Mr. JAVITS subsequently said: Mr. President, I am entirely satisfied with the unanimous-consent agreement which the majority leader has proposed. I wish to state for the RECORD that that fact remained uncertain at the moment the unanimous-consent request was made. And for the information of the Senate also I wish to repeat what was discussed in respect to the Manpower Training Act which the Senate passed by an overwhelming vote, S. 1559.

At that time, we said we would do our utmost and make every good-faith effort to work out a framework for this legislation—that is, the Emergency Employment Act and the Manpower Training Act—with the administration.

We are doing our utmost to do that. And I feel that the Labor Department is also doing its utmost to try to come to a reasonable meeting of the minds on this subject. And it will require also very important consideration on the merits that we have talked about—procedure and so forth—with the Members of the other body.

I assure the Senate that is the reason for setting this matter over until Tuesday for that effort to be made. I cannot give the Senate any information as to how it will come out except it is my assurance that there is a good faith effort in that regard, and there is the utmost cooperation on the part of the Senator from Wisconsin (Mr. NELSON), the Senator from Ohio (Mr. TAFT), and me in the hope that it can be accomplished. That is the reason for setting the matter over for a few days.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the following communications and letters, which were referred as indicated:

PROPOSED AMENDMENTS TO THE BUDGET, 1974, FOR DEPARTMENT OF THE INTERIOR (S. DOC. No.)

A communication from the President of the United States, transmitting proposed amendments to the request for appropriations transmitted in the budget for the fiscal year 1974, in the amount of $17,691,000, for the Department of the Interior (with an accompanying paper). Referred to the Committee on Appropriations, and ordered to be printed.

PROPOSED AMENDMENT TO THE BUDGET, 1974, FOR THE LEGISLATIVE BRANCH (S. DOC. No.)

A communication from the President of the United States, transmitting proposed amendments to the request for appropriations transmitted in the budget for the fiscal year 1974, in the amount of $24,306,010, for the legislative branch (with an accompanying paper). Referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary, Smithsonian Institution, transmitting, pursuant to law, a report of the National Society of the Daughters of the American Revolution, for the fiscal year ended March 1, 1972 (with an accompanying report). Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERT C. BYRD, from the Committee on Appropriations, with amendments:

H.R. 8760. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes (Rept. No. 93-346).

By Mr. PASTORE, from the Committee on Commerce, without amendment:

S. 1841. A bill to amend the Communications Act of 1934 for one year with respect to certain agreements relating to the broadcasting of home games of certain professional athletic teams (Rept. No. 93-347).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1341. A bill to provide for financing the economic development of Indians and Indian organizations, and for other purposes (Rept. No. 93-348).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 1887. A bill to provide for the appointment of alternates for the governors of the International Monetary Fund and of the International Bank for Reconstruction and Development (Rept. No. 93-350).

LAW ENFORCEMENT ASSISTANCE—CONFERENCE REPORT (S. REPT. NO. 93-349)

Mr. McCLELLAN. Mr. President, I submit a 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. 8152) to amend the Omnibus Crime Control and Safe Streets Act of 1968 and for other purposes, and ask that it be printed.

I also ask that a summary of the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The summary is as follows:

SUMMARY OF H.R. 8152 "CRIME CONTROL ACT OF 1973"

The Omnibus Crime Control and Safe Streets Act of 1968, as amended, will be amended by the Crime Control Act of 1973. The following is a summary of sections of the Act which have been changed:

Part A—Section 101—The "troika" system of LEAA administration has been eliminated. All administrative and policy authority is now vested in the Administrator of LEAA. In lieu of two Associate Administrators, the amendment provides for two Deputy Administrators. One deputy will assist the Administrator in areas of policy and operations and would act for him in his absence or incapacity, and the second will be responsible for administrative management functions.

Part B—Section 203—The representative character requirement of State planning agencies and regional planning groups has been amended to include permissible representation of citizen, professional, and community organizations. It is now also a requirement that regional planning units be composed of a majority of locally elected officials.

A new provision has been added to subsection (d) of section 203 which now requires that all meetings of planning units at which any final action is taken on a State plan or application for funds be open to the public. This subsection also requires public access to all records except those required to be kept confidential by local, State or Federal law.

Section 204—Planning grants remain at 90 per centum of Federal funding, except that grants to regional planning units may be up to 100 per centum Federal funding. The "soft match" has been eliminated, and there is now a requirement that the State provide 50 per centum of the local share of "hard match." This match provision applies retroactively to previous year planning funds not obligated.

Section 205—The initial Part B planning allocation is increased from $100,000 to $200,000 per State and the remaining funds distributed according to relative population.

Part C—Section 301(b)(10) has been added to the Act to provide for the use of Part C funds (both block and discretionary) for planning grants to interstate metropolitan regional planning units.

