move that the Senate recede from its amendment to the bill.

Mr. Hruska. I thank the Senator for yielding.

REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee on the disagreeing vote of the two Houses on S. 2164, the Real Estate Settlement Procedures Act of 1974.

Mr. Brock. Mr. President, I rise in support of the conference report accompanying S. 2164, the Real Estate Settlement Procedures Act of 1974.

Quick passage of this important consumer protection legislation will be the most meaningful stop Congress can take this year to bring immediate relief to the prospective home buyer from the high cost of homeownership. The home buyer has had to shoulder enormous financial burdens in the past which really were unnecessary and self-defeating. If this legislation is enacted, the prospective buyer will know exactly what he is paying for and he is really paying for a necessary service.

This bill provides reforms in the complex real estate settlement process needed to assure that consumers are provided with greater and more timely information on the nature and costs of the settlement. It eliminates certain abusive practices, such as kickbacks, which increase the costs of real estate settlements. Additionally, amounts that home buyers are required to place in escrow accounts will be limited.

The most significant difference between the Senate and House versions was resolved when the conference committee agreed to retain section 701 of the Emergency Home Finance Act of 1970. That is, in the Department of Housing and Urban Development and the Veterans Administration the authority to prescribe standards governing the amount of closing costs of real estate settlements. Additionally, amounts that home buyers are required to place in escrow accounts will be limited.

Those of us who believe that section 701 ought to be repealed are convinced on the basis of the hearings and floor debate that took place on S. 2164 that HUD now recognizes that this section does not adequately control federally related mortgage loan closing costs. Moreover, we are convinced that HUD will not in any way use the authority granted by section 701 to impose controls on the settlement costs that are economically sound.

I am delighted with the action of the conference. The conference report contains the following House provisions relating to property covered by federally related mortgage loans:

- All of these important provisions were retained by the conference. The conference report contains the following House provisions relating to property covered by federally related mortgage loans:
- States would be allowed to enforce their settlement practice laws which are not inconsistent with this section.
- If a state law requires that the lender provide a consumer with a statement containing information that is not identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with theHUD statement.
- If a state law requires that the lender provide a consumer with a statement containing information that is identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with the HUD statement.
- States would be allowed to enforce their settlement practice laws which are not inconsistent with this section.
- If a state law requires that the lender provide a consumer with a statement containing information that is not identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with the HUD statement.
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- If a state law requires that the lender provide a consumer with a statement containing information that is identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with the HUD statement.

The beneficial interest of a person in a federally-related mortgage loan would be protected by the provisions relating to property covered by federally related mortgage loans. Additionally, amounts that home buyers are required to place in escrow accounts will be limited.

I am delighted with the action of the conference. The conference report contains the following House provisions relating to property covered by federally related mortgage loans:

- States would be allowed to enforce their settlement practice laws which are not inconsistent with this section.
- If a state law requires that the lender provide a consumer with a statement containing information that is not identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with the HUD statement.
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- States would be allowed to enforce their settlement practice laws which are not inconsistent with this section.
- If a state law requires that the lender provide a consumer with a statement containing information that is not identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with the HUD statement.
- If a state law requires that the lender provide a consumer with a statement containing information that is identical to the HUD settlement statement, the court may subsequently direct the lender to provide the consumer with the HUD statement.

The conference report was agreed to. The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. Robert C. Byrd. Mr. President, I rise to announce an unanimous consent agreement. The Senator from California may be recognized to call up a matter which he and the Senator from Nebraska are in agreement on, that there be a time limitation of 8 minutes of time equally divided between them.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

CONSENT DECISION PROCEDURES

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

Mr. Tunney. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 72.

The PRESIDING OFFICER. Mr. Helms) laid before the Senate the amendment of the House of Representatives to the bill (S. 72). The conference report was agreed to.

