marriott Corporation
5161 River Road
Bethesda, Maryland 20016

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Grabowski:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. Edward B. Grabowski
Otis Elevator Company
3700 Science Center
Philadelphia, Pennsylvania 19104

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. McFarland:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. J. P. McFarland
General Mills, Inc.
Post Office Box 1113
Minneapolis, Minnesota 55440

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Moseley:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. S. H. Moseley
McGill Manufacturing Company, Inc.
Valparaiso, Indiana

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Fleming:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. Charles W. Fleming
President
Fleming Construction Corporation
Three East Wynnewood Road
Wynnewood, Pennsylvania 19096

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Gaviotis:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. G. M. Gaviotis
Area Manager
National Supply Company
Armco Steel Corporation
Casper, Wyoming 82601

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



November 26, 1975

Dear Mr. Rouse:

John Marsh, Counsellor to the President, has asked me to thank you for your recent correspondence regarding the Common Situs Picketing Bill.

The President is very much aware of the pros and cons of this matter. He has indicated he would like to consider this bill simultaneously with the Construction Industry Collective Bargaining Act which is also before the Congress. He would consider whether taken together the two would help alleviate the problems of disruptive strikes and inflationary wage settlements in the building trades industry.

I can assure you that your views will be taken into consideration by the President.

I hope this information is helpful.

Sincerely,

Roland L. Elliott
Director of Correspondence

Mr. John M. Rouse
President
John M. Rouse Incorporated
2109 Bellemeade Avenue
Kavertown, Pennsylvania 19083

RLE:DHL:JH:jfc
RLE-136(1st Rev.)

cc: Jack Marsh



THE WHITE HOUSE

WASHINGTON

November 29, 1975

MEMORANDUM FOR: JACK MARSH
FROM: JIM CAVANAUGH

Here is the latest mail count on Energy and Common Situs Picketing:

	<u>For Signing</u>	<u>Veto</u>
Energy	56	4,913
Common Situs Picketing	888	469,860

The mail count urging the veto on Common Situs Picketing results predominantly from preprinted postcards, over 100,000 of which arrived within the last two weeks.



[Dec. 1975]

COMMON SITUS PICKETING BILL

QUESTION: The report is that you have earlier made a commitment to sign the situs picketing bill if you receive the bill together with a companion bill on your desk at the same time, which I understand will be the case. Do you plan to sign it, and if not, how do you explain that in light of your commitment?

ANSWER: First, I have not received the situs picketing bill. Secondly, I have not made a decision as to what I will do. There are arguments on both sides.

However, let me say this. As President I have a duty to determine, as best I can, on how legislation will impact on the American society as a whole as opposed to separate components or society, be it labor or management.

The overriding commitment I have is to do what I feel is in the best interests for the entire country. And this I shall endeavor to do not only on this but on other legislation which I have received from time to time regardless of its proponents or opponents.

The legislative process develops a public forum which brings into public discussion proposed legislation and the President cannot ignore the public debate as well as the legislative debate when a bill comes to him for final action.



[Dec 1975]

COMMON SITUS PICKETING BILL

QUESTION: The report is that you have earlier made a commitment to sign the situs picketing bill if you receive the bill together with a companion bill on your desk at the same time, which I understand will be the case. Do you plan to sign it, and if not, how do you explain that in light of your commitment?

ANSWER: First, I have not received the situs picketing bill. Secondly, I have not made a decision as to what I will do. There are arguments on both sides.

However, let me say this. As President I have a duty to determine, as best I can, on how legislation will impact on the American society as a whole as opposed to separate components or society, be it labor or management.

The overriding commitment I have is to do what I feel is in the best interests for the entire country. And this I shall endeavor to do not only on this but on other legislation which I have received from time to time regardless of its proponents or opponents.

The legislative process develops a public forum which brings into public discussion proposed legislation and the President cannot ignore the public debate as well as the legislative debate when a bill comes to him for final action.



Dec. 2

THE WHITE HOUSE
WASHINGTON

Mr. Marsh --

A copy of the attached was
sent via the courier to
Cheney.

You asked for a copy back.

donna



DEC 1 1975

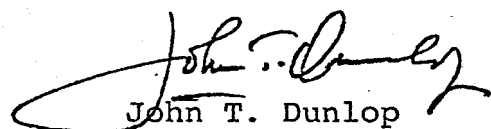
U. S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY
WASHINGTON

December 1, 1975

MEMORANDUM FOR: L. WILLIAM SEIDMAN
✓ JOHN O. MARSH, JR.
PAUL O'NEILL

There are attached three documents dealing with Common Situs Picketing: (1) a memorandum on the legislative status of the Common Situs Picketing legislation which describes each of the major amendments and their status; (2) an analysis of the key votes on Situs Picketing in the Senate and a copy of the voting record in the House; and (3) a copy of my letter dated November 17, 1975 to Senator Javits dealing with the merits of the legislation. These memoranda are designed to be informational. They do not seek to appraise analytically the pros and cons of the legislation.

Attachments


John T. Dunlop



STATUS OF THE COMMON SITUS
PICKETING LEGISLATION

I. BACKGROUND

The proposed construction common situs picketing legislation would permit a construction union to engage in otherwise lawful picketing at a construction site even though it may have a dispute with only one of the contractors. The impetus for this legislation can be traced back to the decision in NLRB v. Denver Building Trades Council, 341 U. S. 675 (1951). In that case, it was held that the contractors and subcontractors on a construction project are separate legal entities for the purposes of the secondary boycott provisions of the National Labor Relations Act. Therefore, picketing against one contractor or subcontractor was held unlawful when the effect was to induce the employees of other contractors or subcontractors to refuse to work at the site. Rules have been subsequently developed that have allowed a separate or reserved gate to be established for the employees and suppliers of the employer with whom there is a labor dispute. In such a case, the union must restrict its picketing at the construction site to that gate. Where there is no reserved gate, broader picketing would be allowed.

In philosophical terms construction workers and their unions look at a single construction project - building or factory - and regard it as an entity regardless of the fact they may work for several different contractors. The



project goes up together; it is an entity when finished; the wages, hours and working conditions of one craft influence closely those of another. On one project two crafts may work for one contractor; or on another part of the same project they may work for two different contractors. The workers and unions see a project as an industrial relations whole. Contractors on a single job in this view are not true neutrals; the unions urge that contractors in construction be regarded as interdependent as contracting in the garment industry is regarded by law.

In contrast, contractors see a project as comprised of a number of different business enterprises, each with their own balance sheet. In the contractor view each contractor, after a contract has been let to perform a portion of the project, is free to perform work as it sees fit and hence needs to be protected from union conduct directed toward other contractors on the same site.



II. SUMMARY OF THE LEGISLATION

H.R. 5900 (on which Secretary Dunlop testified on June 5, 1975) would amend the secondary boycott provisions of the National Labor Relations Act (section 8(b)(4)) to make it clear that common situs picketing would be permitted even though it has an effect on secondary employers who are jointly engaged as joint venturers or who are in the relationship of contractor and subcontractors with the primary employer on a construction project. The bill contained a special requirement of a 10-day notice on Defense and NASA projects. The bill would not permit:

- (1) activities otherwise unlawful under the NLRA;
- (2) activities in violation of an existing collective bargaining contract (e.g., a no-strike clause);
- (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.



III. TESTIMONY OF SECRETARY DUNLOP

Secretary Dunlop appeared before the House Labor Subcommittee on June 5, 1975 and before the Senate Labor Subcommittee on July 10, 1975 to discuss the pending common situs picketing legislation. He stated that over the past 25 years, four Presidents, their Secretaries of Labor, and many Members of Congress from both parties have supported enactment of legislation similar in purpose to H.R. 5900 and S. 1479. He referred to former Secretary of Labor George P. Shultz's testimony which outlined five recommended principles or safeguards to be incorporated into the legislation. These were: (1) other than common situs picketing, no presently unlawful activity should be transformed into lawful activity; (2) the legislation should not apply to general contractors and subcontractors operating under State laws requiring direct and separate contracts on State or municipal projects; (3) the interests of industrial and independent unions must be protected; (4) the legislation should include language to permit enforceability of no-strike clauses of contracts by injunction; and (5) 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. As Secretary Dunlop indicated, most of these



principles had been incorporated into the bills then pending or have been the subject of subsequent developments in case law or can be dealt with by appropriate legislative history.

In his testimony, Secretary Dunlop expanded Secretary Shultz's fifth point. He suggested the requirement of 10-days notice of intent to picket 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. He also suggested the requirement that before a local union may engage in picketing, such picketing should be authorized by the local's national union or in the alternative, consideration be given to authorization through a tripartite arbitration process. Further, he suggested that the national union should not be held liable for any damages arising out of such authorization. These three suggestions have been incorporated into the legislation (see discussion below). The union authorization rather than the arbitration approach was selected. Lastly, he suggested a 30-day limit on duration of picketing. This provision was not incorporated.

It should also be noted that during the course of his testimony before the Subcommittees, Secretary Dunlop stated that his experience has lead him to the conclusion that the legal framework surrounding collective bargaining in the construction industry is in need of revision. He concluded



by saying that he would like to reappear before the Sub-
committees to discuss detailed suggestions and proposed
legislation dealing generally with this matter. He did
return to discuss the Construction Industry Collective
Bargaining Act of 1975 which has passed the House as H.R.
9500 and the Senate as Title II of H.R. 5900.



IV. AMENDMENTS TO THE BILL

As the bill progressed through the House and Senate, several amendments were added to the bills as introduced. Discussed below are the amendments of the House Committee on Education and Labor, those adopted on the floor of the House, those made by the Senate Committee on Labor and Public Welfare, and those adopted during the debate on the Senate floor. The last section of this part discusses the Construction Industry Collective Bargaining Bill which, as previously mentioned, was passed as a separate bill (H.R. 9500) in the House and as a separate title to H.R. 5900 in the Senate.

A. AMENDMENTS OF THE HOUSE COMMITTEE ON EDUCATION AND LABOR

The four amendments adopted by the House Committee are not likely to be eliminated in conference since the Senate Committee used the House reported bill as a basis for its action. Nothing in the House reported bill was dropped by the Senate Committee.

The following amendments were accepted by the House Committee during its deliberations of H.R. 5900.

(1) Ten-Day Notice and National Union Authorization

By Congressman Esch:

Provided further, That a labor organization before engaging in activity permitted by the above proviso 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 employer 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 Collective Bargaining Committee in Construction: Provided further, That at any time after the expiration of ten days from the transmittal of such notice, the labor organization may engage in activities permitted by the above provisos 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 any criminal or civil liability arising from activities notice of which was given pursuant to the above provisos.

This amendment incorporated three of Secretary Dunlop's suggestions: 10-days notice of intent to picket and authorization by the national or international labor organization of its local union's picketing. It further states that the national or international shall not be subject to civil or criminal liability as a result of any activities of which it has been given notice. The Senate passed identical language but added it to different provisions of the bill (see discussions below).

The amendment was accepted without objection.

(2) Sex Discrimination Picketing

By Congressman Thompson:

Add the underlined word: 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:



This amendment makes it clear that the bill does not authorize picketing for an objective of sex discrimination.

The amendment was approved without objection.

(3) Protection of Independent Unions

By Congressmen Esch and Quie:

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 if another labor organization is lawfully recognized as the representative of his employees:

As explained in the House Committee report, this amendment was designed to prevent common situs picketing as a means of driving out the so-called "independent unions" which were not affiliated with the AFL-CIO.

The report does not indicate if any opposition was voiced to the amendment. It was adopted.

(4) Otherwise Unlawful Activities

By Congressman Esch:

Provided further, Except as provided in the above proviso nothing herein shall be construed to permit any act or conduct which was or may have been an unfair labor practice under this subsection:

As originally drafted, H.R. 5900 authorized common situs picketing only when the labor dispute was "not unlawful" under the Labor Act. The amendment was introduced to clarify that except for those activities permitted by the first proviso of the bill, no other act or conduct which heretofore was or may have been an unfair labor practice was authorized.



The House report does not indicate if opposition was voiced to the amendment. It was adopted.

B. AMENDMENTS TO H.R. 5900 WHICH WERE ACCEPTED DURING CONSIDERATION ON THE FLOOR OF THE HOUSE REPRESENTATIVES

(1) State Bidding Laws.

By Congressman Esch:

Provided further, That nothing in the above proviso shall be construed to permit any picketing of a common situs by a labor organization where a State law requires that separate bids and direct awards to an employer in conformity with the requirements of applicable State law, and such State and employer are not to be considered joint venturers, contractors and subcontractors in relationship with each other or with any other employer at the common site:

As explained by Congressman Esch, some States have laws requiring public agencies to advertise for bids on the component parts in the construction of public facilities.

The contracts to each are to be awarded on the basis of the lowest responsible bidder. As a result, the successful contractors are not in the relation of contractors, subcontractors, or joint venturers.

This was one of Secretary Shultz's "five points."

Chairman Thompson opposed the amendment on the Floor on the basis that the legislative history, embodied in the House Committee report, made it clear "that the bill, H.R. 5900, does not apply in the circumstances, as the various employees would not be jointly engaged in the project because the State law would in effect nullify other



consequences which would flow otherwise from the commonality of purpose and operations." He stated that the amendment was therefore redundant.

The amendment was accepted on a recorded vote of 229-175. It is expected that a provision similar to this will be retained by the Conferees since it is substantially similar to a proposed new section 8(h) added by the Senate Committee and present in the Senate-passed bill. (See IV:C.1)

(2) Union Membership Discrimination

By Congressman Esch:

Provided further, That nothing in the above proviso 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:

Congressman Esch explained that the amendment was intended to clarify the point that there is an inherent right of individuals not to join labor organizations. He conceded that sections 8(a)(3) and 8(b)(2) (which prohibit discrimination against any employee because of union membership or non-membership) protect the individual in this regard, but the amendment was offered to make it clear that Congress by permitting a common situs picketing was not allowing it for reasons that would "interfere with an individual's right to join or right not to join a labor organization."



The amendment was agreed to without a vote.

It is expected that the Senate Conferees will not accept this language. However, the Senate Committee added language that would achieve a similar objective. (Discussed below at IV.C.3)

(3) Product Boycotts

By Congressman Esch:

Provided further, That nothing in the above proviso 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:

Congressman Esch explained that the purpose of the amendment was one of clarification. Under existing law, where there is an otherwise lawful product boycott involving prefabricated products, labor organizations may picket at a separate gate. The amendment is aimed at insuring that such a product boycott cannot be extended to the entire construction site.

The amendment was accepted on a recorded vote of 204-188.

It is expected that this language will be retained by the Conferees since it is identical to an amendment proposed by Senator Randolph and adopted 93-0.



(4) Employers Primarily Engaged in the Construction Industry

By Congressman Ashbrook:

Amends the language of the first proviso to change the language from "employed by any person" to "employed by any employer primarily engaged in the construction industry".

The Committee report stated that H.R. 5900 is limited to individuals employed by "persons in the construction industry." The purpose of the amendment was to clarify this to insure that the common situs picketing could not be directed against employees who are employed in other industries, State government employees or employees covered by the Railway Labor Act.

The amendment was accepted without opposition.

It is expected that the Senate Conferees will not accept this language.

C. AMENDMENTS ADOPTED BY THE SENATE LABOR COMMITTEE DURING ITS DELIBERATIONS

(1) State Laws

By Senator Taft:

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 ventures 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.



This amendment is substantially the same as a provision in the House bill. As explained in the Senate report, under the terms of the amendment, contractors awarded separate contracts for those portions of the construction project required by the law of the State would be exempted from the application of the common situs doctrine established by the legislation.

The amendment was accepted by unanimous vote.

(2) No-Strike Clause

By Senator Taft:

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.

This amendment codifies for the construction industry the Supreme Court's Boy's Market case decision authorizing District Courts to grant injunctions for strikes or lockouts over a grievance in violation of a no-strike clause when both parties are contractually bound to arbitrate. The salient points of the amendment are that there must be a "no-strike" clause and the issue in dispute must be subject to final and binding arbitration or other method of final settlement.

The amendment was adopted by unanimous vote.



(3) Removal of Employee on the Grounds of Union Membership and Protection of Independent Unions

By Senator Taft:

Add the underlined words: 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 non-membership of any employee in any labor organization. Provided further, That nothing in the above proviso shall be construed to permit any attempt by a labor organization to require an employer to recognize or bargain with any labor organization if another labor organization is lawfully recognized as the representative of his employees or to exclude any such 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:

The amendment prohibits common situs picketing on the grounds that an employee on the site does, or does not, belong to a union or because picketing directed at excluding a union from the site because it is not affiliated with a national or international labor organization (i.e., an independent).

The amendment was adopted by a vote of 11-3.



D. AMENDMENTS TO H.R. 5900 WHICH WERE ACCEPTED
DURING CONSIDERATION ON THE SENATE FLOOR

(1) Recognition Picketing

By Senator Hathaway:

Strike the underlined words, "Provided further, That nothing in the above proviso shall be construed to permit any attempt by a labor organization to require an employer to recognize or bargain with any labor organization if another labor organization is lawfully recognized as the representative of his employees" and insert in lieu thereof the following: "presently prohibited by paragraph 7 of subsection (b): And 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."

The present section 8(b)(7) of the NLRA prohibits recognitional or organizational picketing if there has been a representation election within 12 months or another union is lawfully recognized and a representation question cannot be raised under the Act. In other circumstances, a union may engage in recognitional or organizational picketing for a reasonable period not to exceed 30 days without filing an election petition.

This amendment deletes the language prohibiting recognitional picketing at a common situs if another union is lawfully recognized. However, it incorporates by reference the limitations of section 8(b)(7) and that is one of the prohibitions in that subsection. It neither liberalizes



nor changes the restrictions on recognitional picketing. Picketing which was unlawful under 8(b)(7) continues to be unlawful. Additionally, the amendment provides for an expedited representation election in the case of recognitional picketing at a common situs. It provides that when a petition for an election is filed by either the employer or a union, and an unfair labor practice charge is filed under 8(b)(7) alleging that organizational or recognitional picketing is taking place, the NLRB must hold an election and certify the results within 14 days from the later of the two filings.

The amendment was accepted on a recorded vote of 60-17.

It is expected that this language will be retained by the Conferees.

(2) Residential Construction

By Senator Beall:

Add the underlined language: "at the site of the construction, alteration, painting, or repair of a building, structure, or other work involving other than residential structures of three stories, or less, without an elevator".

The amendment exempts from the bills provisions residential structures of three stories or less without an elevator.



The amendment was agreed to on a recorded vote of 79-16.

At the end of debate, there was a colloquy between Senator Allen and others, most notably Senator Javits, in which Senator Allen stated firmly that he hoped the Senate Conferees would insist upon this amendment during their deliberations with the House Conferees. No promise was made. However, it is our understanding that a compromise will result which will limit the amendment to single family units.

It should be noted that a similar amendment was proposed by Mr. Anderson of Illinois during the debate in the House of Representatives but was defeated.

(3) Product Boycotts

By Senator Randolph:

Provided further, That nothing in the above proviso 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".

This language is identical to the Esch product boycott amendment which was accepted on the floor of the House of Representatives.

The amendment was accepted on a recorded vote of 93-0.

It is expected that the language will be retained by the Conferees.



(4) Existing Construction

By Senator Allen:

Provided further, That the provisions of the Act shall not be applicable as to construction work contracted for and on which work had actually started on November 15, 1975.

The amendment was accepted on a recorded vote of 78-19.

It is expected that the amendment will not be retained by the Conferees.