Match requirements for discretionary and action funds have been decreased from 25 per centum to 10 per centum, except for construction which remains at 50 per centum. Match must be appropriated money in the aggregate. In the case of a grant to a private non-profit organization such an organization may provide the match. Soft match was also eliminated with regard to funds made available under Part C prior to July 1, 1973, which have not been obligated (or were obligated and later deobligated) by the States or units of *general* local government in making awards.

Buy-In—There have been changes to the "buy-in" requirements which began in fiscal year 1973. Certain factors must be noted.

(1) Buy-in is now applicable to Part B. However, since the buy-in only applies to local funds (40 percent pass through) and because all local funds which go to regional units can be awarded without match, the net dollar effect of the buy-in on Part B planning funds will be small (see section 204).

(2) In respect to Part C the buy-in previously applied to the required pass through funds to local units of government. In percentage terms this amounted to 6.25 percent of the overall match requirement. As currently amended, the buy-in will now amount to one-half of the 10 percent cash requirement. Assuming funding levels similar to fiscal year 1973 this is actually a net decrease in the overall requirement. However, it must be noted that to the extent local construction is funded from Part C sources the buy-in requirement would increase, since local construction must be a 50 percent match with the State providing one-half of that 50 percent.

(3) Buy-in is not applicable to Part E nor is it applicable to discretionary grants. The retroactive match provisions do not affect the fiscal year 1973 buy-in requirements. These requirements must still be met "in the aggregate" and apart from this retroactive provision (see section 523).

Additional Plan Requirements—A. Procedures for annual plan submission by units of local government over 250,000 population for approval by the State planning agency in whole or in part.

B. Maintenance and submission of reports and data as the Administration or National for Law Enforcement and Criminal Justice may require to evaluate programs under this title.

C. Funding incentives to units of local government that coordinate or combine law enforcement activities.

D. Procedures so that applications by units of general local government shall be approved or disapproved in whole or in part within 90 days. It should be noted that this provision is limited to applications from units of local government and does *not* apply to other applicants.

E. Specific comprehensive requirements including a requirement that no plan be approved as comprehensive unless it includes a comprehensive program for the improvement of juvenile justice.

Discretionary Grants may now be made directly to private non-profit organizations. The 10 percent hard match will be provided by the non-profit.

State Plan Approval—The Act now mandates LEAA to approve or disapprove a State plan within 90 days after receipt of the plan. In addition, no plan is to be approved unless there is a finding by the Administration that the plan reflects a determined effort to improve the quality of law enforcement and criminal justice throughout the State.

PART D—Institute Authority—There is now statutory language which requires that the National Institute of Law Enforcement and Criminal Justice be headed by a Director appointed by the Administrator. The Institute now has the authority to assist in the development of and support of programs for the training of law enforcement and criminal justice personnel. Training to be performed under this authority (which is actually the former section 407 regional training authority) is not to be duplicative of the FBI training activities. The FBI continues, under section 404, to have authority to conduct its local and State training programs. However, this is now limited to training of police, highway patrol, sheriffs, and their deputies, but this authority is not intended to deprive the Institute of its training assistance. There is expected to be cooperation between the FBI and the Institute in regional training programs.

The Institute's authority to disseminate information has been expanded to include dissemination of information related to international law enforcement problems. The exercise of such authority, however, must come within the scope of international law enforcement problems such as skyjacking, drug abuse, and international terrorism.

The Institute must within three years undertake a detailed national survey of criminal justice personnel needs and relate the LEAA programs to those manpower and training requirements. Guidelines thereafter must be developed and issued by the Administration which would establish priorities for LEAA Law Enforcement Education and manpower programs.

Evaluation of programs and projects carried out under this Act also becomes a function of the Institute. Results of such evaluations are to be disseminated to SPA's and upon request to units of general local government.

The Institute must now also prepare an annual report to the President, Congress, SPA's and upon request to units of general local government regarding research and development activities and its own training activities.

LEEP Grants and Loans—In order to keep pace with the cost of living, the amount of funds that may be provided to LEEP students have been increased to $2,200 per year (loans); $250 per academic quarter or $400 per semester (tuition, books, fees); $65 per week (internship program). A LEEP recipient no longer has to remain with the *same* law enforcement agency for two years in order to be eligible for cancellation of the loan under section 406(c).

Prosecuting Attorney Training Programs—Authority to strengthen prosecutive capabilities against organized crime is now found in section 407 rather than section 408. There is no longer a section 408 and former section 407 is now merged in the Institute authority.