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

CONSENT DECREES PROCEDURES

Sect. 2. Section 5 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" [approving Oct. 15, 1914 (15 U.S.C. 16), amended by redesignating subsection (b) as (i) and by inserting immediately after subsection (a) the following: "(b) Any proposal for a consent judgment submitted by the United States for entry in any civil proceeding brought by or on behalf of the United States under the antitrust laws shall be filed with the district court before which such proceeding is pending, and no such proposal shall be published in the Federal Register at least 60 days prior to the effective date of such judgment. Any written comments relating to such proposal, including an explanation of the event giving rise to the alleged violation of the antitrust laws, shall be filed with the district court before which such proceeding is pending, and any responses by the United States thereto, shall also be filed with such district court and published by the United States in the Federal Register within such sixty-day period. Copies of such proposal and any other materials and documents which the United States considers determinative in formulating such proposal, shall be made available to the public at the district court in such such sixty-day period. Copies of such proposal and any other materials and documents which the United States considers determinative in formulating such proposal, shall be made available to the public at the district court in such sixty-day period.

(1) the nature and purpose of the proceeding;
(2) a description of the practices or events giving rise to the alleged violation of the antitrust laws;
(3) an explanation of the proposal for a consent judgment, including an explanation of any unusual circumstances giving rise to the proposal, the proposal or any provision contained therein, relief to be obtained therefrom, and the anticipated effects on competition of such relief;
(4) the remedies available to potential private plaintiffs damaged by the alleged violation in the event that such proposal for

ANTITRUST PROCEDURES AND PENALTIES ACT

SEC. 2. Section 5 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" [approving Oct. 15, 1914 (15 U.S.C. 16), amended by redesignating subsection (b) as (i) and by inserting immediately after subsection (a) the following: 

(1) the nature and purpose of the proceeding;
(2) a description of the practices or events giving rise to the alleged violation of the antitrust laws;
(3) an explanation of the proposal for a consent judgment, including an explanation of any unusual circumstances giving rise to the proposal, the proposal or any provision contained therein, relief to be obtained therefrom, and the anticipated effects on competition of such relief;
(4) the remedies available to potential private plaintiffs damaged by the alleged violation in the event that such proposal for
(e) The consent judgment is entered in such proceeding; (f) a description of the procedures available for modification of such proposal; and (g) a description and evaluation of the information, testimony and other materials, if any, that are considered by the court as determining the entry of such judgment.

(4) Review any comments including any objections filed with the United States under subsection (b), concerning the proposed judgment and the responses of the United States to such comments and objections; and (5) review any comments including any objections filed under subsection (b), concerning the proposed judgment and the responses of the United States to such comments and objections.

(ii) A summary of the competitive impact statement filed under subsection (b), and a description and evaluation of the information, testimony and other materials, if any, that are considered by the court as determining the entry of such consent judgment submitted under subsection (e), and such submission shall not be for the purpose of determining the entry of such judgment in such proceeding.

(5) If the consent judgment submitted under subsection (b) is entered in such proceeding, the consent judgment shall be entered in the District of Columbia, and in such other districts as the court may direct—

(1) a summary of the terms of the proposed judgment; and

(2) a summary of the competitive impact statement filed under subsection (b), and a description and evaluation of the information, testimony and other materials, if any, that are considered by the court as determining the entry of such judgment.

(6) A description and evaluation of the information, testimony and other materials, if any, that are considered by the court as determining the entry of such judgment.

(7) The consent judgment is entered in such proceeding; (8) a description of the procedures available for modification of such proposal; and (9) a description and evaluation of the information, testimony and other materials, if any, that are considered by the court as determining the entry of such judgment.

(f) During the 60-day period as specified in subsection (b) of this section, and such additional time as the United States may request and the court may grant, the United States Attorney General shall establish procedures to carry out the provisions of this subsection, but such additional time shall not be extended except by order of the district court upon a showing that (1) extraordinary circumstances require such shortening and (2) such shortening is not adverse to the public interest. At the close of the period during which such comments may be received, the United States shall file with the district court and cause to be published in the Federal Register a response to such comments.

(8) Before entering any consent judgment proposed by the United States under this section, and such additional time as the United States may request and the court may grant, the United States Attorney General shall consider such written comments relating to the proposal for the consent judgment submitted under subsection (b) of this section to the Attorney General. The Attorney General shall have the authority to modify the provisions of this subsection, but such additional time shall not be extended except by order of the district court upon a showing that (1) extraordinary circumstances require such shortening and (2) such shortening is not adverse to the public interest. At the close of the period during which such comments may be received, the United States shall file with the district court and cause to be published in the Federal Register a response to such comments.

