

# CHAIRMANSHIP OF THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

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## HEARING AND MARKUP

BEFORE THE  
SUBCOMMITTEE ON  
INTERNATIONAL OPERATIONS  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
NINETY-EIGHTH CONGRESS  
SECOND SESSION  
ON  
**H.R. 4504**

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FEBRUARY 6, 1984

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Printed for the use of the Committee on Foreign Affairs



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1984

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## CHAIRMANSHIP OF COMMISSION ON SECURITY AND COOPERATION IN EUROPE

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MONDAY, FEBRUARY 6, 1984

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS,  
*Washington, D.C.*

The subcommittee met at 2:45 p.m., in room 2172, Rayburn House Office Building, Hon. Dan Mica (chairman of the subcommittee) presiding.

Mr. MICA. The subcommittee will come to order, and for the record let me note that Mr. Siljander of the subcommittee was present.

We meet here today to take testimony on H.R. 4504, a bill introduced by our committee chairman, the Honorable Dante Fascell, of Florida. This legislation provides rotation between the House and the Senate for chairmanship of the Commission on Security and Cooperation in Europe, popularly known as the Helsinki Commission. I would like to remind any Members or just state at this time that we will proceed with markup as soon as the testimony has been taken.

I will take a moment as we proceed with the hearing to introduce a new member of the committee, Howard Berman.

I am Dan Mica, the new chairman of the committee. I am very pleased to be here and to have as our first witness, the chairman of the full committee, Dante Fascell, who is not only a great chairman but somebody whom I personally admire. With that, I think we will proceed with the testimony.

If I may, before we proceed, is there anyone here from Senator Dole's office?

All right, we will get to you after hearing from the chairman.

Mr. Chairman, would you proceed?

### STATEMENT OF HON. DANTE B. FASCELL, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. FASCELL. Thank you, Mr. Chairman, and let me extend my congratulations to you as you take over the chairmanship of this subcommittee. Having worked with you on the committee now since you have been here, I know that you will do a great job and you do chair a very important subcommittee. So we look forward to our continued efforts together on the many matters which are under your jurisdiction and which are subject to your consideration this coming year. I know you have a full agenda.

I welcome the opportunity even as chairman to appear before you on this legislation because as chairman of the Helsinki Commission, I wanted to indicate my support for H.R. 4504, to provide for an orderly rotation of the chairmanship and some other matters affecting CSCE.

I have a prepared statement. I would like to submit it for the record and I will just provide extemporaneously.

Mr. MICA. Without objection.

Mr. FASCELL. When the question first arose about this issue the Congress decided—that is both the House and the Senate—for what seemed good and valid reasons at the time, that the chairmanship of the CSCE should be a House Member and the Speaker has designated the chairman since that law was enacted. But the issue arose almost immediately about some further representation on the part of the Senate on a more coequal basis and so what the Commission did at the time was to establish by understanding and agreement, a cochairmanship, and so a Senator was cochairman.

That evolved for a while as reasonably satisfactory and then it became apparent that it would not continue that way and that a more formal arrangement would have to be made. There was considerable discussion on this in the last bill that went through the committee on the authorization of the State Department and related agencies and we felt at that time on the House side that it would be better to do this legislatively and give everybody an opportunity to be heard on this issue and establish the relationships and give the organization that has such a vital interest in this Helsinki Commission an opportunity to testify and to be sure that legislatively we set up the guidelines and work so that there would be continuity of the work of the Commission and that we could retain the tremendous amount of expert knowledge that we have accumulated through staff and otherwise, and that we would satisfactorily meet the requests of the Senate on this subject.

Hence, the resolution that is now before you and hence the somewhat urgent necessity to get the matter clarified. So the resolution that we amend the law to do what the Senate wants—and that is, to rotate the chairmanship of the Commission and hence also to co-chairmanship each Congress.

Now, the bill says 100th Congress, but I don't think that is proper and there is some objection to that on the Senate side and, therefore, I would suggest an amendment to make effective starting this next Congress with the Senate chairman and the House co-chairman and then rotate that way off and on as we get started.

Now, the matter of authority and power of the chairman and the cochairman, particularly now where we have one party is a majority in the House and another party is a majority in the Senate, we thought the best way to handle that would be to give the cochairman and chairman the authority, speculative authority to appoint a certain amount of staff and to authorize the travel for the members of their respective parties and for staff travel of their respective staffs in that sense, and so this legislation provides for that, and we feel that will give the continuity, retain the experts that we have and still satisfy the requests of the Senate in being the coequal status in the House.

The other thing we have provided in this legislation is that consistent with the rules of Congress, that no Member, no chairman of a sitting committee would be the chairman of the Helsinki Commission and the reason for that is obvious. You certainly couldn't devote the time.

I know as chairman of the Foreign Affairs Committee I couldn't give the time and attention that would be absolutely essential to the continuation of the work of the Helsinki Commission too long and it would not be fair and I think the quicker we get this legislation adopted, and get that rule in place, the better the Helsinki Commission will be as a result of that.

I guess that is about it, Mr. Chairman. We are concerned about the continuation of the work of the Commission. We do have a very unusual staff, they are high quality. We have done good work in these years, outstanding work, and that is recognized all across the signatory countries that are part of the Helsinki effort.

We have worked with the U.S. delegations at both Belgrade and Madrid and now at Stockholm and other meetings that are coming up. The Commission expects to play its role in this entire effort and we are undertaking two things right now that are somewhat unique and I thought we ought to put them on the record.

One is that in order to provide for orderly transition we made an unusual request perhaps, to have the GAO audit the work and the books of the Helsinki Commission so that when this rotation takes place, everything will be in order and on the public record in terms of the work that we have done.

The other thing that we have done is we have undertaken the job of just putting together for the first time in one document, what has actually been accomplished under the Helsinki accords by the signatory nations. One of the first innovative things we did was compile for the first time a report on implementation by the United States and that was done by the U.S. Helsinki Commission for the first time to put a document together in which we took every allegation that was made either by the Soviets or any of the Eastern bloc countries, or any organization or individuals for that matter, in the United States and outside the United States that had raised some question about U.S. implementation and we addressed that on the record and published that document and made it available to every signatory country.