Part E has been amended to require that plans submitted by the States provide for the development and operation of narcotic and alcoholism treatment programs. The intent here is that although alcoholism programs may be funded, such funding should not be to the extent that it would interfere or reduce the funds to be used for drug treatment programs. The Administration must issue guidelines for drug treatment programs and coordinate in the development of such guidelines with SAODAP.

The State must now provide for complete monitoring of the progress the correctional system to include rate of prisoner rehabilitation and recidivism rates. Another subsection requires the State and local governments to submit annual reports "as the Administration may require."

The match requirement under Part E now is the same as under Part C and B—90 percent Federal funding, 10 percent hard match provided in the aggregate. There is no buy-in provision under Part E. The retroactive provision of section 523 applies to Part E funds as well.

Part E—Administrative Provisions—Title 5 of the U.S.C. has been amended so that the Associate Administrators are deleted and two Deputy Administrators added. Supergrades have been increased by two.

Section 508 has been amended so as to preclude the Administration from using services, equipment, personnel, or facilities of the CIA.

While the authorization for the Administration to transfer funds for functions related to bicentennial activities in law enforcement was not granted, the conference report indicates that individual States may transfer funds to support eligible bicentennial activities.

International Technical Assistance and Information Dissemination—An amendment to section 515(b) gives the Administrator authority to collect and disseminate information on law enforcement outside the United States, but the conference report shows that such involvement should not be extensive, but should be limited to matters in the nature of narcotics interdiction, skyjacking, and terrorism.

Technical assistance and cooperation to international agencies in matters relating to law enforcement and criminal justice is also authorized.

A *Non-Discrimination Provision* has been added to section 518. This provides that no person on the ground of race, color, national origin, or sex is to be excluded from the benefits of the Act or subject to discrimination. Provision is made for a governor to be advised of noncompliance. If within a reasonable time, there still is no compliance, the Administration is authorized certain enforcement remedies: Administrative and court remedies.

Authorization and Appropriation Authority is extended through FY 1976, with appropriation authorized for FY 1974 and 1975 at $1 billion each year; FY 1976 at $1.25 billion.

Comptroller General's Record Access—Specific language was adopted providing for access to records by the Comptroller General.

Security and Privacy of statistical and research information provisions have been added to the Act. There is a requirement that criminal history information shall contain disposition as well as arrest data to the maximum extent feasible. An individual who believes criminal history information concerning him in an automated system is inaccurate, incomplete and is entitled to review such information for the purpose of correction. Guidelines are to be issued to provide the safeguards necessary to assure security and privacy.

Surplus Property Authority—LEAA now has the authority to donate excess or surplus Federal property to LEAA grantees to fulfill property requirements of criminal justice programs. Title to such property will vest in the grantee.

Part G—Definitions—Section 601 has added definitions for:

A. Broadened definition of law enforcement to include prosecutorial and defender services.

B. The term "comprehensive."

C. The term "treatment" defined and the conference report makes it clear that the definition not only includes addictive drugs, but other drugs as well.

D. Criminal history information.

Part H—Criminal Penalty provisions have been expanded to include endeavors to defraud, embezzle, willfully misapply, or steal LEAA funds.

Part I—The Attorney General's Report on Federal Law Enforcement and Criminal Justice activities is now to be prepared every two years rather than annually.

Miscellaneous—The words "criminal justice" have been added after "law enforcement" wherever they appear throughout the Act.

Effective Date of Act—The Act is effective as of July 1, 1973. However, the elimination of the "troika" and creation of the Deputy Administrator positions becomes effective on the date of enactment.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. GOLDWATER, from the Committee on Armed Services:

J. William Middendorf II, of Connecticut, to be Under Secretary of the Navy.

The above nomination was reported with the recommendation that the nomination be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Mr. GOLDWATER. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nomination of Maj. Gen. Elvy Denton Roberts to be lieutenant general in the Army; Lt. Gen. Patrick Cassidy, U.S. Army, to be retired in that grade; Maj. Gen. Allen Mitchell Burdett, Jr., to be lieutenant general in the Army; Brig. Gen. William McGilvery Buck and Brig. Gen. Evan Albert Turnage to become major generals in the Army National Guard; and, Rear Adm. Oliver H. Perry, Jr., to be vice admiral as Chairman, Inter-American Defense Board. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. SPARKMAN, from the Committee on Banking, Housing and Urban Affairs:

William E. Young, of Washington, to be a member of the National Credit Union Board;

David Olan Meeker, Jr., of Indiana, to be an Assistant Secretary of Housing and Urban Development;

A. A. Sommer, Jr., of Ohio, to be a member of the Securities and Exchange Commission; and

Ray Garrett, Jr., of Illinois, to be a member of the Securities and Exchange Commission.

The above nominations were reported with the recommendation that the nominations be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation:

Executive L, 93d Congress, first session, the amendment to article 61 of the Charter of