(h) Proceedings before the district court under subsections (e) and (f) of this section, including the determination of whether such consent judgment filed under subsection (b) of this section, shall not be counts against any defendant, any other party against such defendant under the antitrust laws or by the United States under the Act nor constitute a basis for the introduction of the consent judgment as prima facie evidence against such defendant in any such action or proceeding.

Penalties

Sec. 3. Sections 1, 2, and 3 of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890 (15 U.S.C. 1, 2, and 3), are amended as follows:

(1) by striking out "misdemeanor" whenever it appears and inserting in lieu thereof in each case "felony";

(2) by striking out "fifty thousand dollars" whenever such phrase appears and inserting in lieu thereof the following: "one million dollars if a corporation, or, if any other person, one hundred thousand dollars";

(3) by striking out "one year" whenever such phrase appears and inserting in lieu thereof in each case "three years";

(4) review any comments including any objections filed with the United States under subsection (b), concerning the proposed judgment and the responses of the United States to such comments and objections; and

(5) review any comments including any objections filed with the United States under subsection (b), concerning the proposed judgment and the responses of the United States to such comments and objections.

Sec. 4. (a) The first section of the Act of February 11, 1903 (15 U.S.C. 28; 49 U.S.C. 44), commonly known as the "Expediting Act", is amended to read as follows:

"SECTION 1. In any civil action brought in any district court of the United States under the Act of February 11, 1903 (15 U.S.C. 28; 49 U.S.C. 44), commonly known as the "Expediting Act", as amended to read as follows:

(1) by striking out "misdemeanor" whenever it appears and inserting in lieu thereof in each case "felony";

(2) by striking out "fifty thousand dollars" whenever such phrase appears and inserting in lieu thereof the following: "one million dollars if a corporation, or, if any other person, one hundred thousand dollars";

(3) by striking out "one year" whenever such phrase appears and inserting in lieu thereof in each case "three years";

(4) review any comments including any objections filed with the United States under subsection (b), concerning the proposed judgment and the responses of the United States to such comments and objections; and

(5) review any comments including any objections filed with the United States under subsection (b), concerning the proposed judgment and the responses of the United States to such comments and objections.

Sec. 5. (a) The Act entitled "An Act to regulate commerce with foreign nations and among the States", approved February 11, 1903 (38 Stat. 823), as amended (15 U.S.C. 29; 49 U.S.C. 43), is amended by striking out the following:

"(b) An appeal from a final judgment entered in any action specified in a subsection (a) shall lie directly to the Supreme Court if the Attorney General files in the district court a certificate to that effect which is to be filed within 10 days after the filing of a notice of appeal. When such a certificate is filed, the appeal and any cross appeal shall be placed upon the docket in the Supreme Court in the same manner as any other direct appeal authorized by law, or (2) deny the petition and remit the case to the appropriate court of appeals, which shall then have jurisdiction to hear and determine such case.

The provisions of an Act entitled "An Act to expeditiously dispose of suits in equity pending or hereafter brought under the Act of July second, eighteen ninety, or any other Acts having like purpose therein enacted, or before the expiration of sixty days after the filing of a notice of appeal to the Supreme Court has been filed on or before the day following the date of enactment of this Act. Appeal in any such action shall not be taken pursuant to the provisions of section 2 of the Act of February 11, 1903 (38 Stat. 823; 49 U.S.C. 45), which were in effect on the day preceding the date of enactment of this Act.

Mr. TUNNEY. Mr. President, on November 19, the House passed, with an amendment, S. 482, an Act entitled "An Act to regulate commerce with foreign nations and among the States".

The last 2 weeks, negotiations have resulted in agreement among various Senators, and with Members of the House, on cer-
tained which should be made in the pending version of S. 782.

Today I will move, on behalf of Senator HRUSKA, to accept the House amendment to S. 782, with a further amendment. By means of this procedure I hope to accomplish two objectives that the House can then adopt the bill as revised and send it to the White House for signature. This will avoid the necessity of going to a committee in both of these hectic, final days of the session.