In the hope that other nations would undertake to do the same thing for a self-examination, critical self-examination, if you will, in a genuine effort to try to reduce the amount of polemics and rhetoric that accompanies this very sensitive question of human rights and the differentiation of systems as they address their own people.

We hope we have sensitized some people to the usefulness of that. Now we are going the other way and we are saying OK, let's take a look at what has been done, every single accomplishment by any of the signatory groups that want to be part of this process. We would seek to compile that again on record, make it available. We think it would be a very useful document. It is a monumental document, but we are in the process of doing that and we think it would be very important to continue this kind of work.

We have been of service to the Congress, we have worked very closely with the nongovernmental organization that would have a vital interest in this whole question of human rights and the Helsinki accords and implementation or failures that are understood, and I think it is very valuable to have their input here today in this testimony as you consider this bill.

Other than that, there is really nothing unusual about this. We are simply trying to meet the legitimate requests of the other branch of the Congress with respect to coequal status and we think that this represents a good solution to that problem.

[Mr. Fascell's prepared statement follows:]

PREPARED STATEMENT OF DANTE B. FASCELL, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. Chairman, distinguished members of the Subcommittee, I am pleased to have this opportunity to appear before you in support of H.R. 4504, a bill to provide for an orderly rotation of the chairmanship of the Commission on Security and Cooperation in Europe between the House and the Senate. Accompanying me is Commission Staff Director and General Counsel R. Spencer Oliver.

The principal purpose of H.R. 4504 is to amend the 1976 law creating the Commission to provide that the Commission chairmanship rotate, at the beginning of every new Congress, between the House and Senate. As you know, under existing law, the Speaker of the House appoints one of the six Commissioners from the House to serve as Chairman.

This bill also establishes by law the position of Co-chairman, which is now only an informal arrangement. Both the Chairman and Co-chairman would have the authority to appoint an equal number of professional staff members, to approve foreign travel and to disburse appropriated funds. Under this legislation, both bodies of the Congress would be formally represented in the Commission leadership.

H.R. 4504 also provides that no member of the Commission who chairs a standing committee of either the House or Senate would be eligible to chair the Commission. This provision, which is in complete accordance with existing House and Senate rules, ensures that the vital concerns of the Commission will be addressed by a Chairman who is able to devote adequate time to them.

The other provisions in H.R. 4504 are technical amendments which clarify the eligibility of the Commission staff to receive the same benefits accorded to employees of the House and Senate.

Mr. Chairman, under the provisions of H.R. 4504, the Senate chairmanship of the Commission would not begin until the 100th Congress. I would like to propose an amendment to my bill so that the Commission chairmanship would rotate to the Senate beginning next January with the 99th Congress. I also propose that the position of Co-chairman, to be filled by a House member, be established at the same time.

In my opinion, this is a fair and equitable solution to the disputes that have disrupted the Commission's work in the last few months. The legislation provides for an orderly transition every two years while, at the same time, it ensures that the non-partisan professionalism and expertise of the staff and the focus of the Commission's work will be maintained. This legislation insures the kind of professional continuity that the rules of the various joint committees of the Congress already provide. To have rotated the chairmanship without such provisions would not have provided such continuity and protected the integrity of the Commission's work. This bill provides for continuity in the direction of the Commission from Congress to Congress and, hopefully, will enhance the Senate's participation in and visibility on the Commission.

It is my intention, when this legislation is enacted into law, to provide for an orderly transition to the new structure. The General Accounting Office has begun an audit of the Commission's work—at our request—which should be completed within a few months. I dare say that we are probably unique in this regard in that we are probably the first agency that has ever requested a GAO audit of themselves. In addition, we have a study now underway to provide a balance sheet of the accomplishments and progress of the Helsinki Final Act since its inception. We believe that this report, along with all of the other reports and studies carried out by the Commission since we started in 1976, will complete the most up-to-date and comprehensive library of the Helsinki process that exists anywhere in the world.

I am extremely proud of the work of this Commission during the past eight years. I think we have had a real impact on the Helsinki process and on U.S. Government policy in this area. We have provided valuable services to the Congress as well as the Executive Branch. And, most importantly, we have made a lasting contribution to the noble cause of human rights.

I have been most fortunate to have an excellent staff of dedicated, experienced professionals who have worked as an effective team in carrying out their duties and responsibilities. The Commission staff has been, in my opinion, one of the best ever assembled on Capitol Hill. They have done far more than any of us who created the Commission ever thought possible when we started.

Mr. Chairman, I hope you agree that the concerns of the Helsinki Commission are too vital to be hampered by differences among its members. It is my fervent wish that the passage of my bill will resolve these problems and, at the same time, insure the continuation of the Commission's important work. I urge you to take speedy and favorable action on H.R. 4504.

Thank you.

Mr. MICA. Thank you, Mr. Chairman.

I would just like to ask your opinion on the protections available for the Helsinki staff. Do you think we are going to be able to provide appropriate protection so that we don't have any major problems?

Mr. FASCELL. I think we do that in this legislation and that was one of the purposes of the legislation so there would be no misunderstanding among you, you would have clear lines of legislative authority. The chairman would do his, staff, the cochairman would do his staff. They would be from opposite parties right now, and if that changes at some time, well then it would be a question of working out in coordination, if it happens to be the chairman and cochairman are from the same party.

But for right now it is essential to have marked the clear lines of authority where you have a chairman and cochairman from different parties, and the way to do that is to divide up the professional staff at an agreed level and protect the expertise that we have and still give a new chairman coming in from the other party and the other body, an opportunity to get some of his own staff.

Mr. MICA. Thank you.