(5) Notice and Authorization Amendment

By Senator Williams:

This amendment places the following provisions under section 8(g) rather than 8(b)(4): Required notice; Authorization of picketing by the national or international labor organization; Nonliability of national or international labor organization from activities of which it has notice; and Picketing on Army, Navy, or Air Force installations at which munitions, weapons, missiles, and space vehicles are produced, tested, developed, fired, or launched.

The amendment takes identical language previously in a proviso to section 8(b)(4) and places it in a new section 8(g)(ii). The present section 8(g) contains the requirements for notices involving health care institutions.

Accordingly, the effect of the amendment would be to make failure to comply with the notice and national union authorization requirements enforceable in the same way that the health care institution notices are enforced. Under section 10(j), health care notices are enforced in the same manner as unfair labor practice cases generally except



violations of section 8(b)(4) and section 8(b)(7) which will be discussed further below.

The NLRB has the discretionary authority under section 10(j) to seek an injunction in cases involving unfair labor practices. After a complaint has been issued, the Board may seek an injunction pending the adjudication of the case by the NLRB and the issuance, if appropriate, of a cease and desist order.

On the other hand, section 10(1) governs injunctions involving violations of section 8(b)(4) (secondary boycotts) and section 8(b)(7) (recognition picketing). Section 10(1) provides that the NLRB must:

1. give priority to these cases;
2. conduct a preliminary investigation forthwith; and
3. seek an injunction if the investigation indicates reasonable cause that a violation occurred and that a complaint should issue.

Further, section 303 of the Labor Management Relations Act authorizes private damage actions for secondary boycotts which violate section 8(b)(4).

This amendment was proposed by the AFL-CIO, introduced by Senator Williams and supported by Senator Javits. Secretary Dunlop wrote Chairman Williams on November 12, 1975 endorsing this amendment as a useful clarification of his intentions. It was accepted without a recorded vote.

It is expected that this amendment will be retained by the Conferees.



(6) Immunity Clarification

By Senator Williams:

Add the underlined words: Provided further, That authorization of such action by the national or international labor organization shall not render it subject to any criminal or civil liability arising from activities, notice of which was given pursuant to the above proviso unless such authorization is given with actual knowledge that the picketing is to be willfully used to achieve an unlawful purpose.

It was feared by some that the original language would provide immunity for nationals or internationals for participation in or authorization of activities they knew to be unlawful. The amendment provides that there will be no immunity if they actually know that the picketing is to be willfully used to achieve an unlawful purpose.

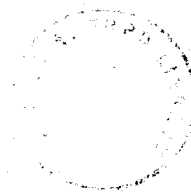
The amendment was accepted without a recorded vote.

It is expected that the Conferees will retain this language.

(7) Technical Amendment

By Senator Williams:

The amendment takes the 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 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:" and makes it a proviso.



This language was previously part of the first proviso of the bill. The purpose appears to be to shorten the formerly lengthy and complex first proviso. However, the amendment makes no substantive change in language.

The amendment was accepted without a recorded vote.

It is expected that the amendment will be retained by the Conferees.

E. CONSTRUCTION INDUSTRY COLLECTIVE BARGAINING LEGISLATION

As previously mentioned, both Houses have passed amended versions of the Administration's Construction Industry Collective Bargaining Act of 1975. The Act is designed to work by bringing a wider focus to the negotiation of local collective bargaining contracts by providing an enhanced role for the standard national construction unions and the national construction contractor associations. It is intended to bring about a lessening of "whipsawing" and "leapfrogging" negotiations in the highly fragmented construction industry, which result in distortions in appropriate wage and benefit levels. The legislation was passed by the House as H.R. 9500 and by the Senate as title II to H.R. 5900.

(1) Administration Bill

As proposed by Secretary Dunlop, this legislation would, in brief:



(a) establish a tripartate Construction Industry Collective Bargaining Committee (CICBC) to deal with labor disputes in the construction industry;

(b) require advance notice to national labor and management organizations and to the CICBC of upcoming contract renewal negotiations;

(c) empower the CICBC to take jurisdiction of a matter and take various actions aimed at assisting the parties to reach an appropriate settlement;

(d) provide for a "cooling off" period of up to 30 days beyond the expiration of an existing contract upon taking of jurisdiction by the CICBC;

(e) permit the CICBC to request participation in local negotiations by the appropriate national labor and management organizations, in which case the national union must approve any new contract; and

(f) expire in about 5 years.

(2) Congressional Action

The House and Senate versions of this legislation differ from the Administration proposal in the following significant ways:

(a) The Senate bill permits the CICBC to suspend or revoke the national union approval requirement at any time after it has requested national participation



in negotiations. Neither the Administration bill nor the House bill gives the CICBC such authority;

(b) The House bill includes exemptions from both the rulemaking and hearing requirements of the Administrative Procedure Act (APA) which was supported by the Labor Department, although not contained in the Administration bill. The Senate bill only provides an exemption from the APA's hearing requirements;

(c) The Administration bill contains the following immunity provision for national organizations participating in negotiations under the Act:

No standard national construction labor organization or national construction contractor association shall have any criminal or civil liability arising out of a request by the [CICBC] for its participation in collective bargaining negotiations, participation in collective bargaining negotiations or the approval or refusal to approve a collective bargaining agreement. Nor shall any of the foregoing constitute a basis for the imposition of civil or criminal liability on a standard national construction labor organization or national construction contractor association.

The House bill substitutes "because of" for "arising out of" in the first sentence, deletes the second sentence, and adds the following two provisos:



Provided, That this immunity shall not insulate from civil or criminal liability standard national construction labor organizations or national construction contractor associations when the performance of acts under this statute are willfully used to achieve a purpose which they know 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.

The Senate bill changes the first sentence of the Administration bill by substituting "directly or indirectly for actions or omissions pursuant to" for "arising out of" in the first sentence. Like the House bill, the Senate bill deletes the second sentence of the Administration's version and adds two provisos very similar to those contained in the House bill. However, the language of the first proviso is changed somewhat so as not to insulate a national organization from liability "when it performs an act under this statute to willfully achieve a purpose which it knows to be unlawful." Both the House bill and the Senate bill provide for narrower grants of immunity than the Administration bill.

(d) The House bill specifies the quorum required for CICBC action, whereas the Administration bill and the Senate bill leaves this as well as other procedural matters to CICBC regulations;



(e) The Senate bill permits Labor Department attorneys to represent the CICBC in courts (except the Supreme Court) subject to the supervision and control of the Justice Department. Such authority is not contained in either the Administration bill or the House bill.

In addition, there are a number of more technical differences which also have to be resolved in Conference.



U.S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

November 20, 1975

KEY VOTES ON SITUS PICKETING BILL (H.R. 5900) IN THE SENATE

FINAL PASSAGE: 52 - 45 (vote record attached)

FOR: 42 Democrats
10 Republicans

AGAINST: 20 Democrats
25 Republicans

November 18 Cloture Vote: 62 - 37 (vote record attached)

FOR: 47 Democrats
15 Republicans

AGAINST: 22 Democrats
15 Republicans

Beall Amendment: 79-16 (vote record attached)

FOR: 48 Democrats
31 Republicans

AGAINST: 11 Democrats
5 Republicans

Javits-Williams Amendment

(to incorporate Dunlop bill): 61 - 22 (vote record attached)

FOR: 43 Democrats
18 Republicans

AGAINST: 7 Democrats
15 Republicans



The following Senators voted in favor of cloture 3 times and voted NO on final passage:

BENTSEN
BUMPERS
GLENN
MCINTYRE
NELSON
HUGH SCOTT

Senator Pearson voted in favor of cloture twice and vote NO on final passage.

Senator Long voted for cloture November 11, against cloture Nov. 14, for cloture Nov. 18, and for final passage.

The following Senators did not vote on final passage:

BAYH
BUCKLEY
ROTH

* * *



KEY VOTES ON H.R. 5900

	<u>Cloture November 11</u>	<u>Cloture November 14</u>	<u>Cloture November 18</u>	<u>Final Passage</u>	<u>Beall Amend</u>	<u>Jan- Amend</u>
Abourezk	Y	Y	Y	Y	Y	Y
Allen	N	N	N	N	Y	N
Baker	N	N	N	N	Y	Y
Bartlett	N	N	N	N	Y	N
Bayh	Y	Y	Y	A	A	A
Beall	Y	Y	Y	N	Y	Y
Bellmon	Y	N	N	N	Y	Y
Bentsen	Y	Y	Y	N	Y	A
Bider	Y	Y	Y	Y	Y	A
Brock	Y	N	N	N	Y	Y
Brooke	Y	Y	Y	Y	N	Y
Buckley	Y	N	N	A	Y	Y
Bumpers	Y	Y	Y	N	Y	Y
Burdick	Y	Y	Y	Y	Y	Y
Byrd, Harry	A	N	N	N	Y	N
Byrd, Robert	Y	Y	Y	Y	Y	Y
Cannon	N	N	N	Y	Y	Y
Case	Y	Y	Y	Y	N	Y
Chiles	Y	N	N	N	Y	Y
Church	Y	Y	Y	Y	Y	Y
Clark	Y	Y	Y	Y	N	Y
Cranston	Y	Y	Y	Y	N	Y
Culver	Y	Y	Y	Y	A	Y
Curtis	N	A	N	N	Y	N
Dole	N	N	N	N	Y	Y
Domenici	N	A	N	N	Y	N
Durkin	Y	Y	Y	Y	Y	Y
Eagleton	Y	Y	Y	Y	Y	Y
Eastland	N	N	N	N	Y	N
Fannin	N	N	N	N	Y	N
Fong	N	N	N	N	Y	Y
Ford	Y	A	Y	Y	Y	A
Garn	N	A	A	N	Y	N
Glenn	Y	Y	Y	N	Y	A
Goldwater	N	Y	Y	N	Y	A
Gravel	Y	Y	Y	Y	N	Y
Griffin	N	N	N	N	Y	N
Hansen	N	A	N	N	Y	N
Hart, Gary	Y	Y	Y	Y	Y	A
Hart, Philip	A	Y	Y	Y	A	Y
Hartke	Y	Y	Y	Y	N	Y
Haskell	Y	Y	Y	Y	Y	A



	<u>Cloture</u> <u>November 11</u>	<u>Cloture</u> <u>November 14</u>	<u>Cloture</u> <u>November 18</u>	<u>Final</u> <u>Passage</u>	<u>Beall</u> <u>Amend</u>	<u>Jav-k</u> <u>Amer</u>
Hatfield	Y	Y	Y	N	Y	N
Hathaway	Y	Y	Y	Y	Y	Y
Helms	N	A	N	N	Y	N
Hollings	N	N	N	N	Y	Y
Hruska	N	A	N	N	Y	N
Huddleston	Y	N	N	N	Y	Y
Humphrey	Y	Y	Y	Y	Y	Y
Inouye	Y	Y	Y	Y	Y	Y
Jackson	Y	Y	Y	Y	N	Y
Javits	Y	Y	Y	Y	N	Y
Johnston	N	N	N	N	Y	N
Kennedy	Y	Y	Y	Y	N	Y
Laxalt	N	N	N	N	Y	N
Leahy	Y	Y	Y	Y	Y	Y
Long	Y	N	Y	Y	Y	Y
McClellan	N	N	N	N	Y	N
McClure	N	A	N	N	Y	N
McGee	Y	Y	Y	Y	Y	Y
McGovern	Y	Y	Y	Y	Y	Y
McIntyre	Y	Y	Y	N	Y	A
Magnuson	Y	Y	Y	Y	Y	Y
Mansfield	Y	Y	Y	Y	Y	Y
Mathias	Y	Y	Y	Y	Y	A
Metcalf	Y	Y	Y	Y	N	Y
Mondale	Y	Y	Y	Y	N	Y
Montoya	Y	A	Y	Y	N	Y
Morgan	N	A	N	N	A	Y
Moss	Y	Y	Y	Y	Y	Y
Muskie	Y	Y	Y	Y	Y	Y
Nelson	Y	Y	N	N	Y	Y
Nunn	N	N	N	N	Y	Y
Packwood	Y	Y	Y	Y	N	Y
Pastore	Y	Y	Y	Y	Y	A
Pearson	A	Y	Y	N	Y	A
Pell	A	Y	Y	Y	Y	Y
Percy	Y	Y	Y	Y	Y	Y
Proxmire	Y	Y	Y	Y	Y	Y
Randolph	Y	Y	Y	Y	Y	A
Ribicoff	Y	Y	Y	Y	N	A
Roth	Y	N	N	A	N	Y
Schweiker	Y	Y	Y	Y	N	Y
Scott, Hugh	Y	A	Y	N	Y	Y
Scott, William	N	N	N	N	Y	Y
Sparkman	N	N	N	N	Y	Y
Stafford	Y	Y	Y	Y	Y	Y
Sterns	N	Y	Y	Y	Y	A
Stevens	Y	Y	Y	Y	Y	Y
Stevenson	Y	Y	Y	Y	Y	Y



	<u>November 11</u>	<u>Cloture November 14</u>	<u>Cloture November 18</u>	<u>Final Passage</u>	<u>Ball Amend</u>	<u>Jav- Amend</u>
Stone	Y	N	N	N	Y	N
Symington	Y	Y	Y	Y	Y	A
Taft	Y	Y	Y	Y	Y	Y
Talmadge	N	N	N	N	Y	Y
Thurmond	N	N	N	N	Y	N
Tower	N	N	N	N	Y	N
Tunney	Y	Y	Y	Y	N	Y
Weicker	Y	Y	Y	Y	Y	Y
Williams	Y	Y	Y	Y	N	Y
Young	N	N	N	N	Y	A



[Roll No. 437]
YEAS—230

Abruzz	Gude	Patman, Tex.
Adams	Hall	Patten, N.J.
Addabbo	Hamilton	Patterson,
Ambro	Hanley	Calif.
Anderson	Hannaford	Pepper
Anderson,	Harrington	Perkins
Calif.	Harris	Payser
Annunzio	Hawkins	Pike
Ashley	Hayes, Ind.	Pressler
Aspin	Hayes, Ohio	Price
AuCoin	Hechler, W. Va.	Pritchard
Barrett	Heckler, Masa.	Quis
Baucus	Heinz	Railsback
Beard, R.I.	Heistackl	Randall
Bennett	Hicks	Rangel
Bergland	Hillis	Rees
Bieber	Holtzman	Reuss
Bingham	Howard	Richmond
Bianchard	Howe	Eagle
Blouin	Ichord	Rinaldo
Boggs	Jacobs	Risenhoover
Boland	Johnson, Calif.	Rodino
Bolling	Jones, Ala.	Roe
Bonker	Jones, Okla.	Roncallo
Brademas	Jordan	Rooney
Breaux	Karh	Rosenthal
Brodhead	Kastenmeier	Rostenkowski
Brooks	Kemp	Roush
Brown, Calif.	Ketchum	Roybal
Burke, Calif.	Koch	Runnels
Burke, Masa.	LaFalce	Russo
Burlison, Mo.	Lagomarsino	Ryan
Burton, John	Lehman	St Germain
Burton, Phillip	Litton	Santini
Carney	Lloyd, Calif.	Sarasin
Carr	Long, La.	Sarbanes
Chisholm	McCormack	Scheuer
Clausen,	McDade	Schroeder
Don H.	McFall	Seiberling
Clay	McHugh	Sharp
Collins, Ill.	McKinney	Shiplay
Conse	Macdonald	Simon
Corman	Madden	Sisk
Cornell	Maguire	Slack
Cotter	Matsunaga	Smith, Iowa
Daniels, N.J.	Mazzoli	Sojars
Davis	Meeds	Spellman
DeLooney	Meicher	Stanton,
Deluims	Metcalf	James V.
Dent	Meyner	Stark
Diggs	Mezvinsky	Stokes
Dingell	Mikva	Stratton
Dodd	Muller, Calif.	Studds
Downey, N.Y.	Mills	Sullivan
Drinan	Mineta	Symington
Duncan, Oreg.	Minish	Talcott
Esrly	Mink	Thompson
Eckhardt	Mitchell, Md.	Traxler
Edgar	Moakley	Tsongas
Edwards, Calif.	MoKett	Udall
Elberg	Mollohan	Ullman
Evans, Ind.	Moorhead, Pa.	Van Deerin
Fary	Morgan	Vander Veen
Fascell	Moss	Vanik
Fish	Mortl	Vigorito
Fisher	Murphy, Ill.	Walsh
Fithian	Murtha	Waxman
Flood	Myers, Ind.	Weaver
Florio	Natcher	Whalen
Ford, Mich.	Nedzi	Wilson, C. H.
Ford, Tenn.	Nix	Wilson, Tex.
Fraser	Nolan	Wolf
Fulton	Nowak	Wright
Gaydos	Oberstar	Yates
Giamo	Obey	Yatron
Gilman	O'Hara	Young, Ga.
Goldwater	O'Neill	Zablocki
Gonzalez	Ottinger	Zeferetti
Green		

Brown, Ohio	Hansen	Pettis
Broyhill	Harkin	Pickie
Buchanan	Harsha	Poage
Burgener	Hastings	Freyer
Burke, Fla.	Hebert	Regula
Burlison, Tex.	Hefner	Rhodes
Butler	Henderson	Roberts
Byron	Hightower	Robinson
Carter	Hinshaw	Rogers
Casey	Holland	Rose
Cederberg	Holt	Rousselet
Chappell	Hubbard	Ruppe
Clawson, Del	Hungate	Satterfield
Cleveland	Hutchinson	Schneebell
Cochran	Hyde	Schulze
Cohen	Jarman	Sebelius
Collins, Tex.	Johnson, Colo.	Shriver
Conable	Jones, N.C.	Shuster
Coughlin	Jones, Tenn.	Stkes
Crane	Kasten	Szabitz
D'Amours	Kazen	Smith, Nebr.
Daniel, Dan	Kelly	Snyder
Daniel, B. W.	Kindness	Spence
de la Garza	Krebs	Stanton,
Derrick	Krueger	J. William
Derwinski	Latta	Steed
Devine	Lent	Steeiman
Dickinson	Levitas	Steiger, Ariz.
Downing, Va.	Lloyd, Tenn.	Steiger, Wis.
Duncan, Tenn.	Long, Md.	Stephens
du Pont	Lott	Stuckey
Edwards, Ala.	Lujan	Symms
Emery	McCollister	Taylor, Mo.
English	McDonald	Taylor, N.C.
Erlenborn	McEwen	Teague
Esch	McKay	Thone
Evans, Colo.	Madigan	Thornton
Evins, Tenn.	Mahon	Treen
Fenwick	Mann	Vander Jagt
Findley	Martin	Waggoner
Flowers	Mathis	Wampler
Flynt	Michel	White
Fountain	Milford	Whitehurst
Frenzel	Miller, Ohio	Whitten
Frey	Mitchell, N.Y.	Wiggins
Fuqua	Montgomery	Wilson, Bob
Gibbons	Moore	Winn
Ginn	Moorhead,	Wylder
Goodling	Calif.	Wyllie
Gradison	Mosher	Young, Alaska
Grassley	Myers, Pa.	Young, Fla.
Guyer	Neal	Young, Tex.
Hagedorn	Nichols	
Haley	O'Brien	
Hammer-	Passman	
Schmidt	Pattison, N.Y.	

NOT VOTING—25

Badillo	Eshleman	Landrum
Baldus	Foley	Leggett
Bell	Forsythe	McClory
Biaggi	Horton	McCloskey
Brown, Mich.	Hughes	Murphy, N.Y.
Clancy	Jeffords	Quillen
Conlan	Jenrette	Staggers
Conyers	Johnson, Pa.	Wirth
Danielson	Keys	

So the bill was passed.
The Clerk announced the following pairs:

On this vote:
Mrs. Keys for, with Mr. Landrum against.
Mr. Conyers for, with Mr. McClory against.
Mr. McCloskey for, with Mr. Conlan against.
Mr. Bell for, with Mr. Quillen against.
Mr. Danielson for, with Mr. Eshleman against.
Mr. Biaggi for, with Mr. Johnson of Penn-
sylvania against.

Until further notice:
Mr. Murphy of New York with Mr. Brown
of Michigan.
Mr. Badillo with Mr. Jeffords.
Mr. Baldus with Mr. Clancy.
Mr. Staggers with Mr. Jenretts.
Mr. Hughes with Mr. Foley.
Mr. Leggett with Mr. Wirth.

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

NAYS—178

Abdnor	Archer	Bedell
Alexander	Armstrong	Revill
Anderson III.	Ashbrook	Sowen
Andrews, N.C.	Bafalis	Breckinridge
Andrews,	Bauman	Brickley
N. Dak.	Beard, Tenn.	Broomfield



U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

November 17, 1975

Honorable Jacob Javits
United States Senate
Washington, D.C. 20510

Dear Senator Javits:

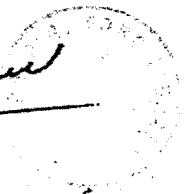
In response to your request, I am writing to summarize briefly the reasons why I support S. 1479, the Common Situs Picketing Bill, currently before the Senate.

As you know, my personal experience as a mediator and arbitrator in the construction industry consists of more than 30 years of continuous involvement. Over that time, I have observed and resolved a great variety of disputes in this highly complex and fragmented industry, many of them bitter and emotional. And over that time, I have seen the issue of common situs picketing develop since its beginning in 1949. That broad overview has led me to a number of conclusions upon which I base my support of this bill.

In general, mixing labor policy (union and non-union) on any single job is not conducive to sound labor relations, to cooperation on a job, nor to increased productivity. Rather, mixing labor policies tends more to stimulate disputes between workers operating under different wages and benefits doing the same or similar work, who must necessarily interface with each other for practical purposes. A single, consistent labor policy (union or non-union) enhances overall labor relations and, in the long run, results in beneficial gains for both the employers and employees, and the public.

Much of the criticism of the legislation has been based on the erroneous assumption that the legislation would legalize picketing for purposes now unlawful under

yellow



existing statutes -- racial discrimination, picketing directed at non-construction industrial employers or work operations other than construction, product boycott, etc. This is not the case as the legislation clearly provides.

Nor is the bill inflationary. Construction wages and fringe benefits are negotiated typically at intervals of two or three years on an area-wide basis, while issues related to common situs picketing arise on individual projects during the term of the agreement.

In my considered judgment, the passage of the common situs picketing legislation is not likely to produce major disruptive effects in the industry as often charged.

Past legislative proposals have incorporated many amendments and a number of restraints to protect the rights of employers, employees, and neutral third parties. Among those proposed for example by Secretary George P. Shultz in 1969 and included in the current legislation are: (1) the prohibition against racial picketing, (2) the enforceability of no-strike clauses, and (3) protections for industrial and independent unions.

There are, in addition, two new provisions which this Administration proposed in both S. 1479 and H.R. 5900, which I believe strengthen the worthiness of this bill. These provisions set forth the requirement of (1) a ten day period of notice of intent to picket that must be given to various interested parties and to the standard national labor organizations engaged in collective bargaining in the industry, and (2) authorization of such picketing by the appropriate national union.

These requirements should contribute substantially to the peaceful resolution of disputes. They would, I am convinced, contribute greatly to responsible behavior by labor organizations and contractors and should mitigate the concerns of those opposed to the legislation.

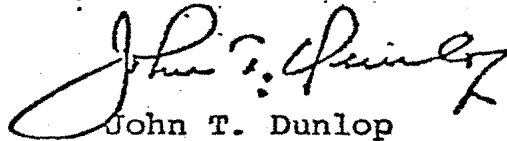
As you are aware, there currently is another bill before the Congress dealing with the construction industry-- the Construction Industry Collective Bargaining Bill. It



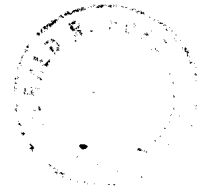
stands, I believe, on its own merit in providing a much needed mechanism by which the sector of industry engaged in collective bargaining could work cooperatively toward solving many of its problems.

In closing, I hope these comments are helpful to you in the Senate's consideration of S. 1479. If I can be of any future assistance, please let me know.

Sincerely,


John T. Dunlop

NOT HANDLED BY SECK'S
REC'S & CORRESP. UNIT



THE WHITE HOUSE

WASHINGTON

December 3, 1975

MEMORANDUM TO: DICK CHENEY

FROM: JACK MARSH

Max has provided me with the attached roll call on the situs picketing bill which you requested.

Also attached is a page of the Congressional Record showing the vote on New York City. On this vote :

38	Republicans voted for the bill
175	Democrats voted for the bill
100	Republicans voted against the bill
103	Democrats voted against the bill
7	Republicans not voting
9	Democrats not voting
-	Republicans voting present
2	Democrats voting present



Brown, Ohio	Hansen	Pettis
Broyhill	Markin	Pickle
Buchanan	Marsha	Poage
Burgener	Hastings	Preyer
Burke, Fla.	Hiebert	Regula
Burlison, Tex.	Hefner	Rhodes
Butler	Henderson	Roberts
Byron	Hightower	Robinson
Carter	Hinsaw	Rogers
Cassey	Holland	Rose
Cederberg	Holt	Rousselot
Chappell	Hubbard	Ruppe
Clawson, Del.	Hungate	Satterfield
Cleveland	Hutchinson	Schneebell
Cochran	Hyde	Schulze
Cohen	Jarman	Sebelius
Collins, Tex.	Johnson, Colo.	Shriver
Conable	Jones, N.C.	Shuster
Coughlin	Jones, Tenn.	Sikes
Crane	Kasten	Skubitz
D'Amours	Kazen	Smith, Nebr.
Daniel, Dan	Kelly	Snyder
Daniel, R. W.	Kindness	Spence
de la Garza	Krebs	Stanton,
Derrick	Krueger	J. William
Derwinski	Latta	Steed
Devine	Lent	Steelman
Dickinson	Levitas	Steiger, Ariz.
Downing, Va.	Lloyd, Tenn.	Steiger, Wis.
Duncan, Tenn.	Long, Md.	Stephens
du Pont	Lott	Stuckey
Edwards, Ala.	Lujan	Symms
Emery	McCollister	Taylor, Mo.
English	McDonald	Taylor, N.C.
Erlenborn	McEwen	Teague
Esch	McKay	Thone
Evans, Colo.	Madigan	Thornton
Evins, Tenn.	Mahon	Treen
Finwick	Mann	Vander Jagt
Findley	Martin	Waggonner
Flowers	Mathis	Wampler
Flynt	Michel	White
Fountain	Milford	Whitehurst
Frenzel	Miller, Ohio	Whitten
Frey	Mitchell, N.Y.	Wiggins
Fuqua	Montgomery	Wilson, Bob
Gibbons	Moore	Winn
Ginn	Moorhead,	Wylder
Goodling	Calif.	Wyllie
Gradison	Mosher	Young, Alaska
Grasley	Myers, Pa.	Young, Fla.
Guyer	Neal	Young, Tex.
Hagedorn	Nichols	
Haley	O'Brien	
Hammer-	Pasman	
schmidt	Pattison, N.Y.	

NOT VOTING—26

Badillo	Eshleman	Landrum
Baldus	Foley	Leggett
Bell	Forsythe	McClory
Biaggi	Horton	McCloskey
Brown, Mich.	Hughes	Murphy, N.Y.
Clancy	Jeffords	Quillen
Conlan	Jenrette	Staggers
Conyers	Johnson, Pa.	Wirth
Danielson	Keys	

So the bill was passed.
The Clerk announced the following pairs:

On this vote:
Mrs. Keys for, with Mr. Landrum against.
Mr. Conyers for, with Mr. McClory against.
Mr. McCloskey for, with Mr. Conlan against.
Mr. Bell for, with Mr. Quillen against.
Mr. Danielson for, with Mr. Eshleman against.
Mr. Biaggi for, with Mr. Johnson of Pennsylvania against.

Until further notice:
Mr. Murphy of New York with Mr. Brown of Michigan.
Mr. Badillo with Mr. Jeffords.
Mr. Baldus with Mr. Clancy.
Mr. Staggers with Mr. Jenrette.
Mr. Hughes with Mr. Foley.
Mr. Leggett with Mr. Wirth.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent that all Members

may have five legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Heiting, one of his secretaries, who also informed the House that on July 24, 1975, the President approved and signed a bill of the House of the following title:

H.R. 5709. An act to extend until September 30, 1977, the provisions of the Offshore Shrimp Fisheries Act of 1973 relating to the shrimp fishing agreement between the United States and Brazil, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3130) entitled "An act to amend the National Environmental Policy Act of 1969 in order to clarify the procedures therein with respect to the preparation of environmental impact statements."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6219. An act to amend the Voting Rights Act of 1965 to extend certain provisions for an additional ten years, to make permanent the ban against certain prerequisites to voting, and for other purposes.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL MIDNIGHT, SATURDAY, JULY 26, 1975, TO FILE A REPORT ON H.R. 6674

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight Saturday, July 26, 1975, to file a report on H.R. 6674, to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes.

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

There was no objection.

PERSONAL EXPLANATION

(Mr. WHALEN asked and was given permission to address the House for one minute, and to revise and extend his remarks.)

Mr. WHALEN. Mr. Speaker, on call No. 430, the rule on H.R. 5920, intended to vote "yea", as I fully support the bill. However, I inadvertently pushed the "nay" button.

PERSONAL EXPLANATION

(Mr. BURGNER asked and was given permission to address the House for one minute, and to revise and extend his remarks.)

Mr. BURGNER. Mr. Speaker, a malfunction in the bell system office, which is supposed to alert members to a vote, I was absent during call No. 431. Had I been present I have voted "yea".

THE EDUCATION DIVISION APPROVED AGENCIES APPROPRIATION ACT, 1976—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 94-222)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives: I return without my approval H.R. 5901, the Education Division Approved Agencies Appropriation Act. Throughout my public life I have believed—and still believe—that this is one of the foundation stones of our republic. But that is not the issue at hand.

The real issue is whether we are going to impose fiscal discipline on ourselves or whether we are going to let ourselves into fiscal insolvency.

This is the first regular appropriation bill passed by the Congress this year. It provides \$7.9 billion, \$1.5 billion more than I requested.

Earlier this year, I drew a budget deficit for fiscal year 1976 of \$69 billion. That line is considerably less than I would like. On May 14, 1975, the Congress drew its own line on the July 21 budget scorekeeping report. It estimates a possible deficit this year of \$10 billion.

I cannot, in good conscience, support such a deficit, not only because it means this year, but next year and the year after. In fact, if this bill becomes law, nearly \$1 billion will be added to next year's deficit.

While I do not insist that the budget recommendation is the best, I do believe major changes must be made in this bill. We could make a substantial contribution to higher education by simply accepting the recommendations for impact aid. In these proposals, Congress has added \$3 billion to my proposals.

No single program is more important than the Impact Aid program with President Eisenhower, and

in the United States are soaring, many working Americans are no longer able to afford buying a newly constructed home. This very fact alone has added hard times in the construction industry nationwide and has left a number of construction workers out of work. The Committee on Education and the Labor Committee has not seriously considered the effect of this bill, were it to be enacted, on the housing situation today. Serious questions remain to be answered. Will this bill raise construction costs for new housing, and if so, how much? Will this bill, by raising construction costs, exacerbate the current slowdown in the construction industry and thus cause further unemployment among construction workers? Does this bill have the best interests of the consumer and the construction worker in mind? These are questions that have not been fully addressed, and they should be addressed before this House adopts legislation with a possibly far-reaching impact.

DISCOURAGES NEW TECHNOLOGICAL DEVELOPMENTS

Further, I have grave doubts about the recovery of the "joint venture" and its possible impact if this bill is adopted. The logical conclusion of the "joint venture" concept is to permit secondary boycotts against any employer contributing to a product's creation. The possibility of secondary boycotts of materials is one that is particularly disconcerting to me. Such boycotts would discourage the use of new technologies and new materials. This could have a rippling effect by discouraging the development of new technological breakthroughs. We are finding that current construction techniques and design will have to be altered in the future to meet energy shortages and shortages of natural resources, yet secondary boycotts of materials and certain technological advances would seem to have a very negative impact on our ability to meet new realities regarding energy and natural resources. Again, I find the committee did not fully address this important issue and again questions need to be answered. Will this bill impede progress in new building techniques and materials? Will it have a negative impact on our efforts to find feasible solar heating devices? And how much more will housing and buildings that do not have the benefit of such developments cost the consumer over the long run?

DETRIMENTAL TO ECONOMIC RECOVERY

Another crucial question that I believe has not been adequately addressed is: Will H.R. 5900 have a serious detrimental impact on our Nation's economic recovery? Present indications are that we are beginning to pull out of one of the worst recessions of this century. Will enactment of this bill jeopardize progress on the economic front? I, for one, believe that this is a question we must ask ourselves when we consider any legislation, and certainly we need to explore this issue much more carefully than we have in regards to this bill. Some of the questions I have raised above regarding the cost of housing and the impact on the

environmental construction projects that are completely shut off by common situs picketing. As we can see from Washington, D.C.'s Metro project, which is beset with labor problems that are causing incredibly inflating costs, the taxpaying public ultimately must pay such costs. Will this bill significantly add to such costs? Again, we have a question that has not received complete consideration in committee.

NOT JUST A LABOR ISSUE

Mr. Chairman, I perceive this bill as more than simply raising a pro- or anti-labor issue. Before us is more than simply a question of whether or not to lift the ban on common situs picketing in the construction industry. This bill will have a serious impact on this country's economic recovery, on the current slump in the construction industry, on our ability to meet new energy demands in the buildings we design and build, on the ability of the American consumer to afford adequate housing, and on the taxpaying public to afford governmentally funded construction. Most of these questions, in my opinion, have not been fully addressed, perhaps because the answers would show this bill is not advisable at this point in time. In any event, the fact that these issues are unresolved causes me to have serious doubts about the wisdom of this bill and I will cast my vote against it.

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NARCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers, pursuant to House Resolution 631, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device; and there were—yeas 230, nays 178, not voting 26, as follows:

[Roll No. 437]

YEAS—230

- | | | |
|-----------------|-----------------|---------------|
| Abzug | Gude | Patman, Tex. |
| Adams | Hall | Patten, N.J. |
| Addabbo | Hamilton | Patterson, |
| Ambro | Hanley | Calif. |
| Anderson, | Hannaford | Pepper |
| Calif. | Harrington | Perkins |
| Annunzio | Harris | Peyser |
| Ashley | Hawkins | Pike |
| Aspin | Hayes, Ind. | Pressler |
| AuCoin | Kays, Ohio | Price |
| Barrett | Hechler, W. Va. | Fritchard |
| Baucus | Hechler, Mass. | Quie |
| Beard, R.I. | Heinz | Railsback |
| Bennett | Helstoski | Randall |
| Bergland | Hicks | Rangel |
| Biester | Hillis | Rees |
| Bingham | Holtzman | Reuss |
| Blanchard | Howard | Richmond |
| Blouin | Howe | Riegle |
| Boggs | Ichord | Rinaldo |
| Boland | Jacobs | Risenhoover |
| Bolling | Johnson, Calif. | Rodino |
| Bonker | Jones, Ala. | Ros- |
| Brademas | Jones, Okla. | Roncalio |
| Breaux | Jordan | Rooney |
| Brodhead | Kart | Rosenthal |
| Brooks | Kastenmeier | Rostenkowski |
| Brown, Calif. | Kemp | Roush |
| Burke, Calif. | Ketchum | Roybal |
| Burke, Mass. | Koch | Runnels |
| Burlison, Mo. | LaFalce | Russo |
| Burton, John | Lagomarsino | Ryan |
| Burton, Phillip | Lehman | St Germain |
| Carney | Litton | Santini |
| Carr | Lloyd, Calif. | Sarasin |
| Chisholm | Long, La. | Sarbanes |
| Clausen, | McCormack | Schauer |
| Don H. | McDade | Schroeder |
| Clay | McFall | Seiberling |
| Collins, Ill. | McHugh | Sharp |
| Conte | McKinney | Shipley |
| Corman | Macdonald | Simon |
| Cornell | Madden | Sisk |
| Cotter | Maguire | Slack |
| Daniels, N.J. | Matsunaga | Smith, Iowa |
| Davis | Mazzoli | Solarz |
| Delaney | Meeds | Spellman |
| Delums | McIcher | Stanton |
| Dent | Metcalfe | James V. |
| Diggs | Meyner | Stark |
| Dingell | Mezvinsky | Stokes |
| Dodd | Mikva | Stratton |
| Downey, N.Y. | Miller, Calif. | Studds |
| Drinan | Mills | Sullivan |
| Duncan, Oreg. | Mineta | Symington |
| Early | Minish | Talcott |
| Eckhardt | Mink | Thompson |
| Edgar | Mitchell, Md. | Traxler |
| Edwards, Calif. | Moakley | Tsongas |
| Eilberg | Moffett | Udall |
| Evans, Ind. | Mollohan | Ullman |
| Fary | Moorhead, Pa. | Van Derlin |
| Fascell | Morgan | Vander Veon |
| Fish | Moss | Vanik |
| Fisher | Mottl | Vigorito |
| Fithian | Murphy, Ill. | Walsh |
| Flood | Murtha | Waxman |
| Florio | Myers, Ind. | Weaver |
| Ford, Mich. | Natcher | Whalen |
| Ford, Tenn. | Nedzi | Wilson, C. H. |
| Fraser | Nix | Wilson, Tex. |
| Fulton | Nolan | Wolf |
| Gaydos | Nowak | Wright |
| Giaimo | Oberstar | Yates |
| Gilman | Obey | Yatron |
| Goldwater | O'Hara | Young, Ga. |
| Gonzalez | O'Neill | Zablocki |
| Green | Otinger | Zerfetti |

NAYS—178

- | | | |
|----------------|--------------|--------------|
| Abdnor | Archer | Bedell |
| Alexander | Armstrong | Bovill |
| Anderson, Ill. | Ashbrook | Bowen |
| Andrews, N.C. | Bafalis | Breckinridge |
| Andrews, | Bauman | Brinkley |
| N. Dak. | Beard, Tenn. | Broomfield |

Common Situs Vote House of Representative July 25, 1975

38 GOP
Y

derive substantial income from municipal purchasing will suffer greatly, as in turn will the thousands of employees of these firms. When we help New York City we help these businesses and the people they employ.

We must all realize the gravity of a New York City default. I have tried to pull some of the more serious implications. There can be no doubt that the national interest requires our immediate attention to avoid a New York City default. While the substitute bill is a means to this end, the underlying causes of this crisis remain and continue to threaten the entire structure of urban government in this country. It is clear to me that many of the complex causes of the New York City problem are not unique to that city, and that those persons who seek to place the entire blame solely on what they term "mismanagement in city government" lack a basic understanding of the growing urban crisis in this Nation. Passage of this bill, while a solution to the immediate problem, offers no solution to what is now threatening the stability of our country. We must now undertake to examine these causes and develop a responsible Federal policy to insure that this Nation is not again threatened by the inability of local governments to meet the needs of the people.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended, offered by the gentleman from Ohio (Mr. J. WILLIAM STANTON).

The question was taken; and on a division (demanded by Mr. BAUMAN) there were—ayes 71, nays 31.

So the amendment in the nature of a substitute, as amended, was agreed to.

Mr. J. WILLIAM STANTON. Mr. Chairman, I offer a technical amendment.

The CHAIRMAN. The Chair will advise the gentleman from Ohio that inasmuch as the amendment in the nature of a substitute has been agreed to, no further amendments are in order at this time. The amendment sent to the desk by the gentleman from Ohio would be in order in the House after the committee has risen.

Mr. J. WILLIAM STANTON. I thank the Chairman.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10481) to authorize emergency guarantees of obligations of States and political subdivisions thereof; to amend the Internal Revenue Code of 1954 to provide that income from certain obligations guaranteed by the United States shall be subject to taxation; to amend the Bankruptcy Act; and for other purposes, pursuant to House Resolution 865, as reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 213, nays 203, answered "present" 2, not voting 16, as follows:

[Roll No. 728]

YEAS—213

- | | | |
|-----------------|-----------------|---------------|
| Abzug | Frenzel | Nowak |
| Adams | Gilmo | Oberstar |
| Addabbo | Gilman | Obey |
| Allen | Green | O'Hara |
| Ambro | Gude | O'Neill |
| Anderson, Ill. | Hall | Ottinger |
| Annunzio | Hanley | Patton, N.J. |
| Ashley | Hannaford | Patterson, |
| Aspin | Harkin | Calif. |
| Badillo | Harrington | Patison, N.Y. |
| Barrett | Hastings | Pepper |
| Beard, R.I. | Hawkins | Pepper |
| Bedell | Hayes, Ind. | Pike |
| Bergland | Hayes, Ohio | Price |
| Biaggi | Heckler, Mass. | Rangel |
| Blester | Heinz | Rees |
| Bingham | Holtzman | Reuss |
| Blanchard | Horton | Rhodes |
| Blouin | Howard | Richmond |
| Boggs | Howe | Riegle |
| Boiland | Hughes | Rinaldo |
| Bolling | Jeffords | Rodino |
| Bonker | Johnson, Calif. | Roe |
| Brademas | Johnson, Pa. | Roncalio |
| Brodhead | Jones, Ala. | Rooney |
| Brown, Calif. | Jordan | Rosenthal |
| Brown, Mich. | Karth | Roush |
| Brown, Ohio | Kastenmeier | Roybal |
| Buchanan | Kemp | Ruppe |
| Burke, Calif. | Koch | Russo |
| Burke, Mass. | Krebs | St Germain |
| Burton, John | LaFalce | Serresin |
| Burton, Phillip | Leggett | Sarbanes |
| Carney | Lehman | Scheuer |
| Carr | Lent | Seibertling |
| Chisholm | Litton | Sharp |
| Clay | Long, La. | Simon |
| Collins, Ill. | McCloskey | Sisk |
| Conable | McCormack | Smith, Iowa |
| Conte | McEwen | Solatz |
| Conyers | McFall | Spellman |
| Corman | McHugh | Stanton, |
| Cotter | McKay | J. William |
| Daniels, N.J. | McKinney | Stanton, |
| Danielson | Macdonald | James V. |
| Deaney | Madden | Stark |
| Deluims | Matsunaga | Stratton |
| Dent | Meeds | Studds |
| Diggs | Melcher | Symington |
| Dingell | Mercalfe | Thompson |
| Dodd | Meyner | Thornton |
| Downey, N.Y. | Mezvinsky | Traxler |
| Drinan | Michel | Tsongas |
| Duncan, Oreg. | Mikva | Ullman |
| Eckhardt | Miller, Calif. | Van Deerlin |
| Edgar | Mineta | Vander Jagt |
| Edwards, Calif. | Minish | Vander Veen |
| Eilberg | Mink | Vanik |
| Evans, Colo. | Mitchell, Md. | Vigorito |
| Evins, Tenn. | Mitchell, N.Y. | Walsh |
| Fary | Moakley | Waxman |
| Foscell | Moffett | Weaver |
| Fenwick | Moorhead, Pa. | Wiggins |
| Fish | Morgan | Wilson, C. H. |
| Fisher | Mosher | Wolff |
| Flood | Moss | Wright |
| Fiorio | Murphy, Ill. | Wylder |
| Foley | Murphy, N.Y. | Wylie |
| Ford, Mich. | Murtha | Yates |
| Ford, Tenn. | Nedzi | Young, Ga. |
| Forsythe | Nix | Zablocki |
| Fraser | Nolan | Zefereetti |

NAYS—203

- | | |
|----------------|-----------------|
| Abdnor | Flynt |
| Aie Under | Fountain |
| Anderson, | Frey |
| Calif. | Fuqua |
| Andrews, N.C. | Gibbons |
| Andrews, | Ginn |
| N. Dak. | Goldwater |
| Archer | Gonzalez |
| Armstrong | Goodling |
| Ashbrook | Gradison |
| AuCoin | Grassley |
| DeFalls | Guyer |
| Baldus | Haley |
| Baucus | Hamilton |
| Bauman | Hammer- |
| Beard, Tenn. | schmidt |
| Bell | Harris |
| Bennett | Harsha |
| Beyfil | Hechler, W. Va. |
| Bowen | Heiner |
| Breaux | Hicks |
| Breckinridge | Hightower |
| Brinkley | Hillis |
| Brooks | Holland |
| Broomfield | Holt |
| Broyhill | Hubbard |
| Burgener | Hungate |
| Burke, Fla. | Hutchinson |
| Burleson, Tex. | Hyde |
| Burlison, Mo. | Ichord |
| Butler | Jacobs |
| Byron | Jarman |
| Carter | Jenrette |
| Casey | Johnson, Colo. |
| Cederberg | Jones, N.C. |
| Chappell | Jones, Okla. |
| Clancy | Jones, Tenn. |
| Clausen, | Kasten |
| Don H. | Kazen |
| Clawson, Del | Kelly |
| Cleveland | Ketchum |
| Cochran | Keys |
| Cohen | Kindness |
| Collins, Tex. | Krueger |
| Cornell | Lagomarsino |
| Coughlin | Landrum |
| Crane | Latta |
| D'Amours | Levitas |
| Daniel, Dan | Lloyd, Calif. |
| Daniel, R. W. | Lloyd, Tenn. |
| Davis | Long, Md. |
| de la Garza | Lott |
| Derrick | Lujan |
| Derwinski | McClary |
| Devine | McCullister |
| Dickinson | McDade |
| Downing, Va. | McDonald |
| Duncan, Tenn. | Madigan |
| du Pont | Mahon |
| Early | Mann |
| Edwards, Ala. | Martin |
| Emery | Mathis |
| English | Mazzoli |
| Esch | Milford |
| Eshleman | Miller, Ohio |
| Evans, Ind. | Mills |
| Findley | Mollohan |
| Fithian | Montgomery |
| Flowers | Moore |

- | |
|----------------|
| Mott |
| Myers, Ind. |
| Myers, Pa. |
| Natcher |
| Neal |
| Nichols |
| O'Brien |
| Pasamara |
| Perkins |
| Petris |
| Pickle |
| Porge |
| Preacher |
| Preyer |
| Pritenard |
| Quie |
| Quillen |
| Railsback |
| Randell |
| Regula |
| Risenhoover |
| Roberts |
| Robinson |
| Rogers |
| Rose |
| Roussot |
| Runnels |
| Ryan |
| Santini |
| Satterfield |
| Schneebeil |
| Schroeder |
| Schulze |
| Sebelius |
| Shipley |
| Shriver |
| Shuster |
| Sikes |
| Slubitz |
| Stack |
| Smith, Nebr. |
| Snyder |
| Spence |
| Steed |
| Steeleman |
| Steiger, Ariz. |
| Steiger, Wis. |
| Stephens |
| Stuckey |
| Sullivan |
| Symms |
| Talbot |
| Taylor, Mo. |
| Taylor, N.C. |
| Teague |
| Thone |
| Treen |
| Waggonner |
| Wampler |
| White |
| Whitehurst |
| Wilson, Bob |
| Wilson, Tex. |
| Winn |
| Wirth |
| Yatron |
| Young, Alaska |
| Young, Fla. |
| Young, Tex. |

ANSWERED "PRESENT"—2

- | | |
|-----------|---------|
| Henderson | Maguire |
|-----------|---------|

NOT VOTING—16

- | | | |
|-----------|--------------|---------|
| Conlan | Helstoski | Stagers |
| Erlenborn | Hinshaw | Stokes |
| Gaydos | Moorhead, | Udall |
| Hagedorn | Calif. | Whalen |
| Hansen | Patman, Tex. | Whitten |
| Hébert | Rostenkowski | |

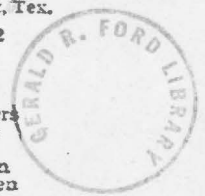
The Clerk announced the following pairs:

- On this vote:
- Mr. Udall for, with Mr. Henderson against.
 - Mr. Patman for, with Mr. Hébert against.
 - Mr. Rostenkowski for, with Mr. Erlenborn against.
 - Mr. Stokes for, with Mr. Conlan against.
 - Mr. Helstoski for, with Mr. Whitten against.

Until further notice:

- Mr. Gaydos with Mr. Whalen.
- Mr. Stagers with Mr. Hansen.
- Mr. Moorhead of California with Mr. Hagedorn.

Mr. HENDERSON. Mr. Speaker, I have a live pair with the gentleman from Arizona (Mr. UDALL). If he had been present, he would have voted "yea." I

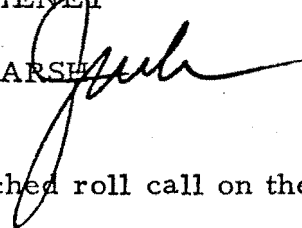


193

See Cheney

THE WHITE HOUSE
WASHINGTON
December 3, 1975

MEMORANDUM TO: DICK CHENEY
FROM: JACK MARSH



Max has provided me with the attached roll call on the situs picketing bill which you requested.

Also attached is a page of the Congressional Record showing the vote on New York City. On this vote :

- 38 Republicans voted for the bill
- 175 Democrats voted for the bill
- 100 Republicans voted against the bill
- 103 Democrats voted against the bill
- 7 Republicans not voting
- 9 Democrats not voting
- Republicans voting present
- 2 Democrats voting present



IMMEDIATE
PRECEDENCE

UNCLAS
CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: JACK MARSH
TO: DICK CHENEY

DEX _____
DAC 051 GPS _____
LDX _____ PAGES 4
TTY _____ CITE _____

INFO:

DTG: 032258Z Dec 75

RELEASED BY:

[Handwritten Signature]

TOR: 032327Z

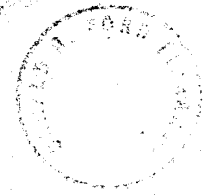
SPECIAL INSTRUCTIONS:

1975 DEC 3 22 58

75 DEC 3 PM 6:36

[Handwritten Initials]

WHITE HOUSE
COMMUNICATIONS ROOM



THE WHITE HOUSE

WASHINGTON

December 3, 1975

MEMORANDUM TO: DICK CHENEY

FROM: JACK MARSH

Max has provided me with the attached roll call on the situs picketing bill which you requested.

Also attached is a page of the Congressional Record showing the vote on New York City. On this vote :

38	Republicans voted for the bill
175	Democrats voted for the bill
100	Republicans voted against the bill
103	Democrats voted against the bill
7	Republicans not voting
9	Democrats not voting
-	Republicans voting present
2	Democrats voting present



NYC loans

38 GOP
Y

derive substantial income from municipal purchasing will suffer greatly, as in turn will the thousands of employees of these firms. When we help New York City we help these businesses and the people they employ.

We must all realize the gravity of a New York City default. I have tried to outline some of the more serious implications. There can be no doubt that the national interest requires our immediate action to avoid a New York City default. While the substitute bill is a means to this end, the underlying causes of this crisis remain and continue to threaten the entire structure of urban government in this country. It is clear to me that many of the complex causes of the New York City problem are not unique to that city, and that those persons who seek to place the entire blame solely on what they term "mismanagement in city government" lack a basic understanding of the growing urban crisis in this Nation. Passage of this bill, while a solution to the immediate problem, offers no solution to what is now threatening the stability of our country. We must now undertake to examine these causes and develop a responsible Federal policy to insure that this Nation is not again threatened by the inability of local governments to meet the needs of the people.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended, offered by the gentleman from Ohio (Mr. J. WILLIAM STANTON).

The question was taken; and on a division (demanded by Mr. BAUMAN) there were—ayes 71, nays 31.

So the amendment in the nature of a substitute, as amended, was agreed to.

Mr. J. WILLIAM STANTON. Mr. Chairman, I offer a technical amendment.

The CHAIRMAN. The Chair will advise the gentleman from Ohio that inasmuch as the amendment in the nature of a substitute has been agreed to, no further amendments are in order at this time. The amendment sent to the desk by the gentleman from Ohio would be in order in the House after the committee has risen.

Mr. J. WILLIAM STANTON. I thank the Chairman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10481) to authorize emergency guarantees of obligations of States and political subdivisions thereof; to amend the Internal Revenue Code of 1954 to provide that income from certain obligations guaranteed by the United States shall be subject to taxation; to amend the Bankruptcy Act; and for other purposes, pursuant to House Resolution 865, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 213, nays 203, answered "present" 2, not voting 16, as follows:

[Roll No. 728]
YEAS—213

- | | | |
|-----------------|-----------------|----------------|
| Abzug | Frenzel | Nowak |
| Adams | Gialmo | Oberstar |
| Addabbo | Gilman | Obey |
| Allen | Green | O'Hara |
| Ambro | Gude | O'Neill |
| Anderson, Ill. | Hall | Ottinger |
| Annunzio | Hanley | Patten, N.J. |
| Ashley | Hannaford | Patterson, |
| Aspin | Harkin | Calif. |
| Badillo | Harrington | Pattison, N.Y. |
| Barrett | Hastings | Pepper |
| Beard, R.I. | Hawkins | Peyster |
| Bedell | Hayes, Ind. | Pike |
| Bergland | Hays, Ohio | Price |
| Blaggi | Heckler, Mass. | Rangel |
| Blester | Helms | Rees |
| Bingham | Holtzman | Reuss |
| Blanchard | Horton | Rhodes |
| Blouin | Howard | Richmond |
| Boggs | Howe | Riegle |
| Boland | Hughes | Rinaldo |
| Bolling | Jefords | Rodino |
| Bonker | Johnson, Calif. | Roe |
| Brademas | Johnson, Pa. | Roncallo |
| Brodhead | Jones, Ala. | Roosey |
| Brown, Calif. | Jordan | Rosenthal |
| Brown, Mich. | Karth | Roush |
| Brown, Ohio | Kastenmeyer | Roybal |
| Buchanan | Kemp | Ruppe |
| Burke, Calif. | Koch | Russo |
| Burke, Mass. | Krebs | St Germain |
| Burton, John | LaFalce | Sarasin |
| Burton, Phillip | Leggett | Sarbanes |
| Carney | Lehman | Scheuer |
| Carr | Lent | Seiberling |
| Chisholm | Litton | Sharp |
| Clay | Long, La. | Simon |
| Collins, Ill. | McCloskey | Sisk |
| Conable | McCormack | Smith, Iowa |
| Conte | McEwen | Solarz |
| Conyers | McFall | Spellman |
| Corman | McHugh | Stanton, |
| Cotter | McKay | J. William |
| Daniels, N.J. | McKinney | Stanton, |
| Danielson | Maddonald | James V. |
| Delaney | Madden | Stark |
| Dellums | Matsunaga | Stratton |
| Dent | Meeds | Studds |
| Diggs | Melcher | Symington |
| Dingell | Metcalfe | Thompson |
| Dodd | Meyner | Thornton |
| Downey, N.Y. | Mezvinsky | Traxler |
| Drinan | Michel | Tsongas |
| Duncan, Oreg. | Mikva | Ullman |
| Eckhardt | Miller, Calif. | Van Deerlin |
| Edgar | Mineta | Vander Jagt |
| Edwards, Calif. | Minish | Vander Veen |
| Ellberg | Mink | Vanik |
| Evans, Colo. | Mitchell, Md. | Vigorito |
| Evins, Tenn. | Mitchell, N.Y. | Walsh |
| Fary | Moakley | Waxman |
| Fascell | Moffett | Weaver |
| Fenwick | Moorhead, Pa. | Wiggins |
| Fish | Morgan | Wilson, C. H. |
| Fisher | Mosher | Wolf |
| Flood | Moss | Wright |
| Florio | Murphy, Ill. | Wylder |
| Foley | Murphy, N.Y. | Wylie |
| Ford, Mich. | Murtha | Yates |
| Ford, Tenn. | Nedzi | Young, Ga. |
| Forsythe | Nix | Zablocki |
| Fraser | Nolan | Zerfetti |

- NAYS—203
- | | | |
|----------------|-----------------|----------------|
| Abdnor | Flynt | Mottl |
| Alexander | Fountain | Myers, Ind. |
| Anderson, | Frey | Myers, Pa. |
| Calif. | Fuqua | Natcher |
| Andrews, N.C. | Gibbons | Neal |
| Andrews, | Ginn | Nichols |
| N. Dak. | Goldwater | O'Brien |
| Archer | Gonzalez | Passman |
| Armstrong | Goodling | Perkins |
| Ashbrook | Gradison | Pettis |
| AuCoin | Grassley | Pickle |
| Bafalis | Guyer | Poage |
| Baldus | Haley | Pressler |
| Baucus | Hamilton | Preyer |
| Bauman | Hammer- | Pritchard |
| Beard, Tenn. | schmidt | Quie |
| Bell | Harris | Quillen |
| Bennett | Harsha | Rallsback |
| Revoll | Hechler, W. Va. | Randall |
| Bowen | Hefner | Regula |
| Breaux | Hicks | Risenhoover |
| Breckinridge | Hightower | Robinson |
| Brinkley | Hillis | Rogers |
| Brooks | Holland | Rose |
| Broomfield | Holt | Rousselot |
| Broyhill | Hubbard | Runnels |
| Burgener | Hungate | Ryan |
| Burke, Fla. | Hutchinson | Santini |
| Burleson, Tex. | Hyde | Satterfield |
| Burlison, Mo. | Ichord | Schneebeil |
| Butler | Jacobs | Schroeder |
| Byron | Jarman | Schulze |
| Carter | Jenrette | Sebelius |
| Casey | Johnson, Colo. | Shibley |
| Cederberg | Jones, N.C. | Shriver |
| Chappell | Jones, Okla. | Shuster |
| Clancy | Jones, Tenn. | Sikes |
| Clausen, | Kasten | Skubitz |
| Don H. | Kazen | Slack |
| Clawson, Del | Kelly | Smith, Nebr. |
| Cleveland | Ketchum | Snyder |
| Cochran | Keys | Spence |
| Cohen | Kindness | Steed |
| Collins, Tex. | Krueger | Steelman |
| Cornell | Lagomarsino | Steiger, Ariz. |
| Coughlin | Landrum | Steiger, Wis. |
| Crane | Latta | Stephens |
| D'Amours | Levitas | Stucky |
| Daniel, Dan | Lloyd, Calif. | Sullivan |
| Daniel, R. W. | Lloyd, Tenn. | Symms |
| Davis | Long, Md. | Talcott |
| de la Garza | Lott | Taylor, Mo. |
| Derrick | Lujan | Taylor, N.C. |
| Derwinski | McClary | Teague |
| Devine | McCollister | Thone |
| Dickinson | McDade | Treen |
| Downing, Va. | McDonald | Waggonner |
| Duncan, Tenn. | Madigan | Wampler |
| du Pont | Mahon | White |
| Early | Mann | Whitehurst |
| Edwards, Ala. | Marin | Wilson, Bob |
| Emery | Mathis | Wilson, Tex. |
| English | Mazzoli | Winn |
| Esch | Milford | Wirth |
| Eshleman | Miller, Ohio | Yatron |
| Evans, Ind. | Mills | Young, Alaska |
| Findley | Mollohan | Young, Fla. |
| Fithian | Montgomery | Young, Tex. |
| Flowers | Moore | |

ANSWERED "PRESENT"—2

- | | |
|-----------|---------|
| Henderson | Maguire |
|-----------|---------|

NOT VOTING—16

- | | | |
|-----------|--------------|----------|
| Conlan | Helstoski | Staggers |
| Erlenborn | Hinshaw | Stokes |
| Gaydos | Moorhead, | Udall |
| Hagedorn | Calif. | Whalen |
| Hansen | Patman, Tex. | Whitten |
| Hébert | Rostenkowski | |

The Clerk announced the following pairs:

- On this vote:
- Mr. Udall for, with Mr. Henderson against.
 - Mr. Patman for, with Mr. Hébert against.
 - Mr. Rostenkowski for, with Mr. Erlenborn against.
 - Mr. Stokes for, with Mr. Conlan against.
 - Mr. Helstoski for, with Mr. Whitten against.

Until further notice:

- Mr. Gaydos with Mr. Whalen.
- Mr. Staggers with Mr. Hansen.
- Mr. Moorhead of California with Mr. Hagedorn.

Mr. HENDERSON. Mr. Speaker, I have a live pair with the gentleman from Arizona (Mr. UDALL). If he had been present, he would have voted "yea." I

213
38
175 D

voted "nay." I withdraw my vote and vote "present."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. J. WILLIAM STANTON TO THE TITLE

Mr. J. WILLIAM STANTON. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment offered by Mr. J. WILLIAM STANTON to the title: Amend the title so as to read: "A bill to authorize the Secretary of the Treasury to provide seasonal financing for the City of New York."

The title amendment was agreed to. A motion to reconsider was laid on the table.

REQUEST FOR PERMISSION TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 10481

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make corrections in punctuation, section numbers, and cross-references in the engrossment of H.R. 10481.

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

Mr. BAUMAN. Mr. Speaker, I object. The SPEAKER. Objection is heard.

GENERAL LEAVE

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

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 60 minutes.

[Mr. KEMP addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. JEFFORDS) is recognized for 10 minutes.

[Mr. JEFFORDS addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

THE ROBINSON-PATMAN ACT: EQUAL OPPORTUNITY OR PRICE DISCRIMINATION—WHICH WILL IT BE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, on November 6, 1975, the House Small Business Committee's Ad Hoc Subcommittee on Antitrust, the Robinson-Patman Act,

and related matters, of which I have the honor to serve as chairman, held hearings regarding the Robinson-Patman Act. During the course of those hearings, I was amazed by the large number of businessmen and others who came forward and testified in support of the Robinson-Patman Act. Representatives of scores of trade associations of businessmen included statements in that testimony.

Mr. Speaker, I include in the RECORD at this point the following statement which includes the names of national associations and the statements made on their behalf in support of the Robinson-Patman Act:

LIST OF SUPPORTERS OF THE ROBINSON-PATMAN ACT

Associated Retail Bakers of America, 731-735 West Sheridan Road, Chicago, Ill. 60613.
Automotive Warehouse Distributors Assoc., 633 E. 63rd Street, Kansas City, Mo. 64110.
Independent Shoemen Inc., 14 Clover Road, West Yarmouth, Mass. 02673.
Infants' and Children's Coat Assoc. Inc., 450 Seventh Avenue, New York City, N.Y. 10001.
Menswear Retailers of America, 390 National Press Building, Washington, D.C. 20045.
National Assoc. of Music Merchants, 222 West Adams Street, Chicago, Ill. 60606.
National Assoc. of Retail Druggists, 1 East Wacker Drive, Chicago, Ill. 60601.
National Assoc. of Retail Grocers of the U.S. Inc., 2000 Spring Road, Oak Brook, Ill. 60521.
National Assoc. of Tobacco Distributors Inc., 58 E. 79th St., New York City, N.Y. 10021.
National Beer Wholesalers' Assoc. of America Inc., 6310 North Cicero Avenue, Chicago, Ill. 60646.
National Candy Wholesalers Assoc., 1430 K Street, N.W., Washington, D.C. 20006.
National Congress of Petroleum Retailers, 2021 K Street, N.W., Washington, D.C. 20006.
National Electronic Distributors Assoc., 3525 W. Peterson Avenue, Chicago, Ill. 60659.
National Food Brokers Assoc., 1916 M Street, N.W., Washington, D.C. 20036.
National Home Furnishings Assoc., 1150 Merchandise Mart Plaza, Chicago, Ill. 60654.
National Independent Dairies Assoc., 1225-19th Street N.W., Washington, D.C. 20036.
National Independent Meat Packers Assoc., 743-15th Street, N.W., Washington, D.C. 20005.
National Liquor Stores Assoc., 339 Main Street, Worcester, Mass. 01608.
National Newspaper Assoc., 491 National Press Building, Washington, D.C. 20004.
National Retail Hardware Assoc., 964 North Pennsylvania Street, Indianapolis, Ind. 46204.
National Screw Machine Products Assoc., 2860 East 130th Street, Cleveland, Ohio 44120.
National Small Business Assoc., 1225-19th Street, N.W., Washington, D.C. 20036.
National Tire Dealers and Retreaders Assoc., Inc., 1343 L Street, N.W., Washington, D.C. 20005.
Photo Marketing Assoc., 603 Lansing Avenue, Jackson, Mich. 49202.
Retail Floorcovering Institute, 405 Merchandise Mart, Chicago, Ill. 60654.
Retail Jewelers of America, Inc., 10 Rooney Circle, West Orange, N.J. 07052.
Society of American Florists and Ornamental Horticulturists, 901 North Washington Street, Alexandria, Va. 22314.
Sons of Bosses International, 1040 Broadway, Westville, N.J. 08093.
United Infants' and Children's Wear Assoc. Inc., 520 Eighth Avenue, New York City, N.Y. 10018.
Wine and Spirits Wholesalers of America, 7750 Clayton Road, St. Louis, Mo. 63117.

Christian Booksellers Assoc., 2031 West Cheyenne Road, Colorado Springs, Colo. 80906.

THE ROBINSON-PATMAN ACT: EQUAL OPPORTUNITY OR PRICE DISCRIMINATION—WHICH WILL IT BE?

INTRODUCTION

From time to time in its 40 year history the Robinson-Patman Act has come under criticism. Recently officials of the Department of Justice have issued statements attacking the need for the law to protect the competitive system.

This statement is a response to such criticisms for the purpose of presenting a reasoned case showing that a strong public policy against price discriminations serves the public interest.

BACKGROUND

On June 19, 1936, Congress approved the Robinson-Patman Act by an overwhelming vote. Earlier investigations had shown that equality of opportunity in business was being denied small business by large competitors gaining discriminatory price advantages from manufacturers.

In March 1936, the House Judiciary Committee reported to the Congress—

"Your committee is of the opinion that the evidence is overwhelming that price discriminatory practices exist to such an extent that the survival of independent merchants, manufacturers, and other businessmen is seriously imperiled and that remedial legislation is necessary."¹

After investigation, the Federal Trade Commission found that the ability of a few large distributors to purchase merchandise at a lower cost than their smaller competitors was an outstanding feature of the growth and development of excessively powerful merchandisers. The Commission's report stated—

"These lower costs have frequently found expression in the form of special discounts, concessions, or collateral privileges which were not available to smaller purchasers."²

Frequently preferences were granted by suppliers only after powerful buyers pressured them into such action. In 1934, the Commission reported—

"There were interviews with 129 manufacturers in the grocery group, 76 of which admitted that preferential treatment in some form was given. Thirty-three of the manufacturers interviewed stated positively that threats and coercion had been used by chain-store companies to obtain preferential treatment. . . . There were 88 manufacturers interviewed in the drug group, 36 of which admitted price preferences were given to chains. . . . Of the 26 tobacco manufacturers interviewed, 16 admitted that price preferences are given by means of extra discounts, rebates, or other allowances. Where threats or coercive measures to force discounts and allowances were employed, some of the manufacturers yielded rather than risk the consequences of their failure to meet the demands of these powerful buying organizations."³

Actually the beginning of Congress' efforts to ban harmful discrimination in commerce predated the Robinson-Patman Act by almost fifty years. In 1887, the Interstate Commerce Act was passed to ban the practice of railroads giving preferential freight rates to favored shippers by means of rebates and similar means. Three years later the Sherman Act was passed to prohibit contracts, combinations, or conspiracies in restraint of trade, and monopolization and attempts to monopolize. The overall aim was to remove roadblocks in competitive trade channels.

But the country and Congress soon learned that the Sherman Act was inadequate to deal

Footnotes at end of article.

IMPACT ON HOUSING COSTS

As all of us know, housing construction costs in the United States are soaring, and many working Americans are no longer able to afford buying a newly constructed home. This very fact alone has caused hard times in the construction industry nationwide and has left a number of construction workers out of work. Yet, the Committee on Education and Labor has not seriously considered the impact of this bill, were it to be enacted, on the housing situation today. Serious questions remain to be answered. Will this bill raise construction costs for new housing, and if so, how much? Will this bill, by raising construction costs, exacerbate the current slowdown in the construction industry and thus cause further unemployment among construction workers? Does this bill have the best interests of the consumer and the construction worker in mind? These are questions that have not been fully addressed, and they should be addressed before this House adopts legislation with such possibly far-reaching impact.

DISCOURAGES NEW TECHNOLOGICAL DEVELOPMENTS

Further, I have grave doubts about the theory of the "joint venture" and its possible impact if this bill is adopted. The logical conclusion of the "joint venture" concept is to permit secondary boycotts against any employer contributing to a product's creation. The possibility of secondary boycotts of materials is one that is particularly disconcerting to me. Such boycotts would discourage the use of new technologies and new materials. This would have a rippling effect by discouraging the development of new technological breakthroughs. We are finding that current construction techniques and design will have to be altered in the future to meet energy shortages and shortages of natural resources, yet secondary boycotts of materials and certain technological advances would seem to have a very negative impact on our ability to meet new realities regarding energy and natural resources. Again, I find the committee did not fully address this important issue and again questions need to be answered. Will this bill impede progress in new building techniques and materials? Will it have a negative impact on our efforts to find feasible solar heating devices? And how much more will housing and buildings that do not have the benefit of such developments cost the consumer over the long run?

DETRIMENTAL TO ECONOMIC RECOVERY

Another crucial question that I believe has not been adequately addressed is: Will H.R. 5900 have a serious detrimental impact on our Nation's economic recovery? Present indications are that we are beginning to pull out of one of the worst recessions of this century. Will enactment of this bill jeopardize progress on the economic front? I, for one, believe that this is a question we must ask ourselves when we consider any legislation, and certainly we need to explore this issue much more carefully than we have in regards to this bill. Some of the questions I have raised above regarding the cost of housing and the impact on the

construction industry are critical to this larger question. We must also ask who will bear the brunt of any major governmental construction projects that are completely shut off by common situs picketing. As we can see from Washington, D.C.'s Metro project, which is beset with labor problems that are causing incredibly inflating costs, the taxpayer's public ultimately must pay such costs. Will this bill significantly add to such costs? Again, we have a question that has not received complete consideration in committee.

NOT JUST A LABOR ISSUE

Mr. Chairman, I perceive this bill as more than simply raising a pro- or anti-labor issue. Before us is more than simply a question of whether or not to lift the ban on common situs picketing in the construction industry. This bill will have a serious impact on this country's economic recovery, on the current slump in the construction industry, on our ability to meet new energy demands in the buildings we design and build, on the ability of the American consumer to afford adequate housing, and on the taxpayer's public to afford governmentally funded construction. Most of these questions, in my opinion, have not been fully addressed, perhaps because the answers would show this bill is not advisable at this point in time. In any event, the fact that these issues are unresolved causes me to have serious doubts about the wisdom of this bill and I will cast my vote against it.

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers, pursuant to House Resolution 631, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment. The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device; and there were—yeas 230, nays 178, not voting 26, as follows:

[Roll No. 437]
YEAS—230

Abzug	Gude	Patman, Tex.
Adams	Hall	Patten, N.J.
Addabbo	Hamilton	Patterson,
Ambro	Hanley	Calif.
Anderson,	Hannaford	Pepper
Calif.	Harrington	Perkins
Annunzio	Harris	Peyster
Ashley	Hawkins	Pike
Aspin	Hayes, Ind.	Pressler
AuCoin	Hays, Ohio	Price
Barrett	Hechler, W. Va.	Pritchard
Baucus	Heckler, Mass.	Quie
Beard, R.I.	Heinz	Railsback
Bennett	Heistoski	Randall
Bergland	Hicks	Rangel
Blester	Hillis	Rees
Bingham	Holtzman	Reuss
Bianchard	Howard	Richmond
Blouin	Howe	Riegle
Boggs	Ichord	Rinaldo
Boland	Jacobs	Risenhoover
Bolling	Johnson, Calif.	Rodino
Bonker	Jones, Ala.	Roe
Brademas	Jones, Okla.	Roncalio
Ereaux	Jordan	Rooney
Brodhead	Karth	Rosenthal
Brooks	Kastenmeier	Rostenkowski
Brown, Calif.	Kemp	Roush
Burke, Calif.	Ketchum	Royal
Burke, Mass.	Koch	Runnels
Burlison, Mo.	LaFalce	Russo
Burton, John	Lagomarsino	Ryan
Burton, Phillip	Lehman	St Germain
Carney	Litton	Santini
Carr	Lloyd, Calif.	Sarasin
Chisholm	Long, La.	Sarbanes
Clausen,	McCormack	Schauer
Don H.	McDade	Schroeder
Clay	McFall	Seiberling
Collins, Ill.	McHugh	Sharp
Conte	McKinney	Shipley
Corman	Macdonald	Simon
Cornell	Madden	Sisk
Cotter	Maguire	Slack
Daniels, N.J.	Matsunaga	Smith, Iowa
Davis	Mazzoli	Solarz
Deaney	Meeds	Spellman
Dellums	Metcher	Stanton,
Dent	Metcalfe	James V.
Diggs	Meyner	Stark
Dingell	Mezvinsky	Stokes
Dodd	Mikva	Stratton
Downey, N.Y.	Miller, Calif.	Studds
Drinan	Mills	Sullivan
Duncan, Oreg.	Mineta	Symington
Early	Minish	Talcott
Eckhardt	Mink	Thompson
Edgar	Mitchell, Md.	Traxler
Edwards, Calif.	Moakley	Tsongas
Ellberg	Moffett	Udall
Evans, Ind.	Mollohan	Ullman
Fary	Moorhead, Pa.	Van Deerlin
Fascell	Morgan	Vander Veen
Fish	Moss	Vanik
Fisher	Mottl	Vigorito
Fithian	Murphy, Ill.	Walsh
Flood	Murtha	Waxman
Florio	Myers, Ind.	Weaver
Ford, Mich.	Natcher	Whalen
Ford, Tenn.	Nedzi	Wilson, C. H.
Fraser	Nix	Wilson, Tex.
Fulton	Nolan	Wolf
Gaydos	Nowak	Wright
Giaino	Oberstar	Yates
Gilman	Obey	Yatron
Goldwater	O'Hara	Young, Ga.
Gonzalez	O'Neill	Zablocki
Green	Ottinger	Zefiretti

NAYS—178

Abdnor	Archer	Bedell
Alexander	Armstrong	Bevill
Anderson, Ill.	Ashbrook	Bowen
Andrews, N.C.	Bafalis	Breckinridge
Andrews,	Bauman	Brinkley
N. Dak.	Beard, Tenn.	Broomfield

*Common Situs Vote House of Representative
July 25, 1975*

Brown, Ohio	Hansen	Pettis
Broyhill	Harkin	Pickle
Buchanan	Harsha	Poage
Burgener	Hastings	Preyer
Burke, Fla.	Hébert	Regula
Burlinson, Tex.	Hefner	Rhodes
Butler	Henderson	Roberts
Byron	Hightower	Robinson
Carter	Hinshaw	Rogers
Casey	Holland	Rose
Cederberg	Holt	Rousselot
Chappell	Hubbard	Ruppe
Clawson, Del.	Hungate	Satterfield
Cleveland	Hutchinson	Schneebell
Cochran	Hyde	Schulze
Cohen	Jarman	Sebellus
Collins, Tex.	Johnson, Colo.	Shriver
Conable	Jones, N.C.	Shuster
Coughlin	Jones, Tenn.	Sikes
Crane	Kasten	Skubitz
D'Amours	Kazen	Smith, Nebr.
Daniel, Dan	Kelly	Snyder
Daniel, R. W.	Kindness	Spence
de la Garza	Krebs	Stanton
Derrick	Kruoger	J. William
Derwinski	Latta	Steed
Devine	Lent	Steelman
Dickinson	Levitas	Steiger, Ariz.
Downing, Va.	Lloyd, Tenn.	Steiger, Wis.
Duncan, Tenn.	Long, Md.	Stephens
du Pont	Lott	Stuckey
Edwards, Ala.	Lujan	Symms
Emery	McCollister	Taylor, Mo.
English	McDonald	Taylor, N.C.
Erlenborn	McEwen	Teague
Esch	McKay	Thone
Evans, Colo.	Madigan	Thornton
Evins, Tenn.	Mabon	Treen
Fenwick	Mann	Vander Jagt
Findley	Martin	Waggonner
Flowers	Mathis	Wampler
Flynt	Michel	White
Fountain	Milford	Whitehurst
Frenzel	Miller, Ohio	Whitten
Frey	Mitchell, N.Y.	Wiggins
Fuqua	Montgomery	Wilson, Bob
Gibbons	Moore	Winn
Ginn	Moorhead,	Wydler
Goodling	Calif.	Wylie
Gradison	Mosher	Young, Alaska
Grassley	Myers, Pa.	Young, Fla.
Guyser	Neal	Young, Tex.
Hagedorn	Nichols	
Haley	O'Brien	
Hammer-	Fassman	
schmidt	Pattison, N.Y.	

NOT VOTING—26

Badillo	Eshleman	Landrum
Baldus	Foley	Leggett
Bell	Forsythe	McClory
Biaggi	Horton	McCloskey
Brown, Mich.	Hughes	Murphy, N.Y.
Clancy	Jeffords	Quillen
Conlan	Jenrette	Staggers
Conyers	Johnson, Pa.	Wirth
Danielson	Keys	

So the bill was passed.
The Clerk announced the following pairs:

On this vote:
Mrs. Keys for, with Mr. Landrum against.
Mr. Conyers for, with Mr. McClory against.
Mr. McCloskey for, with Mr. Conlan against.
Mr. Bell for, with Mr. Quillen against.
Mr. Danielson for, with Mr. Eshleman against.
Mr. Biaggi for, with Mr. Johnson of Pennsylvania against.

Until further notice:
Mr. Murphy of New York with Mr. Brown of Michigan.
Mr. Badillo with Mr. Jeffords.
Mr. Baldus with Mr. Clancy.
Mr. Staggers with Mr. Jenrette.
Mr. Hughes with Mr. Foley.
Mr. Leggett with Mr. Wirth.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent that all Members

may have five legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Heiting, one of his secretaries, who also informed the House that on July 24, 1975, the President approved and signed a bill of the House of the following title:

H.R. 5709. An act to extend until September 30, 1977, the provisions of the Offshore Shrimp Fisheries Act of 1973 relating to the shrimp fishing agreement between the United States and Brazil, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3130) entitled "An act to amend the National Environmental Policy Act of 1969 in order to clarify the procedures therein with respect to the preparation of environmental impact statements."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6219. An act to amend the Voting Rights Act of 1965 to extend certain provisions for an additional ten years, to make permanent the ban against certain prerequisites to voting, and for other purposes.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL MIDNIGHT, SATURDAY, JULY 26, 1975, TO FILE A REPORT ON H.R. 6674

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight Saturday, July 26, 1975, to file a report on H.R. 6674, to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes.

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

There was no objection.

PERSONAL EXPLANATION

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

Mr. WHALEN. Mr. Speaker, on a call No. 430, the rule on H.R. 5900, I intended to vote "yea", as I fully support the bill. However, I inadvertently pushed the "nay" button.

PERSONAL EXPLANATION

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

Mr. BURGNER. Mr. Speaker, due to a malfunction in the bell system in my office, which is supposed to alert Members to a vote, I was absent during call No. 431. Had I been present I would have voted "yea".

THE EDUCATION DIVISION ANTI-LATER AGENCIES APPROPRIATION ACT, 1976—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 94-222)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return without my approval 5901, the Education Division Antilater Agencies Appropriation Act. Throughout my public life, I have believed—and still believe—that education is one of the foundation stones of a republic. But that is not the issue of this appropriation bill.

The real issue is whether we are going to impose fiscal discipline on ourselves or whether we are going to let ourselves into fiscal insolvency.

This is the first regular appropriation bill passed by the Congress this year. It provides \$7.9 billion, \$1.5 billion more than I requested.

Earlier this year, I drew a line on the budget deficit for fiscal year 1976. That line is considerably higher than I would like. On May 14, the Congress drew its own line on the deficit at \$69 billion. But now, the Congress has passed a budget scorekeeping report which estimates a possible deficit this year of \$11 billion.

I cannot, in good conscience, support such a deficit, not only because it means this year, but next year as well. In fact, if this bill were to become law, nearly \$1 billion would be added to next year's deficit.

While I do not insist that my budget recommendation is the most acceptable, I do believe major repairs must be made in this bill. They could make a substantial move in the right direction by simply accepting my recommendations for impact studies on higher education. In these studies alone, Congress has added \$913 million to my proposals.

No single program is more important than the Impact Aid program. I have, with President Eisenhower, even

THE WHITE HOUSE

WASHINGTON

December 3, 1975

MEMORANDUM TO: DICK CHENEY

FROM: JACK MARSH

Max has provided me with the attached roll call on the situs picketing bill which you requested.

Also attached is a page of the Congressional Record showing the vote on New York City. On this vote :

38	Republicans voted for the bill
175	Democrats voted for the bill
100	Republicans voted against the bill
103	Democrats voted against the bill
7	Republicans not voting
9	Democrats not voting
-	Republicans voting present
2	Democrats voting present



As all of us know, housing construction in the United States are soaring, many working Americans are no longer able to afford buying a newly constructed home. This very fact alone has caused hard times in the construction industry nationwide and has left a number of construction workers out of work. The Committee on Education and Labor has not seriously considered the impact of this bill, were it to be enacted, the housing situation today. Serious questions remain to be answered. Will this bill raise construction costs for new housing, and if so, how much? Will this, by raising construction costs, exacerbate the current slowdown in the construction industry and thus cause further unemployment among construction workers? Does this bill have the best interests of the consumer and the construction worker in mind? These are questions that have not been fully addressed, and they should be addressed before this House adopts legislation with such possibly far-reaching impact.

DISCOURAGES NEW TECHNOLOGICAL DEVELOPMENTS

Further, I have grave doubts about the efficacy of the "joint venture" and its possible impact if this bill is adopted. The logical conclusion of the "joint venture" concept is to permit secondary boycotts against any employer contributing to a product's creation. The possibility of secondary boycotts of materials is one that particularly disconcerts me. Such boycotts would discourage the use of new technologies and new materials. This could have a rippling effect by discouraging the development of new technological breakthroughs. We are finding that current construction techniques and design will have to be altered in the future to meet energy shortages and shortages of natural resources, yet secondary boycotts of materials and certain technological advances would seem to have a very negative impact on our ability to meet new realities regarding energy and natural resources. Again, I find the committee did not fully address this important issue and again questions need to be answered. Will this bill impede progress in new building techniques and materials? Will it have a negative impact on our efforts to find feasible solar heating devices? And how much more will housing and buildings that do not have the benefit of such developments cost the consumer over the long run?

DETRIMENTAL TO ECONOMIC RECOVERY

Another crucial question that I believe has not been adequately addressed is: Will H.R. 5900 have a serious detrimental impact on our Nation's economic recovery? Present indications are that we are beginning to pull out of one of the worst recessions of this century. Will enactment of this bill jeopardize progress on the economic front? I, for one, believe that this is a question we must ask ourselves when we consider any legislation, and certainly we need to explore this issue much more carefully than we have in regards to this bill. Some of the questions I have raised above regarding the cost of housing and the impact on the

larger question. We must also ask who will bear the brunt of any major governmental construction projects that are completely shut off by common situs picketing. As we can see from Washington, D.C.'s Metro project, which is beset with labor problems that are causing incredibly inflating costs, the taxpaying public ultimately must pay such costs. Will this bill significantly add to such costs? Again, we have a question that has not received complete consideration in committee.

NOT JUST A LABOR ISSUE

Mr. Chairman, I perceive this bill as more than simply raising a pro- or anti-labor issue. Before us is more than simply a question of whether or not to lift the ban on common situs picketing in the construction industry. This bill will have a serious impact on this country's economic recovery, on the current slump in the construction industry, on our ability to meet new energy demands in the buildings we design and build, on the ability of the American consumer to afford adequate housing, and on the taxpaying public to afford governmentally funded construction. Most of these questions, in my opinion, have not been fully addressed, perhaps because the answers would show this bill is not advisable at this point in time. In any event, the fact that these issues are unresolved causes me to have serious doubts about the wisdom of this bill and I will cast my vote against it.

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers, pursuant to House Resolution 631, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment. The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

ject to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device; and there were—yeas 230, nays 178, not voting 26, as follows:

[Roll No. 437]
YEAS—230

Abzug	Gude	Patman, Tex.
Adams	Hall	Patten, N.J.
Addabbo	Hamilton	Patterson,
Ambro	Hanley	Calif.
Anderson,	Hannaford	Pepper
Calif.	Harrington	Perkins
Annunzio	Harris	Peyster
Ashley	Hawkins	Pike
Aspin	Hayes, Ind.	Pressler
AuCoin	Hays, Ohio	Price
Barrett	Hechler, W. Va.	Pritchard
Baucus	Heckler, Mass.	Quie
Beard, R.I.	Heinz	Railsback
Bennett	Helstoski	Randall
Bergland	Hicks	Rangel
Biester	Hillis	Rees
Bingham	Holtzman	Reuss
Blanchard	Howard	Richmond
Blouin	Howe	Riegle
Boggs	Ichord	Rinaldo
Boland	Jacobs	Risenhoover
Bolling	Johnson, Calif.	Rodino
Bonker	Jones, Ala.	Roe
Brademas	Jones, Okla.	Roncalio
Breaux	Jordan	Rooney
Brodhead	Karh	Rosenthal
Brooks	Kastenmeier	Rostenkowski
Brown, Calif.	Kemp	Roush
Burke, Calif.	Ketchum	Roybal
Burke, Mass.	Koch	Runnels
Burlison, Mo.	LaFalce	Russo
Burton, John	Lagomarsino	Ryan
Burton, Phillip	Lehman	St Germain
Carney	Litton	Santini
Carr	Lloyd, Calif.	Sarasin
Chisholm	Long, La.	Sarbanes
Clausen,	McCormack	Scheuer
Don H.	McDade	Schroeder
Clay	McFall	Seiberling
Collins, Ill.	McHugh	Sharp
Conte	McKinney	Shipley
Corman	Macdonald	Simon
Cornell	Madden	Sisk
Cotter	Maguire	Slack
Daniels, N.J.	Matunaga	Smith, Iowa
Davis	Mazzoli	Soiarz
Delaney	Meeds	Spellman
Dellums	Meicher	Stanton,
Dent	Metcalfe	James V.
Diggs	Meyner	Stark
Dingell	Mezvinsky	Stokes
Dodd	Mikva	Stratton
Downey, N.Y.	Miller, Calif.	Studds
Drinan	Mills	Sullivan
Duncan, Ore.	Mineta	Symington
Early	Minish	Talcott
Eckhardt	Mink	Thompson
Edgar	Mitchell, Md.	Traxler
Edwards, Calif.	Moakley	Tsongas
Eilberg	Moffett	Udall
Evans, Ind.	Mollohan	Ullman
Fary	Moorhead, Pa.	Van Deerlin
Fascell	Morgan	Vander Veen
Fish	Moss	Vanik
Fisher	Mottl	Vigorito
Fithian	Murphy, Ill.	Walsh
Flood	Murtha	Waxman
Florio	Myers, Ind.	Weaver
Ford, Mich.	Natcher	Whalen
Ford, Tenn.	Nedzi	Wilson, C. H.
Fraser	Nix	Wilson, Tex.
Fulton	Nolan	Wolf
Gaydos	Nowak	Wright
Gaiamo	Oberstar	Yates
Gilman	Obey	Yatron
Goldwater	O'Hara	Young, Ga.
Gonzalez	O'Neill	Zablocki
Green	Ottinger	Zeferetti

NAYS—178

Abdnor	Archer	Bedell
Alexander	Armstrong	Bevill
Anderson, Ill.	Ashbrook	Eowen
Andrews, N.C.	Baflis	Ereckinridge
Andrews,	Bauman	Brinkley
N. Dak.	Beard, Tenn.	Broomfield

Common Situs Vote House of Representative July 25, 1975

Brown, Ohio	Hansen	Pettis
Broyhill	Harkin	Pickle
Buchanan	Harsha	Poage
Burgener	Hastings	Freyer
Burke, Fla.	Hébert	Regula
Burleson, Tex.	Hefner	Rhodes
Butler	Henderson	Roberts
Byron	Hightower	Robinson
Carter	Hinshaw	Rogers
Casey	Holland	Rose
Cederberg	Holt	Rousselot
Chappell	Hubbard	Ruppe
Clawson, Del.	Hungate	Satterfield
Cleveland	Hutchinson	Schneebeil
Cochran	Hyde	Schulze
Cohen	Jarman	Sebellus
Collins, Tex.	Johnson, Colo.	Shriver
Conable	Jones, N.C.	Shuster
Coughlin	Jones, Tenn.	Sikes
Crane	Kasten	Skubitz
D'Amours	Kazen	Smith, Nebr.
Daniel, Dan.	Kelly	Snyder
Daniel, R. W.	Kindness	Spence
de la Garza	Krebs	Stanton
Derrick	Krueger	J. William
Derwinski	Latta	Steed
Devine	Lent	Steelman
Dickinson	Levitas	Steiger, Ariz.
Downing, Va.	Lloyd, Tenn.	Steiger, Wis.
Duncan, Tenn.	Long, Md.	Stephens
du Pont	Lott	Stuckey
Edwards, Ala.	Lujan	Symms
Emery	McCollister	Taylor, Mo.
English	McDonald	Taylor, N.C.
Erlenborn	McEwen	Teague
Esch	McKay	Thone
Evans, Colo.	Madigan	Thornton
Evins, Tenn.	Mahon	Treen
Fenwick	Mann	Vander Jagt
Findley	Martin	Waggoner
Flowers	Mathis	Wampler
Flynt	Michel	White
Fountain	Milford	Whitehurst
Frenzel	Miller, Ohio	Whitten
Frey	Mitchell, N.Y.	Wiggins
Fuqua	Montgomery	Wilson, Bob
Gibbons	Moore	Winn
Goodling	Moorhead,	Wylder
Gradison	Calif.	Wyllie
Grassley	Mosher	Young, Alaska
Guy	Myers, Pa.	Young, Fla.
Hagedorn	Neal	Young, Tex.
Haley	Nichols	
Hammer-	O'Brien	
schmidt	Passman	
	Pattison, N.Y.	

NOT VOTING—26

Badillo	Eshleman	Landrum
Baldus	Foley	Leggett
Bell	Forsythe	McClory
Biaggi	Horton	McCloskey
Brown, Mich.	Hughes	Murphy, N.Y.
Clancy	Jeffords	Quillen
Conlan	Jenrette	Staggers
Conyers	Johnson, Pa.	Wirth
Danielson	Keys	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mrs. Keys for, with Mr. Landrum against.
 Mr. Conyers for, with Mr. McClory against.
 Mr. McCloskey for, with Mr. Conlan against.
 Mr. Bell for, with Mr. Quillen against.
 Mr. Danielson for, with Mr. Eshleman against.
 Mr. Biaggi for, with Mr. Johnson of Pennsylvania against.

Until further notice:

Mr. Murphy of New York with Mr. Brown of Michigan.
 Mr. Badillo with Mr. Jeffords.
 Mr. Baldus with Mr. Clancy.
 Mr. Staggers with Mr. Jenrette.
 Mr. Hughes with Mr. Foley.
 Mr. Leggett with Mr. Wirth.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent that all Members

may have five legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Heiting, one of his secretaries, who also informed the House that on July 24, 1975, the President approved and signed a bill of the House of the following title:

H.R. 5709. An act to extend until September 30, 1977, the provisions of the Offshore Shrimp Fisheries Act of 1973 relating to the shrimp fishing agreement between the United States and Brazil, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3130) entitled "An act to amend the National Environmental Policy Act of 1969 in order to clarify the procedures therein with respect to the preparation of environmental impact statements."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6219. An act to amend the Voting Rights Act of 1965 to extend certain provisions for an additional ten years, to make permanent the ban against certain prerequisites to voting, and for other purposes.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL MIDNIGHT, SATURDAY, JULY 26, 1975, TO FILE A REPORT ON H.R. 6674

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight Saturday, July 26, 1975, to file a report on H.R. 6674, to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes.

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

There was no objection.

PERSONAL EXPLANATION

(Mr. WHALEN asked and was permitted to address the House 1 minute, and to revise and extend his remarks.)

Mr. WHALEN. Mr. Speaker, on call No. 430, the rule on H.R. 5900, intended to vote "yea", as I fully port the bill. However, I inadvertently pushed the "nay" button.

PERSONAL EXPLANATION

(Mr. BURGNER asked and was permitted to address the House 1 minute, and to revise and extend his remarks.)

Mr. BURGNER. Mr. Speaker, a malfunction in the bell system office, which is supposed to alert members to a vote, I was absent during call No. 431. Had I been present I have voted "yea".

THE EDUCATION DIVISION AN RELATED AGENCIES APPROPRIATION ACT, 1976—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC 94-222)

The SPEAKER laid before the following veto message from the President of the United States:

To the House of Representatives
 I return without my approval H.R. 5901, the Education Division and Related Agencies Appropriation Act. Throughout my public life, I have believed—and still believe—that education is one of the foundation stones of a free republic. But that is not the issue of this appropriation bill.

The real issue is whether we are going to impose fiscal discipline on ourselves or whether we are going to let ourselves into fiscal insolvency.

This is the first regular appropriation bill passed by the Congress this year. It provides \$7.9 billion, \$1.5 billion more than I requested.

Earlier this year, I drew a line on the budget deficit for fiscal year 1976. That line is considerably lower than I would like. On May 14, 1975, the Congress drew its own line on the budget deficit. But now, the Congress July 21 budget scorekeeping report estimates a possible deficit this year of \$10.5 billion.

I cannot, in good conscience, support a deficit, not only because it means this year, but next year as well. In fact, if this bill were to become law, nearly \$1 billion would be added to next year's deficit.

While I do not insist that my budget recommendation is the best, I do believe major changes must be made in this bill. The Congress could make a substantial contribution by simply accepting my recommendations for impact aid for higher education. In these difficult times, Congress has added \$9.5 billion to my proposals.

No single program is more important than the Impact Aid program. I have with President Eisenhower, e.

3860P
Y

derive substantial income from municipal purchasing will suffer greatly, as in turn will the thousands of employees of these firms. When we help New York City we help these businesses and the people they employ.

We must all realize the gravity of a New York City default. I have tried to outline some of the more serious implications. There can be no doubt that the national interest requires our immediate action to avoid a New York City default. While the substitute bill is a means to this end, the underlying causes of this crisis remain and continue to threaten the entire structure of urban government in this country. It is clear to me that many of the complex causes of the New York City problem are not unique to that city, and that those persons who seek to place the entire blame solely on what they term "mismanagement in city government" lack a basic understanding of the growing urban crisis in this Nation. Passage of this bill, while a solution to the immediate problem, offers no solution to what is now threatening the stability of our country. We must now undertake to examine these causes and develop a responsible Federal policy to insure that this Nation is not again threatened by the inability of local governments to meet the needs of the people.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended, offered by the gentleman from Ohio (Mr. J. WILLIAM STANTON).

The question was taken; and on a division (demanded by Mr. BAUMAN) there were—ayes 71, nays 31.

So the amendment in the nature of a substitute, as amended, was agreed to. Mr. J. WILLIAM STANTON. Mr. Chairman, I offer a technical amendment.

The CHAIRMAN. The Chair will advise the gentleman from Ohio that inasmuch as the amendment in the nature of a substitute has been agreed to, no further amendments are in order at this time. The amendment sent to the desk by the gentleman from Ohio would be in order in the House after the committee has risen.

Mr. J. WILLIAM STANTON. I thank the Chairman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10481) to authorize emergency guarantees of obligations of States and political subdivisions thereof; to amend the Internal Revenue Code of 1954 to provide that income from certain obligations guaranteed by the United States shall be subject to taxation; to amend the Bankruptcy Act; and for other purposes, pursuant to House Resolution 865, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment. The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 213, nays 203, answered "present" 2, not voting 16, as follows:

[Roll No. 728]
YEAS—213

- | | | |
|-----------------|-----------------|----------------|
| Abzug | Frenzel | Nowak |
| Adams | Giammo | Oberstar |
| Addabbo | Gilman | Obey |
| Allen | Green | O'Hara |
| Ambro | Gude | O'Neill |
| Anderson, Ill. | Hall | Ottinger |
| Annunzio | Hanley | Patten, N.J. |
| Ashley | Hannaford | Patterson, |
| Aspin | Harkin | Calif. |
| Badillo | Harrington | Pattison, N.Y. |
| Barrett | Hastings | Pepper |
| Beard, R.I. | Hawkins | Peyster |
| Bedell | Hayes, Ind. | Pike |
| Bergland | Hays, Ohio | Price |
| Biaggi | Heckler, Mass. | Rangel |
| Blesler | Heinz | Rees |
| Bingham | Holtzman | Reuss |
| Blanchard | Horton | Rhodes |
| Blouin | Howard | Richmond |
| Boggs | Howe | Riegle |
| Boiland | Hughes | Rinaldo |
| Bolling | Jefords | Rodino |
| Bonker | Johnson, Calif. | Roe |
| Brademas | Johnson, Pa. | Roncalio |
| Brodhead | Jones, Ala. | Rooney |
| Brown, Calif. | Jordan | Rosenthal |
| Brown, Mich. | Karth | Roush |
| Brown, Ohio | Kastenmeier | Roybal |
| Buchanan | Kemp | Ruppe |
| Burke, Calif. | Koch | Russo |
| Burke, Mass. | Krebs | St Germain |
| Burton, John | LaFalce | Serasin |
| Burton, Phillip | Leggett | Sarbanes |
| Carney | Lehman | Schauer |
| Carr | Lent | Seiberling |
| Chisholm | Liton | Sharp |
| Clay | Long, La. | Simon |
| Collins, Ill. | McCloskey | Sisk |
| Conable | McCormack | Smith, Iowa |
| Conte | McEwen | Solaz |
| Conyers | McFall | Spellman |
| Corman | McHugh | Stanton, |
| Cotter | McKay | J. William |
| Daniels, N.J. | McKinney | Stanton, |
| Danielson | Macdonald | James V. |
| Delaney | Madden | Stark |
| DeLuums | Matsunaga | Stratton |
| Dent | Needs | Studds |
| Diggs | Melcher | Symington |
| Dingell | Metcalfe | Thompson |
| Dodd | Meyner | Thornton |
| Downey, N.Y. | Mezvinsky | Traxler |
| Drinan | Michel | Tsongas |
| Duncan, Oreg. | Mikva | Ullman |
| Eckhardt | Miller, Calif. | Van Deerlin |
| Edgar | Mineta | Vander Jagt |
| Edwards, Calif. | Mimish | Vander Veen |
| Eilberg | Mink | Vanik |
| Evans, Colo. | Mitchell, Md. | Vigorito |
| Evins, Tenn. | Mitchell, N.Y. | Walsh |
| Fary | Moakley | Waxman |
| Fascell | Moffett | Weaver |
| Fenwick | Moorhead, Pa. | Wiggins |
| Fish | Moran | Wilson, C. H. |
| Fisher | Mosher | Wolff |
| Flood | Moss | Wright |
| Florio | Murphy, Ill. | Wyder |
| Foley | Murphy, N.Y. | Wylie |
| Ford, Mich. | Murtha | Yates |
| Ford, Tenn. | Nedzi | Young, Ga. |
| Forsythe | Nix | Zablocki |
| Fraser | Nolan | Zeferefti |

NAYS—203

- | | | |
|------------------|-----------------|----------------|
| Abdnor | Flynt | Mottl |
| Alexander | Hountain | Morris, Ind. |
| Anderson, | Frey | Morris, Pa. |
| Calif. | Fuqua | Natcher |
| Andrews, N.C. | Gibbons | Neal |
| Andrews, N. Dak. | Ginn | Nichols |
| Archer | Goldwater | O'Brien |
| Armstrong | Gonzalez | Pasman |
| Ashbrook | Goodling | Perkins |
| AuCoin | Gradison | Pertis |
| Bafalis | Grassley | Pickie |
| Baldus | Guyer | Perge |
| Baucus | Haley | Prezler |
| Bauman | Hamilton | Preyer |
| Beard, Tenn. | Hammer- | Pritchard |
| Bell | schmidt | Quie |
| Bennett | Harris | Quillen |
| Bevil | Harsha | Railsback |
| Bowen | Hechler, W. Va. | Randall |
| Breaux | Heiner | Teague |
| Breckinridge | Hicks | Rosenhoover |
| Brinkley | Hightower | Roberts |
| Brooks | Hillis | Robinson |
| Broomfield | Holland | Rogers |
| Broyhill | Holt | Rose |
| Burgener | Hubbard | Rousselot |
| Burke, Fla. | Hungate | Runnels |
| Burleson, Tex. | Hutchinson | Ryan |
| Burlison, Mo. | Hyde | Santini |
| Butler | Ichord | Satterfield |
| Byron | Jacobs | Schusebell |
| Carter | Jarman | Schroeder |
| Casey | Jenrette | Schulze |
| Cederberg | Johnson, Colo. | Sebelius |
| Chappell | Jones, N.C. | Shipley |
| Clancy | Jones, Okla. | Shriver |
| Clausen, | Jones, Tenn. | Shuster |
| Don H. | Kasten | Sikes |
| Clawson, Del | Kazen | Skubitz |
| Cleveland | Kelly | Slack |
| Cochran | Ketchum | Smith, Nebr. |
| Cohen | Keys | Snyder |
| Collins, Tex. | Kindness | Spence |
| Cornell | Krueger | Steed |
| Coughlin | Lagomarsino | Steele |
| Crane | Landrum | Steiger, Ariz. |
| D'Amours | Latta | Steiger, Wis. |
| Daniel, Dan | Levitas | Stevens |
| Daniel, R. W. | Lloyd, Calif. | Stucky |
| Davis | Lloyd, Tenn. | Sullivan |
| de la Garza | Long, Md. | Symms |
| Derrick | Lott | Talbot |
| Derwinski | Lujan | Taylor, Mo. |
| Devine | McClary | Taylor, N.C. |
| Dickinson | McCollister | Teague |
| Downing, Va. | McDade | Thone |
| Duncan, Tenn. | McDonald | Treen |
| du Pont | Madigan | Waggonner |
| Early | Mahon | Wampler |
| Edwards, Ala. | Mann | White |
| Emery | Martin | Whitehurst |
| English | Mattis | Wilson, Bob |
| Esch | Mazzoli | Wilson, Tex. |
| Eshleman | Milford | Winn |
| Evans, Ind. | Miller, Ohio | Wirch |
| Findley | Mills | Yatron |
| Fithian | Mollohan | Young, Alaska |
| Flowers | Montgomery | Young, Fla. |
| | Moore | Young, Tex. |

ANSWERED "PRESENT"—2

- | | |
|-----------|---------|
| Henderson | Maguire |
|-----------|---------|

NOT VOTING—16

- | | | |
|-----------|--------------|----------|
| Conlan | Helstoski | Staggers |
| Erlenborn | Hinshaw | Stokes |
| Gaydos | Moorhead, | Udall |
| Hagedorn | Calif. | Whalen |
| Hansen | Patman, Tex. | Whitten |
| Hébert | Rostenkowski | |

The Clerk announced the following pairs:

On this vote:

- Mr. Udall for, with Mr. Henderson against.
- Mr. Patman for, with Mr. Hébert against.
- Mr. Rostenkowski for, with Mr. Erlenborn against.
- Mr. Stokes for, with Mr. Conlan against.
- Mr. Helstoski for, with Mr. Whitten against.

Until further notice:

- Mr. Gaydos with Mr. Whalen.
- Mr. Staggers with Mr. Hansen.
- Mr. Moorhead of California with Mr. Hagedorn.

Mr. HENDERSON. Mr. Speaker, I have a live pair with the gentleman from Arizona (Mr. UDALL). If he had been present, he would have voted "yea." I

693

DEC 4 1975

F.Y.I.

h



From
Hugh Newton



RIGHT TO WORK NEWS

From the NATIONAL RIGHT TO WORK COMMITTEE
8316 Arlington Boulevard • Fairfax, Virginia 22030

TELEPHONE: 573-8550—AREA CODE 703

FOR IMMEDIATE RELEASE
CONTACT: Herb Berkowitz

Political Future May Be At Stake

PRESIDENT URGED TO VETO "COMMON SITUS"

WASHINGTON, DC, December 3, 1975 -- Faced with mounting criticism from Republican party leaders, President Ford is being urged to disregard the advice of Labor Secretary John Dunlop and veto the "common situs" picketing bill, approved recently by the Senate.

"The 'common situs' legislation, despite its confusing name, amounts to little else than a device for denying to construction workers their right to choose between union membership or non-membership. It's that simple," National Right to Work Committee vice president Reed Larson said in a letter.

"We appeal to you to reassert that innate sense of right and justice which prompted you, as a Congressman, to squarely oppose 'common situs' picketing for 25 years.

"We urge you to accept the judgment of more than 2/3 of the American people (and) ... veto this legislation when it reaches your desk."

Passed by the House during the summer, and by the Senate last month, the bill would allow building trades union officials to close down an entire construction project for virtually any reason at all -- including their displeasure over the fact that non-union as well as union craftsmen are employed on the job.

The bill has drawn harsh criticism from the Right to Work Committee and other groups which feel the bill is nothing more than a thinly veiled attempt to turn the construction industry into a "nationwide closed shop," with job opportunities restricted to union members only.

(MORE)



Administration spokesmen have said the President will follow the advice of Labor Secretary Dunlop and sign the bill.

CLOUDS POLITICAL FUTURE

This has caused an uproar among many Republican party leaders, who view the picketing controversy as a civil rights issue, rather than a typical union-management confrontation.

Just a few days ago, for example, Sen. John Tower, Texas state chairman of the Ford re-election campaign hinted that he would withdraw his support from the President if the President doesn't veto the bill. "I'm going to proceed on the assumption he will veto," Senator Tower told reporters.

Other top-ranking Republicans who have publicly called on the President to drop his support of the bill include David Packard, former finance chairman of the Ford re-election committee; Richard Obenshain, vice chairman of the Republican National Committee, and former California Gov. Ronald Reagan, who's challenging the President for the GOP nomination.

Sen. Paul Fannin, the Arizona Republican who helped lead a Senate filibuster against the bill, added more heat by personally writing to some 200,000 top GOP contributors, asking them to write the President and urge a veto.

Senator Fannin's efforts and those of the Right to Work Committee have resulted in a reported half-million letters to the White House in opposition to the "situs" bill.

Opponents of the legislation have been especially sensitive to the fact that union officials invested large sums of money in the 1974 and 1976 campaigns of most of the House and Senate supporters of the bill.

According to an Associated Press wire report, the 26 Senators elected in 1974 who voted for the "common situs" bill pocketed more than \$1.4 million in campaign

(MORE)



contributions from union sources. This does not count the money invested by union officials in 1970 and 1972 Senate campaigns of Senators not up for re-election last year.

On top of this, hundreds of thousands of dollars in 1976 political donations are now being awarded to Congressmen and Senators who voted for the bill -- including at least \$15,000 to Sen. Harrison Williams, the New Jersey Democrat who sponsored the bill in the Senate, AP reported.

"This bill has been purchased: it's as simple as that," Larson said.

He also had harsh words for secretary Dunlop, who he characterized as "an Ivy League mouthpiece for George Meany and his union hierarchy."

Larson's group was the only public interest group to testify against Dunlop's confirmation as labor secretary earlier this year, testifying at the time that Dunlop's long, close association with building trades union officials and his long-standing support of compulsory unionism made him unqualified to represent the interests of American workers.

The Administration's position on the "common situs" bill is a product of Dunlop's bias, he said.

#####

MO2, MO3, MO7, MO8, M10, M13
K01, K02, K03

#73



National Right To Work Committee



C O P Y

A COALITION OF EMPLOYEES AND EMPLOYERS

REED LARSON, *Executive Vice President*

December 2, 1975

Honorable Gerald R. Ford
The President of the United States
The White House
Washington, D. C. 20005

Dear Mr. President:

We appeal to you as President of the United States and head of your party to demonstrate the political and moral leadership expected by the American people by vetoing HR 5900, the "common situs" picketing legislation.

Mr. President, it is not too late for you to act in this vital matter. In fact, the time has never been more appropriate.

This legislation has been advanced through the House and Senate under the false pretense that officials of the nation's construction unions are being denied "equal treatment" under the National Labor Relations Act. Nothing could be further from the truth. Under Section 8(f) of the NLRA, building trades union officials already are given special treatment, and enjoy a wide variety of unique compulsory unionism privileges not permitted anywhere else in industrial society -- including, but not limited to, the authorization for a seven-day compulsory union shop, the authority to enter into pre-hire agreements which bind workers to the unions even before they are hired, and the right to operate exclusive union hiring halls.

The "situs" legislation, rather than bringing equality, would simply give building trades union officials another tool for compelling membership in their unions. And that is an objective which cannot be supported morally or politically.

The "common situs" legislation, despite its confusing name, amounts to little else than a device for denying to construction workers their right to choose between union membership or non-membership. It's that simple!

We appeal to you to reassert that innate sense of right and justice which prompted you, as a Congressman, to squarely oppose "common situs" picketing for 25 years. We urge you to accept the judgment of more than 2/3 of the American people that the financial and political power of union officials should not override the public interest.

Please, Mr. President, do not let the American people down. Veto this legislation when it reaches your desk.

Sincerely,



"Americans must have the right but not be compelled to join labor unions"

OVER

Tower may abandon Ford

President's veto of two bills said a must

By CAROLYN BARTA
Political Writer of The News

From THE DALLAS MORNING NEWS
November 26, 1975

U.S. Sen. John Tower, head of President Ford's primary campaign in Texas, said here Tuesday the Ford campaign is in jeopardy in Texas unless Ford performs two functions.

Those functions are to veto the common site picketing bill and the energy bill, which provides for an oil price rollback.

Tower also hinted in a press conference here that Ford stands to lose him as state campaign chairman unless he makes those two moves.

"I don't make public threats," Tower said, when asked if he would withdraw his support from Ford.

But he added, "We've had some rather earnest discussions. I'm going to proceed on the assumption he will veto these two bills."

Ford has said he would sign the common site picketing legislation, which would permit picketing construction workers to close a job site in a dispute with a subcontractor.

But Tower said Ford was misled by Labor Secretary John Dunlop that the legislation would be agreeable to industry as well as to labor. Industry since has rebelled.

Tower said the energy bill would be detrimental to the Texas economy because it would result in considerable reduction in drilling activity.

Assuming that Ford will veto the bills, Tower said he does not see "any circumstances forthcoming" under which he would resign his campaign position, but added, "I don't preclude it."

Tower currently is anticipating that Ford will go into the National Republican Convention with 60 per cent of the delegates.

If, by chance, the Republicans should have a deadlock at the convention, he said he can foresee former Texas Gov. John Connally emerging as a compromise candidate. Although that would be "acceptable" to him, Tower said he does not anticipate it.

Also, he does not anticipate Ford dropping out of the race if he fares poorly in early primaries. "I don't think the New Hampshire primary is worth all that much," he said of the first primary in 1976.

Ford Warned on Labor Bill

By Martha Angle

Washington Star Staff Writer

David Packard, who last month resigned as President Ford's chief campaign fundraiser, has sounded a new warning of the political pitfalls of a controversial labor bill now pending before the Senate.

In a letter to Ford last week, Packard said the "common situs picketing" legislation which is currently the subject of a Senate filibuster is "causing a great deal of concern among all segments of business and industry."

The "concern," it was learned, has been demonstrated in specific threats to withhold contributions to Ford's election campaign if the President signs the legislation into law.

The measure would permit unions to picket an entire construction site even when their labor dispute directly involves only one of many contractors on the job.

IT REPRESENTS the culmination of a 25-year effort by organized labor to overturn a Supreme Court decision which held that such picketing constitutes an illegal secondary boycott of the type banned by the Taft-Hartley Act.

Ford has indicated he will sign the bill if it is accompanied, as expected, by a separate measure overhauling collective bargaining practices in the construction industry.

The President reportedly feels he has no other option. Every president since Harry Truman has publicly supported common site picketing legislation, and the building trades unions which are pressing the bill represent "hard hat" workers who often vote Republican.

In recent weeks, however, the President has come under increasing pressure from conservative Republicans and from busi-

nessmen — both within and outside the construction industry — to change his position.

His potential primary opponent, former California Gov. Ronald Reagan, has criticized the legislation vigorously in speeches and on his national radio program, and Sen. Paul Laxalt, R-Nev., the head of Reagan's campaign committee, is leading the opposition to the bill in the Senate.

LATE LAST MONTH, Richard Obenshain, co-chairman of the Republican National Committee, wrote to one of Ford's top White House advisers warning that the labor bill was causing serious political problems.

Packard's Nov. 11 letter to the President conveyed a similar message, and was prompted by a flood of letters and telephone calls to the Ford campaign committee threatening a halt to campaign contributions if

Ford signs the common site picketing bill.

The "general view" of the business community, Packard said, is that Ford should veto the measure "regardless of your position" on the companion bill reforming bargaining practices in the construction industry.

Among those strongly opposed to the picketing bill, Packard told the President, are members of the prestigious Business Roundtable, a group of top executives from most of the biggest corporations in the country.

THE SENATE is scheduled to make a second attempt tomorrow to shut off debate on the picketing bill.

An initial cloture move last Friday fell two votes short of the 60 needed to end a filibuster, but several senators were absent at the time, including at least two who are expected to vote for cloture tomorrow.

THE WASHINGTON STAR
November 17, 1975

Rowland Evans and Robert Novak

Mr. Ford's Twin Dilemmas

President Ford's high-powered economic advisers are urging him to disown and veto his own common situs picketing bill and compromise energy bill even at the risk of high-level resignations, or face defeat by Ronald Reagan in the Republican Presidential nomination.

Advice to veto the energy bill is being given the President by the two officials who have most clearly shaped the administration's conservative philosophical framework: William Simon, Secretary of the Treasury, and Alan Greenspan, Chairman of the Council of Economic Advisers. On the picketing bill, Simon is even more aggressively pushing for a veto (with Greenspan agreeing but not actively involved). Although their arguments are mainly economic and ideological, the political warning to Mr. Ford is clear: sign these two bills, both opposed by Reagan, and you are finished in the Republican party.

But another pair of Mr. Ford's favorite officials, Secretary of Labor John Dunlop and Federal Energy Administrator Frank Zarb, are deeply committed, respectively, to the common situs and energy bills. Particularly in Dunlop's case, a protest resignation might further embarrass the troubled President. Accordingly, the decisions—both due in mid-December—could profoundly affect Mr. Ford's future.

Difficult decisions are the lot of Presidents, but these bills raise hard questions about Mr. Ford's competency: Why has he repeatedly endorsed the common situs picketing bill? Why did he give Zarb the green light in negotiating a compromise energy bill?

Mr. Ford's astounding support of the common situs bill, in effect legalizing secondary boycotts in the construction industry, is directly attributable to Dunlop's dynamic powers of persuasion. A former Harvard professor and perhaps the

Cabinet's most liberal member, Dunlop, talked the President into a bill he always opposed as a House member. Mr. Ford has publicly promised to sign the bill on at least three occasions this year (providing it contained a construction wage stabilization plan), though it has never been discussed in Cabinet, formally or informally.

Now, with Republican businessmen and politicians outraged, other Cabinet members are telling the President he must suffer the embarrassment of vetoing his own bill. Simon is pressing for a veto, and this is known to be Greenspan's private view though not yet expressed to the President.

The political arguments make clear what Mr. Ford himself should have known after 25 years in Washington. With organized labor making him a punching bag a year before the elections, he cannot win significant union support no matter what he does. He can, however, lose the nomination to Reagan.

As for the compromise energy bill, the President clearly intended to sign it when a Senate-House conference finished up Nov. 12. In fact, Zarb had briefed the President daily on his negotiations. As late as Nov. 20 when a dispute arose over wording, Mr. Ford did not seize this opportunity to bail out but instructed Zarb to come up with the best bill he could.

With big oil and its congressional allies ferociously campaigning for a veto, Zarb and FEA Deputy Administrator John Hill (who conducted much of the negotiations) have been lobbying senior officials for support. Their arguments: A veto would end their ability to deal with congressional Democrats—mainly Rep. John Dingell of Michigan and Sen. Henry M. Jackson of Washington—who had bargained in good faith. Moreover, even if the veto were sustained, congressional bias against big oil would spawn one radical bill after another through 1976.

Such talk does not impress Simon, who on this and other issues has urged Mr. Ford to confront the Democratic Congress. Furthermore, both he and Greenspan believe the real meaning of the President's decision is whether the oil industry will be controlled or uncontrolled indefinitely. Both will strenuously urge a veto, with Greenspan calling this a turning point in history.

But energy's political arguments are less clear than common situs picketing's. The gasoline price rollback attempted by the energy bill could help Mr. Ford in the New Hampshire and Massachusetts primaries. Thus, the informed guess within the administration: The President will sign energy and veto common situs. But this is scarcely a Solomonic middle way delivering Mr. Ford from suffering.

When the Baltimore Sun reported this week that an energy veto would bring Zarb's resignation, Zarb asked colleagues whether this really would have to be the case (and was assured it would not). But Dunlop is not likely to be asking anybody what to do. "I think John would just quit," a colleague told us—posing another messy Cabinet shuffle.

While the politics of the energy is mixed, the opposition is fierce and strategically located in oil-producing states where Reagan's threat is growing. Sen. John Tower of Texas has abandoned his customary coolness in excited veto demands—leading to speculation of Tower's diminished ardor as Mr. Ford's main man staving off the Reaganite threat in Texas.

The short answer, then, is that Mr. Ford has no sure exit from his twin dilemmas. Having wandered without either philosophical foresight or elemental political caution into two nasty traps, he can only cut his loss, not escape it.

Field Enterprises

REPRINTS from the National Right To Work Committee

8316 Arlington Boulevard Fairfax, Virginia 22030



Ford wrong on picketing bill

It is surprising and discouraging that President Gerald Ford apparently intends to sign a bill to expand the picketing power of union construction workers.

That bill — the so-called Common Situs Picketing bill — goes completely against the grain of his political philosophy and could increase costs and unemployment in a key industry at a time of economic difficulty.

The Supreme Court ruled in 1951 that if a building trades union has a dispute with a subcontractor at a construction site, the union can picket only that subcontractor and not try to close down the entire site. Ever since that decision, organized labor has sought legislation to reverse the Supreme Court and authorize common-site picketing.

This year, after contributing substantial sums for legislative support, labor succeeded in bulldozing the proposal through House and Senate. The bill should soon land on President Ford's desk, confronting him with a serious test of his political principles.

The picketing permitted under the common-site bill has long and properly been regarded as illegal secondary boycotting. It exerts virtually irresistible pressure on nonunion workers and their employers to accept

unionism even though the workers may prefer independence.

Under the common-site bill, a disgruntled union boss with a grievance against one small subcontractor could bring a gigantic construction project to a complete halt. It could happen, for example, at Detroit's Renaissance Center.

If, say, the president of the Marble Finishers got peeved at a subcontractor in charge of installing wash basins in a lavatory in one building, he could picket the entire site; thousands of men could be thrown out of work, and Renaissance Center could be turned into a ghost town before ever being completed.

Yet, President Ford has indicated he will sign such legislation. Apparently he, too, has bowed to pressure from organized labor. As a sop to conservatives and moderates, he makes his approval of common-site picketing contingent on the passage of a companion bill designed to discourage construction strikes.

This has all the earmarks of a political trade-off. Mr. Ford should reconsider. The collective-bargaining proposal is a separate matter. President Ford should weigh the common-site picketing bill on its own merits, recognize its potential harm and stamp it with the veto it deserves.

An Editorial
NEW YORK DAILY NEWS
November 21, 1975

A DARK, DARK DAY

The Senate has approved a bill authorizing common-situs picketing, which will permit any construction union, however small, to shut down an entire project, however large.

Organized labor has long sought such a license, not to advance legitimate economic roles, but to force unwilling workers into unions.

But what's a little matter of their individual right of choice when, as everyone knows, the main job of Congress is to make George Meany happy?

One Labor Bill...

With all the problems of inflation and unemployment confronting the country, it is a measure of distorted priorities that Congress has seen fit this year to push through a long-disputed bill making it easy for building trades unions to shut down an entire construction site when any single union has a dispute with even one subcontractor.

Such vast expansion of the right to picket in the building field was not demanded by the rank and file of construction labor. Rather, the pressure originated with the leaders of the building trades unions, who increasingly have seen their monopolistic control over construction workers slip away. The building unions all but priced themselves out of the market in small homes development long ago.

Now many giant petrochemical and utility projects are being manned with non-union labor or with a mixture of non-union and union craftsmen. Indeed, if it were not for the inside track the construction unions enjoy on big governmental projects through Federal laws mandating full union pay-scales, the building crafts would have difficulty maintaining their enormous power outside their traditional strongholds in metropolitan centers. It is no contribution to either union democracy or union responsibility to give succor to these unions by increasing their ability to coerce non-union workers into following their dictates on when to stop work.

...That Should Be Two

A particularly ironic aspect of this exercise in bipartisan Congressional surrender to union political influence is that it has been hitched to a companion measure that admirably serves the interests of the public as well as those of management and labor. This measure would create statutory machinery designed to bring much greater stability to construction wage settlements. The mass unemployment now prevalent in the building trades and the impossibility of building homes or apartments in many areas at prices that middle income families can afford without massive public subsidy are symptoms of the need for such reform.

There never was any excuse, however, for making this laudable bill part of a package deal with the situs picketing measure. President Ford has committed himself to sign both measures if they reach him together; yet, it is not too late even now for House-Senate conferees to sever them, thus obliging the President to decide whether he will confine himself to signing the one that serves the national welfare and veto the one that represents a meek capitulation to labor's potent Washington lobby.

DEC 6 1975

THE WHITE HOUSE
WASHINGTON

December 5, 1975

MEMORANDUM FOR: JACK MARSH
FROM: MAX FRIEDERSDORF *M.F.*
SUBJECT: Situs Picketing

Attached are Presidential public statements on situs picketing, per your request.

File



DEC 10 1975

December 10, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX FRIEDERSDORF

SUBJECT: Common Situs

I have discussed calls that we have been receiving regarding common situs with Jack Marsh and he requested that I advise the President of these calls.

Bob Andriga called on behalf of the House Education and Labor Committee Minority requesting a signal before the vote tomorrow.

As I mentioned to the President, John Rhodes also made the same request.

Jim Hogue, Congressional Relations Director at the Department of Labor, called to say the unions had contacted Labor urging the President to put out a statement prior to the conference report vote indicating the President would sign.

There have been numerous calls, of course, recommending a vote from Congressmen and Senators and thus far we have received only two calls from Peter Peysar and Ham Fish requesting the President sign the bill.

Ham Fish said that he voted for the bill with the impression it had Administration support.

Jack Marsh and I both believe that a signal prior to the vote may not be desirable because there would be a stronger tendency to defeat the bill if the Members were uncertain of the President's intentions.

bcc: ~~Jack Marsh~~
Dick Cheney



Washington Post

Thursday, December 11, 1975

Ford Urged to Veto Picketing Bill

By Lou Cannon
Washington Post Staff Writer

position to the construction
bill, which is favored by his
Secretary of Labor, John O.

J. Rhodes, a personal friend of
the President, feels so
strongly about the potential

ciple that any tax reduction
must be accompanied by a cut
in federal spending.

ATTACHED are calls taken by Connie re SITUS PICKETING
12/15/75

MR. MARSH:

The following called today, December 15, in opposition to the Common
Situs Bill -- please urge the President to veto it.

- 1) Mr. Andrew Rudilla, L. D. Building, Latrobe, Pa. (412) 537-3386
- 2) Mr. Jim Averill, Watkins Bridge Co., Uvalde, Texas (512) 278-3368
- 3) Mr. C. D. Sexton, Vice President, Republic Contracting Corp.,
Columbis, South Carolina (803) 776-1976
- 4) Mr. Alex Mair, President, Gordon Construction, Flynt Michigan
(313) 234-4639
- 5) Mr. Frank Chapin, Willmer Electrical Service, Willmer, Minn.
(612) 235-4386
- 6) Ms. Ada Inbody (private citizen) (307) 587-9453
- 7) Mr. Chas. Sealy, Sealy Construction Co., Greenville, South
Carolina (803) 269-8900
- 8) Mr. E. M. Campbell, Vice President, R. G. Smith Co., Canton,
Ohio (216) 456-3415
- 9) Larry Atwell, Wilson Equipment & Supply, Cheyenne, Wyo.
(307) 321-5581
- 10) Mr. Chas. Clevinger, Chatanooga^{Tenn.}(Asso. General Contractors)
PH: 615-624-0992
- 11) Mr. Bill Rue, General Elevator Corp. (Florida) 305-351-1012
- 12) Mr. Gordon Weinberg, Shaffer Gordon, Inc., Phila., Pa.
(215) 567-7900
- 13) Mr. Howard Hall, President of Southern Illinois Builders of
St. Louis, Illinois (314) 241-4366
- 14) Mr. Al Kollman, Construction Supply, Fargo, North Dakota
(701) 235-6605

File



Calls Taken by:
DONNA LARSEN

Monday, December 15, 1975

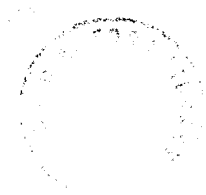
Following is a listing of calls I received concerning opposition to the Common Situs Picketing Legislation.

1. Bart DYNAN, Director, National Association of Elevator Contractors, Cambridge, Mass., (617) 547-9000.
2. Mr. LAULHERE, HUD Corporation, Los Angeles, Calif., (213) 685-5640.
3. Don ADAMS, President, Granite Glass and Fence Company., Granite City, Illinois, (618) 877-5400
4. Don SPEARS, Spears Dehner, Inc., Fort Wayne, Indiana, (219) 423-1611
5. Bill MOSELEY, Vallen Corporation, Dallas, Texas (214) 358-4349
6. Al GROVE, Contractor Enterprise Inc., Roanoke, Virginia, (703) 342-3175
7. Andrew BAUER, President, Shamrock Corp., Kentucky (502) 361-2331
8. Hank TILLER, Georgetown, South Carolina (803) 546-8426
9. Mr. H. W. KERR, General Construction Company, Columbia South Carolina, (803) 799-3438
10. Mr. J. T. EDWARDS, Mississippi, (601) 393-2110
11. Richard SORENSEN, President, Sorensen Brothers, Inc., Albert Lee, Minnesota, (507) 373-6122
12. Wayne HEALY, Chicago, Illinois, Aroow Road Construction, Co., (312) 437-0700
13. Max MORTON, Petry-Vappi Construction Co., Denver, Colorado,
14. Jack DEMPSEY, President, Granite City, Illinois Chamber of Commerce
15. Bob WINSLOW, Winslow Construction Company, Salem, Indiana, (812) 883-2181

TT *File*

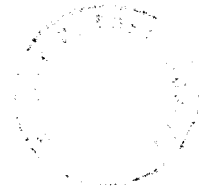


16. George Reagan, Reagan Company, Knoxville, Tennessee
(615) 522-6175
17. Mr. SCHAFFER, Henry R. SCHAFFER Company, Davenport,
Iowa, (319) 391-0200
18. Wayne BARBER, Southern Illinois Builders, Bellville, Illinois
(618) 397-1400
19. Rod THOMAS, Brooner and Thomas, St. Joseph, Missouri,
(816) 232-5418
20. Arthur HUNGEFORD, President, Hungeford, Inc., Richmond,
Virginia
21. H. W. JULIAN, Julian Construction Company, Cody, Wyoming,
(307) 587-3160, also State Treasurer of Republican Party, said
there is no he can vote for the President if he signs this
legislation.
22. Jim DEIERLEIN, Columbia, South Carolina, He was a R. N.
Associate (Richard Nixon)
23. Dick SULZBACH, Sioux City, Iowa, Sioux City Engineering
Company, also Finance Chairman of Republican Party,
Woodberry County, Iowa, (712) 255-7683, also wanted to
urge the President to veto tax cut without limit on spending
(if there is no limit on spending)
24. Mr. BERICK, BOHEMIAN, Inc., San Francisco, Calif.,
(415) 591-9481
25. Marvin BEACH, Manager of Wilmer, Box 287, Wilmer,
Minnesota 56201, (612) 235-0300
26. Mr. RUSSON, Kimball Elevator Company, Salt Lake City, Utah
(801) 328-9636
27. E. C. Thompson, Thompson Fence and Construction Company,
Memphis, Tennessee, 3614 Jackson Avenue, Memphis, Tenn.
(901) 386-8044
28. Mr. PRISTACH, National Association of Elevator Contractors,
2964 Peachtree Road, Atlanta, Georgia, (404) 261-0166



29. James NEWMAN, Cincinnati, Ohio, Universal Contracting Company, (513) 351-4636
30. Mr. MAGAZINER, New Jersey, (201) 343-6122
31. Byron MOEN, Marshfield, Wisconsin, (715) 387-1289
31. Cal RADACK, Petry-Vappi Construction Company, Denver, Colorado,
"The President is currently considering H. R. 5900 which allows the construction unions to force a general contractor or sub-contractor off a project by picketing every contractor on the site even those not involved in the disagreement. This kind of legislation will cause more strikes, more work stoppage and even higher wages for building trades which are now averaging over \$10 an hour and approaching \$20 an hour in some areas. It will decrease job opportunities for contract workers, cause indefinite delay in _____ of the contract industry, cause higher construction costs and more inflation.

"This legislation would be detrimental to the Nation at a time when we are working so hard to get back on our economic feet. I ask you to relay this information to the President.
32. Witness COLLINS, CMC General Contractors, Los Angeles, Calif., (213) 770-0300
33. Montey DOCTER, Collinsville, Illinois, McClair Asphalt Company (618) 271-7470



Washington Post

Wednesday, December 17, 1975

William Raspberry

'Common Situs' Picketing:

Unfair Labor Practice?

DEC 18 1975

December 18, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX L. FRIEDERSDORF

SUBJECT: Common Situs

The Associated General Contractors of America sent in the attached compilation of editorials from across the country in opposition to the Common Situs Picketing legislation.

Jack Marsh and I thought you might want to see them.

bcc: Jack Marsh
Dick Cheney



DEC 18 1975

December 18, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX L. FRIEDERSDORF

SUBJECT: Common Situs

Attached are copies of letters the President has received from Members of Congress on the Common Situs Picketing legislation.

Jack Marsh and I thought you would want to see them.

MLF:nk

bcc: Jack Marsh
Dick Cheney



Many - P.S. send to President.

DEC 15 1975

THE WHITE HOUSE
WASHINGTON

max f.

December 15, 1975

MEMORANDUM FOR: JACK MARSH

FROM: MAX FRIEDERSDORF

M.F.

SUBJECT: Common Situs

Jack, I have assembled a compilation of the letters we have received from Members of Congress opposing common situs.

Do you think the President would like to see these letters?

Yes!
[Signature]



THE WHITE HOUSE
WASHINGTON

Jack -
attached received
today - obviously
OBE'd -



Russ

11
File

THE WHITE HOUSE
WASHINGTON

December 18, 1975

DEC 23 1975

MEMORANDUM FOR: COUNSELLOR JOHN O. MARSH
THROUGH: WILLIAM J. BAROODY, JR. ⁽¹⁾
FROM: ~~EB~~ FERNANDO E. C. DE BACA
SUBJECT: Situs Picketing Bill

Attached is a memorandum from Alex Armendaris, Director of the Office of Minority Business Enterprise, regarding the Situs Picketing legislation now before the Congress.

According to Mr. Armendaris, enactment of this bill would have a devastating impact on minority contractors by forcing prime contractors to refuse subcontract work to non-union minority subcontractors.

Mr. Armendaris recommends that the President meet with a representative group of minority contractors to discuss the impact this legislation would have on them.

I feel such a meeting would be useful to the President in determining whether to sign or veto the bill and recommend that a meeting be arranged as soon as possible.

I would appreciate your thoughts and guidance on this matter.





UNITED STATES DEPARTMENT OF COMMERCE
Office of Minority Business Enterprise
Washington, D.C. 20230

December 17, 1975

MEMORANDUM FOR: Fernando E.C. de Baca
Special Assistant to
The President

FROM: Alex Armendaris
Director

SUBJECT: Presidential Meeting with Minority Contractors
Concerning Situs Picketing Bill

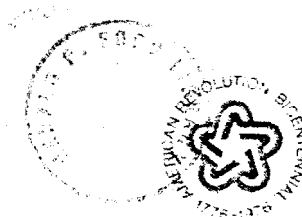
We understand that the President is reviewing the merits of the Situs Picketing legislation which is expected soon to be on his desk for signing or veto. While this bill has many ramifications that will affect the entire construction industry, there seems a clear consensus that the enactment of this bill would have a devastating impact on minority contractors, most of whom are non-union.

OMBE is presently providing through its 26 construction contractor assistance centers (CCACs) as well as other assistance organizations services to about 8,000 minority contractors annually. The 26 executive directors of OMBE-funded CCACs were contacted by our national construction coordinator to ascertain the effect of the Situs Picketing legislation on minority contractors in their areas. Every CCAC executive director indicated that the effect of the enactment of this bill would be very detrimental to minority contractors in their areas.

In many cases minority contractors are non-union as a result of exclusionary practices of local building trades unions. The consensus of minority contractors is that the Situs Picketing bill, if enacted, would force many prime contractors to refuse to subcontract work to non-union subcontractors. The effect would likely be to dry up many existing markets for minority contractors who receive only about one per cent of the gross receipts of the construction industry.

I recommend that the President meet within the next week with about a half dozen minority contractors to explore the impact this legislation would have on them. This would assure a fair hearing of their concerns and might provide valuable new information to the President in determining whether to sign or veto the bill.

We will be happy to assist in setting up this meeting should the President find the session advisable.



DEC 20 1975

THE WHITE HOUSE

WASHINGTON

Date:

12/20/75

TO:

Jack Marsh

FROM: Max L. Friedersdorf

For Your Information

X

Please Handle _____

Please See Me _____

Comments, Please _____

Other

these are GSA's
arguments for veto.



Common Situs Picketing:

H. R. 5900, which would allow common situs picketing at construction sites, has been reported out of conference. The House passed the conference report Thursday. A cloture vote in the Senate on this measure is expected next Tuesday.

GSA is opposed to this legislation because it would have a major effect upon GSA's ability to continue to utilize the phased construction method for larger Federal construction projects. Approximately 70% of the dollar volume of GSA's construction utilizes the phased construction concept. Without this important management tool Federal building construction would become approximately 20% more costly and take about 25% longer to complete.

FOR OFFICIAL USE ONLY



Common Situs Picketing:

GSA recommended a veto of enrolled bill H. R. 5900, which would allow secondary boycotts at construction sites, in a letter to OMB on December 18. The letter and accompanying message outlined the danger the bill poses for GSA's phased construction program. The bill, if signed, would have an extremely adverse effect upon Federal construction programs.

The bill would impede the use of phased construction and would restrict the simultaneous utilization of union and non-union contractors on a Federal job site. It would have a serious impact on our ability to provide Government facilities for the least cost and within minimum time. For example, should union contractors strike a project because we have separate contracts with non-union contractors, the project would come to a complete standstill. There would be no really adequate remedy available to the Government to get the project going. The cost in time and money that would be caused by such a situation is immeasurable. This potent problem, which would be caused by simultaneous utilization of union and non-union contractors at a common construction site, is not a problem in private sector phased construction because the private owner can stipulate that the project contractors either be all union or all non-union. The Federal Government is prohibited from making such a stipulation.



THE WHITE HOUSE
WASHINGTON

December 22, 1975

MEMORANDUM FOR: JACK MARSH
FROM: MAX FRIEDERSDORF *M.F.*
SUBJECT: Pre-Notification on Energy/Common Situs

The following should be notified concerning Presidential action today:

ENERGY

House

Rhodes
Michel
Devine
Bud Brown

Speaker

Tip
Wick

Staggers
Dingell
Rogers

Waggoner

Senate

Scott
Griffin
Tower
Fannin
Hansen

Mike
Bob Byrd
Long

COMMON SITUS

House

Rhodes
Michel
Quie

Thompson

Senate

Scott
Griffin
Javits

Williams

cc: Vern Loen
Bill Kendall
Bob Wolthuis



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 initiated 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 SITUUS 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

Table with columns: Member, State, Democrat, Republican, District and State, Democrat, Republican. It lists contributions for the SENATE and HOUSE, including names like John Durkin, Peter Peyer, and various states like New Hampshire, New York, Michigan, etc.

Footnotes at end of table.

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

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

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

Total	
Senate	\$3,222,155.73
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