The amendment which I will propose, makes some changes in the third title of this bill, as passed by the House, for the Department of Justice. The amendment which I will propose makes some changes in the third title of S. 782, which deals in the consent decree process, by requiring the Justice Department to accept the House amendment, to the antitrust laws.

The genesis of this legislation came during the hearings held by the Senate Judiciary Committee on the nomination of Richard Kleindienst, the hearings which quickly became known as the ITT hearings, because the major issue involved allegations that a massive behind-closed-door campaign resulted in halting the Justice Department's prosecution of the ITT case and its hasty settlement favorable to the company. During those hearings, I became concerned with the apparent weaknesses of the consent decree process, which could allow this kind of corporate pressures to be exercised.

I asked many questions of the witnesses at the ITT hearings concerning the consent decree process, and I forwarded these questions to the Department of Justice. As a result of the information generated during the ITT hearings, Senator GRANSTY and I introduced a bill, in the fall of 1972, to prevent back room consent decree process for the Department of Justice.

This bill was reintroduced in the 93rd Congress as S. 782, and after several days of hearings and unanimous approval by the Committee, I was privileged to be Senate floor manager when the Antitrust Penalties and Procedures Act was adopted by an unanimous roll call vote of 92-0 in July, 1973.

The Senate bill was the first significant reform of the antitrust laws in 2 decades. It opened up the consent decree process, by requiring the Justice Department to file with the court and publish an "impact statement" explaining the background, purpose, and effect of each proposed consent decree. The public would then have 60 days to study and comment on this impact statement, and the House would have 30 days to approve, reject, or make suggestions. The House would have 30 days to approve, reject, or make suggestions. The House could then change the consent decree or ask for more information. The public could then have 15 days to review the proposed consent decree before it is filed.

Although the work of the House on this bill was generally most helpful, Senators Rodino and Rostenkowski expressed some reservation about one change made by the House. This involves the procedure for handling appeals of final judgments in antitrust cases. As passed by the Senate, appeals from final judgments of Government antitrust cases will go to the courts of appeals, in contrast to present law where appeals go directly to the Supreme Court.

The Senate-passed bill did provide for a special procedure to allow direct appeals to the Supreme Court in cases of general public importance. If the judge certifies the request, the appeal would be docketed with the Supreme Court following its rules. The Court would then decide whether to hear the case immediately, or remand it to the court of appeals for normal adjudication, in which case a writ of certiorari could be sought at a later time.

The House version of this special procedure for direct appeals to the Supreme Court differs from the Senate version only in the way the decision is made. Instead of allowing the district judge to make the decision, the House version allows the Attorney General alone to file a certificate accomplishing the direct appeal, where the Attorney General feels that immediate consideration of the appeal is of general public importance.

I am willing to accede, to the preference of my two colleagues for the Senate-passed version of this provision on direct appeals to the Supreme Court. It is this change alone which is accomplished by the amendment which I offer at this time to the House amendment to S. 782. I have been assured by Senator HRUSKA, that he is willing to accept the other amendments made by the House to the bill.

By making this amendment, and returning the bill to the House, it is my hope and expectation that further changes in the bill can be avoided and the legislation sent to the White House. It has been my intention to consider this bill on its merits, and to make any necessary changes in the Senate version of this bill, if possible, since I know how busy all of us in both Houses are in the final days of this session. It is my understanding that the ranking member of the Senate Judiciary Committee, Senator Rostenkowski, and ranking member of the House Judiciary Committee, Mr. Rostenkowski and Mr. HUTCHINSON, will be agreeable to the changes we are making today, and will act promptly to send this bill to the White House.

I yield to the Senator from Nebraska. Mr. HRUSKA. Mr. President, may I inquire of the Senator whether he has proposed the amendment or does he want me to propose it? Mr. TUNNEY. Well, I was going to propose it myself, but inasmuch as the Senator is here and it is his amendment, I do not see any reason why I should not accept it. Mr. HRUSKA. That pertains to the amendment that is at the desk at the present time? Mr. TUNNEY. That is correct. Mr. HRUSKA. Mr. President, I would like to make a few remarks on it, if I may.
Mr. HRUSKA. Mr. President, I mean to ask the Senate agreement to the engrossed amendment of the House to the bill (S. 782) to reform consent decree procedures, to increase penalties for violation of the Sherman Act, and to revise the expedited hearing of appeals pursuant to subsection (a). I am submitting the following:

The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. HRUSKA. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment. Without objection, it is so ordered.