Let me defer to my colleague, Mr. Berman and just take a moment to welcome Mr. Berman to the subcommittee. We are both new members of this subcommittee and we serve on another subcommittee together. I can see the team starting off again. Welcome to the subcommittee.

Mr. BERMAN. Thank you, Mr. Chairman, and it is a pleasure and honor to be here, and the only question I have is when this legislation would in effect supersede the Senate legislation providing for a special Committee on Security and Cooperation in Europe?

Mr. FASCELL. Mr. Berman, the legislation itself does not do that. That is a Senate prerogative and we could not undertake to do that. It would be hoped that when we reach agreement with this, the Senate would rethink that and decide that this is a good way to approach the matter and that maybe they need not proceed that way. But the legislation does not tell the U.S. Senate what to do.

Mr. BERMAN. Thank you.

Mr. MICA. Thank you very much, Mr. Chairman.

With that, we will excuse the witness. We appreciate your testimony. Let me say that as far as this member is concerned, you



have done a magnificent job for many years on this. If I had my choice, you would be chairman ad infinitum.

Mr. FASCELL. I appreciate that. Let me pass that plaudit, however, to the organization, some of whom I see represented behind me in this room. They are the ones that have kept the spirit of this whole thing alive. They are the ones that give the impetus. They are the ones who have demonstrated the dedication, and the importance of it I think can be said in this way: In every bit of the testimony that we have taken in 7 years—and we had most, if not all, of the people who managed to get out from behind the Curtain, who testified before our committee.

And when we are confronted with the frustrations that many people present to us about Helsinki not getting anywhere and Helsinki doesn't really mean anything, and Helsinki is not having any impact, we asked these people whose lives were on the line, who were harassed or put in jail, or otherwise had to leave their country of origin, is there anything else, what else can we do? And they were unanimous in saying that the efforts of the nongovernmental organization to the Helsinki Commission, the things that we were doing by focusing the spotlight, by keeping the attention on, was the only thing that kept them going. It was their salvation to know that somebody on the outside cared enough to keep hammering away at this problem despite the frustrations and despite the fact that it might be forever before we really make any substantial progress.

This represents to them, this effort on the outside, represents to them their one ray of hope to continue their struggle. That is how important this is.

Mr. MICA. Thank you very much, Mr. Chairman.

At this time, we would like to call the next panel of witnesses. We have some very special witnesses today. Mr. Jerry Goodman, executive director, National Conference on Soviet Jewry; Ms. Holly Burkhalter, Washington Representative, Helsinki Watch and Americas Watch; Maida Kari, chairman, Joint Baltic American National Committee and president, American East European Ethnic Conference; and Lawrence Goldberg, executive director, Union of Councils for Soviet Jews.

While the panel is taking their seats, I would like to give a special welcome to Holly Burkhalter, who served on this committee as a staffer and did an excellent job. We are pleased to see staff go out and do well and come back to testify. Very pleased to have you.

If we may proceed, I would ask each witness to submit written testimony for the record and ask you to highlight the important parts of the testimony and summarize your statement. There are four witnesses here and we are under some time constraints in this room this afternoon. But summarize the important parts of your testimony, the highlights, and submit the entire testimony for the record.

We will start with Mr. Goodman.

#### STATEMENT OF JERRY GOODMAN, EXECUTIVE DIRECTOR, NATIONAL CONFERENCE OF SOVIET JEWRY

Mr. GOODMAN. Thank you, Mr. Chairman.

Also with me is Mark Levin, the associate director of our Washington office.

My congratulations on your assuming this responsibility as chairman at this difficult time in world history.

Very briefly, and we will submit a document for the record—for those who were not aware of the National Conference on Soviet Jewry is the major coordinating agency for the organized Jewish community in terms of policy and action in this country. It is a voluntary agency created in 1971 in response to growing anti-Semitism in the Soviet Union.

Our primary purpose is very simple: to enable Jews to leave the Soviet Union in accordance with international law, and to help those who choose to remain in the Soviet Union to live as Jews with the same rights accorded every other Soviet national and religious minority.

Basically, we are a coalition of 41 national member organizations and nearly 300 local community councils and federations, all of whom are affiliated with the National Conference of Soviet Jewry.

Mr. Chairman, the adoption of the Helsinki Act by 35 states in Europe and North America was greeted by the Jewish community in those countries and indeed throughout the world, as a significant step toward insuring greater security and cooperation in Europe. It is our hope that it will generate better understanding between the peoples concerned and thereby produce a more solid basis for strengthening and maintaining peace.

As a minority people who grievously suffered from war, especially during the last World War, Jews have a particular stake in the preservation of peace. They believe in and welcome the formation of principles which guide peaceful interstate relations. Like many people, they are greatly interested in the progress of confidence building measures, and to see better cooperation between nations in the fields of economics, science, and technology, as indeed in all other fields. This adds directly to the security of all minorities, as well as to the security of Europe and the North American Continent as well.

Certainly, having been subjected to discrimination and persecution so often during our history, Jews and Jewish organizations unilaterally devoted attention to the humanitarian issues to which Basket III of the Helsinki Act is directed.

The National Conference on Soviet Jewry remains a firm supporter of the Helsinki process which began with the first Conference on Security and Cooperation in Europe in Helsinki in 1975. We are pleased that the present administration also viewed the process as an important instrument to help insure the security of all peoples and nations.

We expressed our support for the position which the U.S. delegation at the Madrid review session took. Our delegation was especially supportive of the human contact provisions of the act. While we recognize that there are limits to the Helsinki process, we believe its use as an instrument of foreign policy and as an international standard to be of great value.

We are mindful that the U.S. Commission on Security and Cooperation in Europe provided significant support to our delegation. We therefore urge that all means be found to strengthen this Com-

mission. We trust that among other things, its structure and its ongoing funding will be so strengthened.

I am reminded that in May 1976 when the late Congressman Ben Rosenthal spoke at that time, the creation of this Commission, he noted:

The Kremlin has bitterly denounced western efforts to monitor its violations of the Helsinki Accords, such as the Congressionally approved commission, as interference in internal Soviet affairs.

And as Congressman Fascell has pointed out, the people who have been most affected by the decision to create this Commission were and remain in support of this body.

Mr. Chairman, I think that Congress and our Government have a responsibility to these people. As Ben Rosenthal—again I quote—said:

Our creation of the Helsinki Monitoring Commission encouraged them in their efforts. Soviet repression, moreover, is no longer an internal affair.

He went on to conclude: "Compliance with the Helsinki Accords cannot be a one-way street." That, I think explains in part the uniqueness of the CSCE. It was created as and has remained a bipartisan effort, in both Houses of Congress, with administrative support. I believe that everything should be done to keep the CSCE's integrity and, indeed, to take steps to bolster it.

I believe H.R. 4504 does both. It helps create, as Congressman Fascell indicated in his statement, an orderly procedure. It is logical that the Congress, the House and Senate together, go in this direction.

I recall the principles set down by Representative Millicent Fenwick and Senator Clifford Case when this Commission was being born. That principle of leadership, of the responsibility of both Houses of Congress, and of bipartisanship, has been maintained and should not be weakened.

However the Congress acts, the principle which gave birth to the CSCE should be retained. The CSCE, with its experiences and a body of knowledge entrusted within the staff, should not be lost. I believe that H.R. 4504 will help insure this.

Let me conclude, Mr. Chairman, with the following—and I suppose my colleagues on this panel will do the same. I will take full advantage of having been the first to be asked to speak to state that all of us owe a debt of gratitude to Dante Fascell. We will miss him in his position as CSCE chair, but I know we will continue to see evidence of his support of our work and the work of this Commission. He, his colleagues on the Commission personally, and the staff did a magnificent job. Whatever credit was given to the private agencies represented here reflects the fact that we knew we had support in the Congress.

The CSCE has served as a model for other countries. It has helped promote citizen participation in this country. It has been of tremendous service to Ambassador Max Kampelman and the U.S. delegation at the Madrid review session. We should see that it continues in the spirit in which it was created.

Finally, we can support Senator Robert Dole in his efforts to raise the issue before us, and which this subcommittee is address-

ing. If a more orderly procedure can be drawn up which will strengthen the Commission we should welcome it.

A last word to Dante Fascell. I do not worry. Madrid managed to sustain the human rights agenda in a time of great international tension. As Ambassador Kampelman said, Madrid confirms and expands upon the original Helsinki Act of 1975. It is an important step in an ongoing series of meetings that will hopefully keep the Helsinki issues alive and at the same time, the Helsinki process. There is no doubt in my mind that because of a strong CSCE, a strong Commission in this country, this was able to be accomplished.

Thank you.

Chairman MICA. Ms. Burkhalter?

**STATEMENT OF HOLLY BURKHALTER, WASHINGTON  
REPRESENTATIVE, HELSINKI WATCH AND AMERICAS WATCH**

Ms. BURKHALTER. Thank you for inviting me to testify. It is a real honor to be among the first witnesses before you as you begin as chairman of the new subcommittee.

As you know, my name is Holly Burkhalter, and I am the Washington representative for two New York-based human rights groups, Helsinki Watch, and our companion committee, the Americas Watch.

Mr. Goodman has expressed many of the sentiments we share, so I think I will be very brief and leave you with my written testimony.

Since our formation in 1979, the Helsinki Watch has had a very close and cordial and productive relationship with the members and staff and chairman of the CSCE. They have helped our own work in monitoring human rights in Eastern Europe, the U.S.S.R. and Turkey, with their own reports, the CSCE Digest, and hearings. We have found them to be friends and indispensable allies.

In addition to their more public function, I would like to note the CSCE has quietly pursued hundreds of individual human rights cases and has been of help and comfort to families and friends of victims of human rights violations. That work oftentimes goes unnoticed, and it has been a real contribution, and I know it will continue.

As this committee considers legislation to permit rotation of the chairmanship, I would echo Mr. Goodman's concerns that the human rights concerns of the Helsinki Commission be ongoing, consistent, and enduring. I have no reason to suspect that rotating the chairmanship with the two bodies would impede this, but I would say again how important that is. There aren't Democrats and Republicans or Senators and Members on these issues, this is something that we all share. And if the legislation helps make an orderly rotation which makes possible that continuity, then of course we support it.

I also want to ask members of the committee to pay particular attention to the need for staff continuity at CSCE. We find the staff to be excellent. There is no government representation to the talks, either East or West, that has a staff of comparable professionalism and excellence.

Effective and consistent human rights monitoring and reporting by the CSCE demonstrate the American people's responsibility and opportunity to monitor compliance with the Helsinki Final Act. It also serves as a hope and inspiration to persecuted, imprisoned, exiled, or silenced human rights monitors around the world. In the future, we would like to see the CSCE continue its excellent work on the U.S.S.R. and Eastern Europe, expand its reporting and advocacy of human rights in Turkey, and initiate public reporting on Yugoslavia. We particularly appreciate the Commission's willingness to report on U.S. compliance with the Helsinki Final Act, and hope that the Commission's attention will focus on the free flow of information and ideas across American borders.

In closing, on behalf of the Helsinki Watch and Americas Watch I would like to thank Chairman Fascell for his leadership in creating and chairing the Helsinki Commission for the past 7 years. We look forward to our continued cooperation with him at the full committee as well as with the staff and members and the new chairman of the CSCE in the future.

Chairman MICA. Thank you.

[Ms. Burkhalter's prepared statement follows:]

PREPARED STATEMENT OF HOLLY BURKHALTER, HELSINKI WATCH

Thank you for this opportunity to testify, Mr. Chairman. It is an honor to be among the first witnesses you have called as the new chairman of the International Operations Subcommittee. My name is Holly Burkhalter, and I am the Washington representative of the Helsinki Watch, and our companion committee, the Americas Watch. The Helsinki Watch is an independent, nongovernmental citizens organization which monitors domestic and international compliance with the human rights provisions of the Helsinki Final Act. In addition to sponsoring missions and reports on the USSR, Eastern Europe, and Turkey, the Helsinki Watch has been active in the creation of an International Helsinki Federation for Human Rights, which now has human rights monitoring groups in a number of West European countries and an international office in Vienna.

Since our formation in 1979, the Helsinki Watch has had a cordial and productive relationship with the Chairman, members and staff of the U.S. Commission on Security and Cooperation in Europe. The Helsinki Commission supplies extensive documentation on human rights conditions. The hearings it has conducted, its comprehensive reports and the periodic CSCE Digest are indispensable in our own work for monitoring compliance with the Helsinki accords. In addition, the staff of the Helsinki Commission was of great assistance to the U.S. delegation at the Helsinki review conferences in Belgrade in 1977-78 and in Madrid from 1980 to 1983. We particularly appreciated the assistance of the Commission's staff in briefing nongovernmental groups at the Madrid meetings, among them members of the Helsinki Watch.

In addition to their more public functions, the CSCE has quietly pursued hundreds of individual human rights cases, and has been a help and a comfort to friends and families of victims of human rights violations.

As this Committee considers legislation to permit the rotation of the chairmanship of the Helsinki Commission, we hope that it is still very clear to our allies and our adversaries that the human rights concerns of the Helsinki Commission are consistent and enduring. Furthermore, I respectfully urge members of this Committee to pay particular attention to the need for maintaining continuity in the staff of the CSCE. The present staff of the Commission is, quite simply, excellent. No other delegation to the Helsinki talks—East or West—has a staff of comparable professionalism and expertise. Our own work in monitoring human rights has shown us the need for continuity in staff. It takes years to acquire the knowledge, contracts, and experience that are essential to human rights monitoring. We would deeply regret any process for rotating the chairmanship of the Helsinki Commission which would result in periodic upheavals in the professional and nonpartisan staff which serves the Commission.

Effective and consistent human rights monitoring and reporting by the CSCE demonstrate the American people's responsibility and opportunity to monitor compliance with the Helsinki Final Act. It also serves as a hope and inspiration to persecuted, imprisoned, exiled or silenced human rights monitors around the world. In the future, we would like to see the CSCE continue its excellent work on the USSR and Eastern Europe, expand its reporting and advocacy of human rights in Turkey, and initiate public reporting on Yugoslavia. We particularly appreciate the Commission's willingness to report on U.S. compliance with the Helsinki Final Act, and hope that the Commission's attention will focus on the free flow of information and ideas across American borders.

On behalf of the Helsinki Watch and the Americas Watch, I should like to close by thanking Chairman Fascell for his leadership in creating and chairing the Helsinki Commission for the past seven years. We look forward to our continued cooperation with the staff and members of the CSCE in the future.

Chairman MICA. Mr. Kari.

**STATEMENT OF MAIDO KARI, CHAIRMAN, JOINT BALTIC AMERICAN NATIONAL COMMITTEE, AND TEMPORARY CHAIRMAN, AMERICAN EAST EUROPEAN ETHNIC CONFERENCE**

Mr. KARI. My name is Maido Kari. I am here to represent the Joint Baltic American National Committee and also the American East European Ethnic Conference. I will echo what the previous speakers have said, but since my testimony is very short, I plan to read it as written. It will take just a little time.

Mr. Chairman and subcommittee members, I appreciate the opportunity to express the views of the Joint Baltic American National Committee [JBANC] on H.R. 4504 to amend the law creating the Commission on Security and Cooperation in Europe. JBANC represents the central Baltic organizations in the United States—the Estonian American National Council, the American Latvian Association and the Lithuanian American Council. Baltic-Americans look to the Helsinki process as a useful forum to focus on areas such as self-determination, family reunification and upholding basic human rights in Estonia, Latvia, and Lithuania.

I also add that, in my capacity as temporary chairman of the American East European Ethnic Conference, the members of the Conference share in these expressed views. The American East European Ethnic Conference is comprised of major organizations representing Americans of Bulgarian, Czechoslovak, Hungarian, Polish, Ukrainian, and Baltic descent. The Conference seeks to coordinate the human rights efforts of the different nongovernmental ethnic organizations which have an interest in Eastern and Central Europe.

The legislation, sponsored by the Chairman of the Commission on Security and Cooperation in Europe, Congressman Dante Fascell, provides for the Commission chairmanship to be rotated between the House and the Senate in an orderly fashion. The bill also insures adequate funding and leadership to maintain the direction of the Commission's important work.

Since the inception of the Helsinki Commission, we have had a good working relationship with the Commissioners and their staff members. The Commission has remained sensitive to the situation in the Baltic States, the Soviet Union, and Eastern Europe, and maintained open channels of communication with nongovernmental organizations on specific issues.

The successful operation of the Helsinki Commission is due not only to a committed staff and a good liaison with NGO's, but to the active interest and cooperation on the part of the Commissioners from both the House of Representatives and the Senate. Changing the chairmanship must be done in a manner which would not disrupt the Commission's work and hamper efforts to monitor implementation of the Helsinki accords. We find H.R. 4504 as an equitable solution to rotating the chairmanship, thereby insuring greater visibility of the Senate Commissioners, and at the same time, preserving the continuity of the Commission's work.

Provisions in the legislation to authorize the chairman and co-chairman to appoint professional staff members, to approve travel funds and to disperse appropriated funds, are vital aspects of H.R. 4504. The provisions would insure a professional staff and maintain its level of expertise. The quality of the staff has been reflected in the scope and depth of its activities. Over the years, the Commission has assisted in resolving well over 200 cases involving individual violations of human rights.

The continued efforts of the Helsinki Commission, whose purpose is to monitor and encourage compliance with the Helsinki Final Act, indicates that the U.S. Government is making a firm commitment to the principles of the Helsinki process. Central to these efforts is the important role of the chairman of the Commission. The chairman must be able to devote time and energy and assume responsibility for the activities of the Helsinki Commission and the direction of its work.

Congressman Fascell serves as an outstanding example of such a Commission chairman. As chairman of the Helsinki Commission, Congressman Fascell has spent countless hours seeking support for the principles of the Helsinki accords and calling for respect of basic human rights and freedoms. The many hearings, meetings, and press conferences that Congressman Fascell has attended in the name of the Helsinki Commission only partially reflect his unflinching efforts to monitor compliance with the Helsinki Final Act.

As Congressman Fascell assumes his new responsibilities as chairman of the House Foreign Affairs Committee, I take this opportunity, on behalf of the Joint Baltic American National Committee and the American East European Ethnic Conference, to thank him for his tireless work as chairman of the Helsinki Commission and confident that he will approach his new duties with the same attitude and concern.

We also express our thanks to Cochairman Dole and all the Commissioners for their belief in human rights and actions to monitor the Helsinki process.

The Joint Baltic American National Committee and the American East European Ethnic Conference recommend that H.R. 4504 be passed.

The American East European Ethnic Conference represents Bulgarian National Front in the U.S.A., Czechoslovak National Council of America, Estonian American National Council, Coordinating Committee of Hungarian Organizations in North America, American Latvian Association, Inc., Lithuanian American Council, Inc.,

Polish American Congress, Inc., Ukrainian Congress Committee of America, Inc.

Chairman MICA. Thank you, Mr. Kari.

Mr. Goldberg.

# **STATEMENT OF LAWRENCE Y. GOLDBERG, EXECUTIVE DIRECTOR, UNION OF COUNCILS FOR SOVIET JEWS**

Mr. GOLDBERG. Thank you, Mr. Chairman. I want to thank you on your assumption of duties today, and thank you for allowing us to testify. I am not going to read all of my testimony. In substance, we strongly support the provisions of H.R. 4504, and the reasons have been outlined by Chairman Fascell, as well as some of the other witnesses.

The Union of Councils for Soviet Jews is the oldest national Soviet Jewry organization with 34 local councils in 34 States, and national headquarters here in Washington. In addition, the Union of Councils has five international affiliates in England, France, Switzerland, Canada, and Israel. Our 55,000 individual members or volunteers are dedicated to the cause of freedom and dignity for Soviet Jews through bettering their opportunities for emigration from the U.S.S.R. and providing them with the moral and material support necessary in their struggle to live as Jews.

With the doors to emigration virtually closed, and with the heightened official policies of anti-Semitism, our efforts on behalf of Soviet Jews are more vital than ever before.

I want to make a few points from my testimony. One, as I have said, we strongly support H.R. 4504, and we feel that it reflects the best arrangement for the future. We would like to make the point that the process of cooperation between the Commission and the NGO's, as Chairman Fascell has stated, does represent an excellent example of working together, and we will strive to continue that.

In the several years ahead we may face even more difficult circumstances than in the years past, and with the next full review meeting of CSCE scheduled for Vienna in 1986, the work of the Commission is even more important. We look forward to the Commission's stimulating, hopefully, even greater participation in the House and in the Senate, and we think that that is one of the benefits that may flow from this legislation.

The efforts that we will take will be to continue to focus on Soviet Jewry, and I want to particularly compliment the staff of the Commission. Their work in Madrid and in Washington has had a high level of competence and expertise. They are sympathetic, compassionate, and responsive, and I think that they have set a high standard for the kind of concern and excellence one should bring to an issue of this type.

We look forward to working with them, and we think that the continuity which this legislation provides is extremely important.

One cannot be here today without saying something about Dante Fascell. He is unique as an asset for our country and for our work. He is an outstanding model for all who will follow him in this effort. The work that he has undertaken in the past years had earned for him our undying gratitude. We look forward to his con-



tinued participation, and I hope that the human rights movement bill attracts a similarly high level of leadership in the years ahead.

So with that, we strongly support the bill and we look forward to continued participation with the Commission.

[Mr. Goldberg's prepared statement follows:]

PREPARED STATEMENT OF LAWRENCE Y. GOLDBERG, EXECUTIVE DIRECTOR, UNION OF COUNCILS FOR SOVIET JEWS

I speak on behalf of the Union of Councils for Soviet Jews, the oldest national Soviet Jewry organization with 34 local councils in 34 states, and national headquarters here in Washington. In addition, the UCSJ has five international affiliates in England, France, Switzerland, Canada and Israel. Our 55,000 individual members are volunteers dedicated to the cause of freedom and dignity for Soviet Jews, through bettering their opportunities for emigration from the USSR and providing them with the moral and material support necessary to them in their struggle to live as Jews. With the doors to emigration virtually closed and with the heightened official policy of antisemitism, our efforts on behalf of Soviet Jews are more vital than ever before.

Before beginning my testimony, I would like to take a moment to thank the Subcommittee on International Operations for inviting our participation in today's hearings.

STATEMENT

The UCSJ strongly supports the bill before this committee today, House Resolution 4504, which provides for the continuation of the CSCE and the rotating of the commission chairmanship between the House and Senate at the start of each new Congress beginning in 1985. The USCJ has worked closely with CSCE since its inception in 1976, and has come to depend upon and appreciate the fine work and dedication of the commissioners and staff alike to Soviet Jewry. CSCE and the Helsinki process are vital organs in maintaining the issue of human rights in the USSR as a high agenda item in East-West relations. By monitoring individual cases of prisoners of conscience and refuseniks—by setting the tone for U.S. policy on human rights and by representing these concerns at Madrid and subsequent follow-up meetings, the Commission has become an indispensable vehicle for promoting the cause of Soviet Jewry.

In implementing a rotating chairmanship, the UCSJ believes this will best serve the cause of Soviet Jewry and human rights by involving the active participation of both bodies of Congress and thus giving the issue enhanced visibility. The rotation as expressed in this bill ensures for an orderly transition every two years of Commissioners and staffers alike. Also, the rotation of Commission chairmanship lends equitability to House and Senate involvement.

The strength and success of SCSE are assisted by the expertise and commitment of its staff. An important aspect of this bill maintains the continuity of the extent staff. In its consultations with both NGO's and official delegation in Madrid, the staff has developed a reputation of excellence, and has built bridges of good relations with government and non-government organizations. We at the USCJ have longstanding friendship with the respect for the Commission staff, and rely upon their fine work and selfless dedication in our mutual struggle for improved human rights performance by the Soviet government. There is great value in maintaining a consistent staff for these reasons.

Finally, the UCSJ supports the provisions of this bill because it ensures the direction of focus of the Commission's important work. As a Soviet Jewry organization, we can be assured that under these provisions, our issue will remain in the forefront of the Commission's efforts.

I would just like to add a word of gratitude of the part of the UCSJ to Congressman Fascell for his outstanding leadership as chairman of the Commission on Security and Cooperation in Europe. His personal dedication added a dimension of commitment and caring unparalleled among most legislative bodies. We thank Congressman Fascell for his tireless efforts and for being the spokesman for our brethren unable to speak on their own behalf. Our deep thanks to Senator Dole, co-chairman and all of the commissioners for their fine work and concern for human freedoms.

Thank you.

Chairman MICA. Thank you very much, Mr. Goldberg. I thank each of you for your excellent testimony and without prejudice, particularly Holly. Very glad to have you back here.

And let me just ask, if I may, a general question. We are going to mark this bill up in just a few moments, and I would like to know if any of you have talked to Senator Dole, if he has made a statement about the legislation, if he indeed supports the legislation, if there is any comment that we for the record—

Mr. GOODMAN. If I might, Mr. Chairman. No, neither he nor his staff has contacted us, although in December when the issue first began to generate there was some discussion. While I have not discussed this matter with this panel, we have some concern about a Senate effort to have a separate, parallel, body. This will weaken the principle of the Helsinki Commission and, indeed, the good work which has been achieved over the last 7 years. It will terribly confusing to private agencies and citizen groups such as the national conference since we will have to deal with two congressional offices. We hope that the Congress would reconcile these two proposals and that, indeed, one address be maintained; I trust that the Helsinki Commission, perhaps under the proposals of H.R. 4504, will remain at that address. It will certainly make our lives easier, and it will be very helpful to the people for whom we share a concern.

Many people in the Soviet Union would not understand a divided Congress on a principle that should be uniting everyone. Indeed, where would they address their petitions? I would urge that this matter be considered as quickly as possible.

Chairman MICA. I have never been considered one who makes a decision too hastily, but I totally agree with what you are saying. I do think that, at least from my standpoint, and I hope this committee's standpoint, that that will be a matter that we will press for as we move forward on this.

I might just say at this time, since we don't have an indication of Senator Dole's position, he was scheduled to testify here today, and I will just take a moment and say that we will leave the record open for 5 days to receive testimony, any additional testimony or any comments you may think you would like to add to your comments you have already given. And also for the minority and other Members who were not able to attend today, leave the record open for 5 days in the event that they may have questions that this committee would like to submit to you.

I would like to just ask one question before I defer to my colleague. Just for a moment let us take the focus of H.R. 4504 and assume this is a reality; we will move forward with this and it will pass. I believe it was you, Mr. Goodman, who mentioned efforts to strengthen the structure and funding. Were you speaking of H.R. 4504, or in general, do you have some specific comments that would be helpful? Have you found some flaws in the structure?

Mr. GOODMAN. Based on our experiences, I would urge the Helsinki Commission, which is a unique and important institution, be strengthened. I would think that the staff as well as the Commission members would welcome that. It might mean supplementary funds for their work in the future. No bureaucracy ever seems to think it has enough. But I believe the CSCE is probably underfund-

ed. I don't know how much money will be going into a proposed, parallel Senate committee, but if funds are voted, I can see them being applied to the CSCE as a whole. That would strengthen its work and our relationship to that body.

Chairman MICA. Maybe instead of putting it to a separate Commission we will try to get those funds added on to the already existing Commission.

Are there any other comments? If not, we thank the panel. We appreciate your testimony. And the panel is excused.

Mr. BERMAN. I was very unfamiliar with this Commission's structure before I came here today. Is this in a sense the U.S. Government's official monitoring Commission that incorporates both the executive and legislative branches?

Mr. GOODMAN. Yes.

Chairman MICA. It is the U.S. Government's effort along with other nations.

Mr. BERMAN. And this Commission in conjunction with the administration represented us in Madrid?

Chairman MICA. Yes.

Mr. BERMAN. And will in the future?

Chairman MICA. Yes.

Mr. BERMAN. Thank you. Nothing further.

Chairman MICA. Thank you very much.

The next order of business is actual consideration of H.R. 4504.

The clerk will describe the bill.

The CLERK. H.R. 4504—

Mr. BERMAN. Mr. Chairman, I would ask unanimous consent that the bill be considered as read and before us.

Chairman MICA. Without objection, so ordered.

At this point, I have an amendment that I would like to submit. Will the clerk distribute the amendment?

[The amendment follows:]

#### AMENDMENT TO H.R. 4504

Page 2, line 19, strike out "even-numbered" and insert in lieu thereof "odd-numbered".

Page 2, line 23, strike out "odd-numbered" and insert in lieu thereof "even-numbered".

Page 3, line 1, strike out "even-numbered" and insert in lieu thereof "odd-numbered".

Page 3, line 4, strike out "odd-numbered" and insert in lieu thereof "even-numbered".

Chairman MICA. Very simply, if I may be recognized, I recognize myself for the purpose of explaining the amendment.

It simply states that the rotation will start with the upcoming Congress, the 99th Congress, rather than the 100th Congress, which the legislation originally was drafted to do.

Is there any discussion?

Mr. BERMAN. No; I move that the bill as amended be adopted.

Chairman MICA. The question is on the adoption of the amendment. All the ayes say "aye."

The noes?

The ayes have it.

Are there any other amendments?

Mr. BERMAN. I have none. I move you report out to the full committee H.R. 4504 as amended.

Chairman MICA. All those in favor say "aye."

All those opposed, "no."

The ayes have it; H.R. 4504, as amended, is reported out of the committee.

The subcommittee stands adjourned until the call of the Chair.

[Whereupon, at 3:35 p.m., the subcommittee was adjourned, to reconvene subject to the call of the Chair.]

## APPENDIX

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98TH CONGRESS  
1ST SESSION

# H. R. 4504

To provide that the chairmanship of the Commission on Security and Cooperation in Europe shall rotate between members appointed from the House of Representatives and members appointed from the Senate.

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### IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1983

Mr. FASCELL introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To provide that the chairmanship of the Commission on Security and Cooperation in Europe shall rotate between members appointed from the House of Representatives and members appointed from the Senate.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That (a) section 3 of the Act entitled "An Act to establish a
- 4 Commission on Security and Cooperation in Europe", ap-
- 5 proved June 3, 1976 (22 U.S.C. 3003), is amended to read
- 6 as follows:
- 7 "SEC. 3. (a) The Commission shall be composed of fif-
- 8 teen members as follows:

1           “(1) Six Members of the House of Representatives  
2           appointed by the Speaker of the House of Representa-  
3           tives. Four Members shall be selected from the major-  
4           ity party and two Members shall be selected, after con-  
5           sultation with the minority leader of the House, from  
6           the minority party.

7           “(2) Six Members of the Senate appointed by the  
8           President of the Senate. Four Members shall be select-  
9           ed from the majority party of the Senate, after consul-  
10          tation with the majority leader, and two Members shall  
11          be selected, after consultation with the minority leader  
12          of the Senate, from the minority party.

13          “(3) One member of the Department of State ap-  
14          pointed by the President of the United States.

15          “(4) One member of the Department of Defense  
16          appointed by the President of the United States.

17          “(5) One member of the Department of Commerce  
18          appointed by the President of the United States.

19          “(b) At the beginning of each even-numbered Congress,  
20          the President of the Senate, on the recommendation of the  
21          majority leader, shall designate one of the Senate Members  
22          as Chairman of the Commission. At the beginning of each  
23          odd-numbered Congress, the Speaker of the House of Repre-  
24          sentatives shall designate one of the House Members as  
25          Chairman of the Commission.

1       “(c) At the beginning of each even-numbered Congress,  
2 the Speaker of the House of Representatives shall designate  
3 one of the House Members as Cochairman of the Commis-  
4 sion. At the beginning of each odd-numbered Congress, the  
5 President of the Senate, on the recommendation of the major-  
6 ity leader, shall designate one of the Senate Members as Co-  
7 chairman of the Commission.

8       “(d) A member of the Commission who is the chairman  
9 of a standing committee of either House of the Congress shall  
10 not be eligible to serve as Chairman or Cochairman of the  
11 Commission.”.

12       (b) Section 7(a) of such Act (22 U.S.C. 3007(a)) is  
13 amended to read as follows:

14       “SEC. 7. (a) There is authorized to be appropriated to  
15 the Commission for each fiscal year such sums as may be  
16 necessary to enable it to carry out its duties and functions.  
17 Such appropriations shall be disbursed on vouchers approved  
18 (1) jointly by the Chairman and the Cochairman, (2) by a  
19 majority of the members of the personnel and administration  
20 committee, or (3) by a majority of the members of the Com-  
21 mission.”.

22       (c) Section 7 of such Act (22 U.S.C. 3007) is amended  
23 by adding at the end thereof the following new subsection:

1       “(d) Foreign travel for official purposes by Commission  
2 members and staff may be authorized by either the Chairman  
3 or the Cochairman.”.

4       (d) Section 8 of such Act (22 U.S.C. 3008) is amended  
5 to read as follows:

6       “SEC. 8. The Commission shall have a personnel and  
7 administration committee composed of the chairman, the co-  
8 chairman, the senior Commission member from the minority  
9 party in the House of Representatives, and the senior Com-  
10 mission member from the minority party in the Senate. All  
11 decisions pertaining to the hiring and firing and fixing of pay  
12 of Commission staff personnel shall be by a majority vote of  
13 the personnel and administration committee, except that (1)  
14 the Chairman shall be entitled to appoint and fix the pay of  
15 the staff director and the Cochairman shall be entitled to ap-  
16 point and fix the pay of his senior staff person, and (2) the  
17 Chairman and Cochairman each shall have the authority to  
18 appoint, with the approval of the personnel and administra-  
19 tion committee, at least four professional staff members who  
20 shall be responsible to the Chairman or the Cochairman, as  
21 the case may be, who appointed them. The personnel and  
22 administration committee may appoint and fix the pay of such  
23 other staff personnel as it deems desirable. All staff appoint-  
24 ments shall be made without regard to the provisions of title  
25 5, United States Code, governing appointments in the com-



1 petitive service, and without regard to the provisions of chap-  
2 ter 51 and subchapter III of chapter 53 of such title relating  
3 to classification and general schedule pay rates.”.

4 (e) Such Act is further amended by adding at the end  
5 thereof the following new section:

6 “SEC. 9. (a) For purposes of pay and other employment  
7 benefits, rights, and privileges and for all other purposes, all  
8 staff personnel of the Commission shall be considered to be  
9 employees in the legislative branch.

10 “(b) For purposes of section 3304(c)(1) of title 5, United  
11 States Code, staff personnel of the Commission shall be con-  
12 sidered as if they are in positions in which they are paid by  
13 the Secretary of the Senate or the Clerk of the House of  
14 Representatives.

15 “(c) The provisions of this section shall be effective as of  
16 June 3, 1976.”.

17 (f) The amendments made by this Act shall take effect  
18 at the beginning of the first Congress which begins after the  
19 date of enactment of this Act, except that the amendment  
20 made by subsection (e) shall be effective as of June 3, 1976.