The PRESIDING OFFICER. The amendment will be stated.

On page 8, beginning with line 4, strike out all through the end of the amendment and insert in lieu thereof the following:

"Provided, That the provisions of an Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, or any other Acts having like purpose or effect, that have been or hereafter may be enacted, shall be the duty of the judge designated to hear and determine the case, or the chief judge of the district court if no judge has as yet been designated, to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

"(b) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890, or any other Acts having like purpose or effect, that have been or hereafter may be enacted, wherein the United States is plaintiff and equitable relief is sought, any case prosecuted under the direction of the Attorney-General, or any district judge sitting on the case might have jurisdiction to hear and determine the case, or the chief judge of the district court if no judge has as yet been designated, to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

"(c) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, or any other Acts having like purpose or effect, that have been or hereafter may be enacted, wherein the United States is plaintiff and equitable relief is sought, the procedural law was changed so that appeals in Government antitrust actions must be taken to the court of appeals rather than directly to the Supreme Court except where the Attorney General may file a certificate within 10 days after the date of any appeal stating that immediate consideration by the Supreme Court is of general public importance."

Mr. HRUSKA. Mr. President, there are two provisions in this bill which seem to me to be very wise and very fair.

First, violation of the Sherman Act was changed from a misdemeanor to a felony. Second, the procedural law was changed so that appeals in Government antitrust actions must be taken to the court of appeals rather than directly to the Supreme Court except where the Attorney General may file a certificate within 10 days after the date of any appeal stating that immediate consideration by the Supreme Court is of general public importance.

Mr. President, the first of those points is not altered by the amendment which I have proposed. The second of those points is affected by the amendment in that the House language on that second point will be stricken entirely by this amendment, and there will be inserted in lieu thereof the text of the amendment which embodies the Senate-ap­ proved language in bill S. 782, as enacted."

"(a) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, or any other Acts having like purpose or effect, that have been or hereafter may be enacted, wherein the United States is plaintiff and equitable relief is sought, any case prosecuted under the direction of the Attorney-General, or any district judge sitting on the case might have jurisdiction to hear and determine the case, or the chief judge of the district court if no judge has as yet been designated, to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."
However, the decisions of the prosecutorial staff are subject to no review whatever. In a case such as the Albrecht case there is no legal bar to the bringing of a government suit which would require a district attorney to proceed in the manner that he has done, in defiance of the rule of law laid down by the Supreme Court, to brand individuals as felons for actions taken openly and in good faith in an effort to offer products the public at a lower price and upon a basis that was considered perfectly legal by many lawyers and judges.

Similarly, with respect to controlling the decisions of the prosecution office of the Department of Justice, a wait until the trial court has rendered its decision and then decide whether or not its position is more likely to be favorably received in a particular court of appeals or in the Supreme Court before deciding whether to file a certificate authorizing the appellate forum the prosecuting staff and judges.

I respectfully urge upon you that it is completely contrary to the American concept of due process to give one of the litigants in an adversary proceeding—even if the litigant is a government employee—such a tremendous advantage over his adversary. Furthermore, when this is coupled with the unbridled discretion to bring a felony charge against individuals who may have lost a complex and debatable issue of law, there will exist the possibility for an abuse of power which I can morally certain will constitute a threat to the civil liberties of everyone engaged in commercial activities.

The President, while I object to, and would not vote for, the bill as amended with reference to the penalties or title 3. I would not agree necessarily with title 2. I would not vote for, the bill as amended with reference to the consideration by the Senate at this time and a vote to be taken thereon.

The PRESIDING OFFICER. Who yields time?

Mr. TUNNEY. Mr. President, I would like to say that I think this legislation that we are passing today, which the Senate passed in July of last year, is a very important piece of legislation. It represents a significant reform of the antitrust laws.

I want to thank the Senator from Nebraska for his courtesy and for his interest in helping develop the legislation and working out the procedure that we presently are involved in, making sure that there can be expeditious consideration of the bill by the Senate so that the Senate can pass it prior to adjournment. It would have been impossible to have received this expeditious consideration had it not been for the consideration and courtesies of the Senator from Nebraska.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. TUNNEY. Will the Senator yield 1 minute, Mr. President?

Mr. HRUSKA. I yield.

Mr. TUNNEY. I would like to thank the Senator from Nebraska for the work that he put in on this legislation, and for helping to develop the final product in its present form.

Mr. HRUSKA. I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TUNNEY. Mr. President—The PRESIDING OFFICER. The Senator from West Virginia has the floor. He yielded to the distinguished Senator from California.

Mr. TUNNEY. Will the Senator yield further?

Mr. ROBERT C. BYRD. Mr. President, if there be no further debate, I move that the Senate agree to the amendment of the House as amended by the Senate.

The motion was agreed to.

ORDER FOR VOTE ON SUPPLEMENTAL APPROPRIATIONS CONFERENCE REPORT AT 4:10 P.M. TODAY

Mr. ROBERT C. BYRD. Mr. President, I have discussed this request with the distinguished chairman of the Appropriations Committee, the distinguished Assistant Attorney General, and the distinguished Senator from Alabama (Mr. ALLEN).

I think it will meet with the approval of all Senators.

The yeas and nays have been ordered on the adoption of the supplemental appropriations conference report. There will be some discussion with reference to amendments in disagreement. I think it would be the better part of wisdom to forgo until tomorrow the discussion on those amendments in disagreement.

I, therefore, ask unanimous consent that the vote on the adoption of the conference report occur at 4 p.m. today, and that discussion with respect to the amendments in disagreement be delayed until 1 p.m. tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Reserving the right to object, will the Senator consider making that vote at 5 or 10 minutes after 4 o'clock?

Mr. ROBERT C. BYRD. Yes. I amend my request, Mr. President, to read, instead of 4 p.m., that the vote begin at 10 minutes after 4 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

TRADE REFORM ACT OF 1974—PRIVILEGE OF THE FLOOR

Mr. LONGB. Mr. President, I ask unanimous consent that during the consideration of H.R. 10710, the trade reform bill, including amendments, that the following staff personnel be permitted the privilege of the floor:

From the Finance Committee: Michael Stern, Bob Best, Dick Rivers, Mark Sandstrom, Michael Rowny, Bob Willan, Bill Morris, and Joe Humphreys.

From the Joint Tax Committee: Laurence Woodworth, Mike Byrd, Howard Silverstone, Paul Cesterhuis, and Bobby Shapiro.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond the hour of 5 p.m.

The motion was agreed to; and at 3:56 p.m., the Senate took a recess until 4:10 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. Halms).

SUPPLEMENTAL APPROPRIATIONS, 1975—CONFERENCE REPORT

The Senate continued with the consideration of the report of the Committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16900) making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes.

The PRESIDING OFFICER. The question is on the adoption of the conference report on H.R. 16900. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. Fulbright), the Senator from Minnesota (Mr. Humphrey), the Senator from South Dakota (Mr. McGovern), and the Senator from New Hampshire (Mr. McIntyre) are necessarily absent.

I further announce that the Senator from Montana (Mr. Mansfield) is absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. Humphrey) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Oklahoma (Mr. Bartlett), the Senator from Oklahoma (Mr. Bellmon), the Senator from Wyoming (Mr. Halsey), the Senator from Oregon (Mr. Hatfield), and the Senator from Connecticut (Mr. Weicker) are necessarily absent.

On this vote, the Senator from Oregon (Mr. Hatfield) is paired with the Senator from Connecticut (Mr. Weicker).

If present and voting, the Senator from Oregon would vote "yea" and the Senator from Connecticut would vote "nay."

The result was announced—yeas 80, nays 9, as follows:

No. 523 Leg. 38587

YEAS—80

Abourezk  Aiken  Bayh  Byrd  Bennett  Bentsen  Bingaman  Bible  Bickerstaff  Brock

Cook  Buckley  Burdick  Cranston  Byrd  Byrd  Cannon  Case  Chiles  Church  Cokkinos

Crane  Culver  Dole  Domenici  Dominick  Erickson  Ervin

Theyeastotalwas—yeas80, nays9, asfollows: