H. RES. 319

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on September 17, 1970, that the policy of her government is "In case the United States Government declares it will withdraw from South Vietnam all its troops and those of the other foreign countries in the United States camp, and the parties will engage at once in discussion on:

"The question of ensuring safety for the total withdrawal from South Vietnam of United States troops and those of the other foreign countries in the United States camp.

"The question of releasing captured military men."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from Vietnam within sixty days following the signing of the agreement: Provided, That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the National Liberation Front of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

HOUSE OF REPRESENTATIVES—*Tuesday, June 8, 1971*

The House met at 12 o'clock noon.

Rev. Dr. Clarence T. Mayo, Mount Olive Baptist Church, Cape May Court House, N.J., offered the following prayer:

Our Father in heaven, we come to Thee at this hour to invoke Thy blessings upon the head of our Nation and this assembly, who from day to day are called upon to face the perplexities of a changing order and tasks that need Thy guidance and strength. Leave them not to walk alone, but be to them a very present help in the time of need. Remember in mercy all for whom Christ died and whom it is our duty to remember in prayer, we ask in the name of the Father, and of the Son, and of the Holy Ghost. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 4724, 1972 MARITIME AUTHORIZATION

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4724) to authorize appropriations for certain maritime programs of the Department of Commerce, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? The Chair hears none, and appoints the following conferees: Mr. GARMATZ, Mr. DOWNING, Mrs. SULLIVAN, Mr. PELLY, and Mr. MAILLIARD.

THE 50TH ANNIVERSARY OF GAO

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

Mr. GROSS. Mr. Speaker, this week marks the 50th anniversary of an agency of the Government which has no peer in genuine service to the American taxpayer—the General Accounting Office.

The GAO has been a valuable organization since its inception, but its true worth has become more and more evident as the Federal bureaucracy has mushroomed uncontrolled since World War II.

There is probably no accurate way to estimate the savings this agency has effected in the past half century, but the sum is truly immense.

I am sure the distinguished head of the GAO, Comptroller General Elmer B. Staats, would wince to hear me say it, but I wish Members of the Congress would call upon the General Accounting Office even more often than they now do to assist in rooting out the waste and inefficiency that all too often lie buried in the nooks and crannies of the vast Federal Establishment.

Because of the enormous size of the Government today, the General Accounting Office is, in my opinion, in danger of losing its war against waste—not because of a lack of talent and know-how, but because of a lack of manpower to do what needs to be done.

The best answer, of course, is a drastic reduction in the size of the Federal Government.

I want to extend my personal congratulations to each employee of the General Accounting Office on the occasion of this anniversary. Each of them should be proud of the knowledge that they are members of a government agency that pays its own way. There are not very many of those around today.

PROVIDING FOR CONSIDERATION OF H.R. 8293, CONTINUATION OF THE INTERNATIONAL COFFEE AGREEMENT ACT OF 1968

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 465 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 465

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8293) to continue until the close of September 30, 1973, the International Coffee Agreement Act of 1968. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Abourezk	Frenzel	Pryor, Ark.
Alexander	Gibbons	Rangel
Anderson, Ill.	Gray	Rees
Aspinall	Halpern	Rodino
Baring	Heckler, Mass.	Rooney, N.Y.
Belcher	Jarman	Rosenthal
Bevill	Kee	Roy
Biaggi	Kemp	Runnels
Blatnik	Kluczynski	Sandman
Brooks	Landrum	Shoup
Celler	Lent	Slack
Chisholm	Link	Spence
Clark	Long, La.	Staggers
Clay	McCulloch	Stephens
Conyers	McMillan	Teague, Tex.
Culver	Mahon	Thompson, N.J.
Dellums	Mathis, Ga.	Tiernan
Dent	Metcalfe	Vander Jagt
Diggs	Mollohan	
Dorn	O'Hara	
Dowdy	Pelly	
Edwards, La.	Pike	
Ford, William D.	Poage	
	Powell	

The SPEAKER. On this rollcall 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF H.R. 8293, CONTINUATION OF THE INTERNATIONAL COFFEE AGREEMENT ACT OF 1968

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 465 provides an open rule with 2 hours of general debate for consideration of H.R. 8293 to extend the International Coffee Agreement Act of 1968.

The International Coffee Agreement Act provides the necessary authority for

the United States to require that valid certificates accompany coffee imports from any member of the International Coffee Organization and to limit coffee imports from countries that are not members of the agreement.

The act also provides the President with authority to impose special fees and take other measures to offset discriminatory treatment by other governments in favor of the export or reexport of processed coffee. The act further authorizes that certificates of origin or reexport for exports of coffee from the United States be required. An annual report to Congress by the President is required concerning the operation of the agreement.

The purpose of House Resolution 8293 is simply to continue to October 1, 1973, the authority of the President under the International Coffee Agreement Act. Unless the act is extended, it will expire on July 1, 1971.

Mr. Speaker, I urge the adoption of House Resolution 465 in order that H.R. 8293 may be considered.

Mr. GROSS. Mr. Speaker, will the gentleman yield for a question?

Mr. DELANEY. I yield to the gentleman from Iowa.

Mr. GROSS. I thank my friend from New York for yielding. I would like to ask where I might get a copy of the hearings on the bill this rule makes in order.

Mr. DELANEY. I believe the chairman of the committee will explain that.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. We had hearings last year, but this year the only witnesses before the committee in executive session were representatives of our own Government. Others did not express any interest in the hearings. We had some letters, but no appearances.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I should like to address another question or two to the gentleman from Arkansas, the chairman of the Committee on Ways and Means, and active in other areas, according to the newspapers.

Did the gentleman say that hearings were held in connection with this proposed extension for 2 years?

Mr. MILLS of Arkansas. Not the type of hearings we have held in the past where we have had a lot of people before us. As I say, this year we only had government witnesses appear before us in executive session. We heard them all last year.

Mr. GROSS. So there were no hearings held on this 2-year extension?

Mr. MILLS of Arkansas. There were public hearings last year—we heard everyone who requested to be heard. And it was on the question, I might say, of a proposed 3-year extension requested by the administration.

Mr. GROSS. Who were the witnesses, and where may I get a copy of the hearings?

Mr. MILLS of Arkansas. The hearings were printed last year. Refer to part 14 of the 1970 hearings on tariff and trade proposals.

Mr. GROSS. Of course, I addressed that question to the gentleman because I would like to find somewhere some justification for taking the coffee consumers of this country for a ride, and believe me they are being taken for a ride.

Frankly, I am amazed to the point of being shocked that this bill is before the House under the circumstances.

Mr. MILLS of Arkansas. If the gentleman will yield further, the gentleman from Iowa asked this same question when we had the bill up last fall extending the legislation from its termination date then until July 1 of this year. I called the gentleman's attention to the fact that this was heard as a part of the overall trade program that the President asked us to consider, and there were printed hearings at that time. The hearings had to do with the President's request that we extend this authority until October 1, 1973. This bill does carry out the objective of those hearings. The bill reported to the House last year was only for 6 months time in order to provide an opportunity for the President to eliminate what we thought was discriminatory treatment toward us by the Government of Brazil. That discrimination has been eliminated to the satisfaction of all.

Mr. GROSS. Yes, but the point is that there have been no hearings, and yet you come before the House with this.

Mr. MILLS of Arkansas. Yes, there have been, covering the very period of extension involved in this bill.

Mr. GROSS. Last December this coffee agreement was extended; U.S. participation in the agreement was extended for a period of 6 months. This is a four times increase in the extension or more than 2 years.

Mr. MILLS of Arkansas. Will the gentleman yield to me?

Mr. GROSS. Just a second, if the gentleman will yield to me first.

At the rate of $900 million a year in coffee prices to Americans, it seems to me that we ought to have, before this House, before we even undertake general debate on extension of this coffee cartel—it seems to me we ought to have some evidence from downtown, from the State Department, the President or somebody else, some testimony justifying this kind of a deal, because the taxpayers and the consumers are being victimized.

Mr. MILLS of Arkansas. Evidently I am not making myself clear to my friend from Iowa. The hearings last year applied not to a program of 6 months but to the President's request of last year which was for a longer extension of time. The committee, on the basis of the hearings held and on our general subject matter knowledge, would not agree to the extension that the President wanted last year. We provided instead for an interim extension until the President could have time to do what we thought should be done, namely, to work out with Brazil an arrangement that would eliminate discrimination. We said then that if that was done we would consider extending the bill in accordance with his request. If it was not done, the committee would not consider going beyond July 1 of this year. The President has worked out that arrangement. So the hearings were held last year and they were on this bill. So there was no point, in the opinion of the committee, in having additional hearings this year on the same subject matter.

Mr. GROSS. If the gentleman will yield to me just briefly for a further response, when the 6-month extension was before the House on December 18, 1970, last December 18, I called the attention of the chairman of the Ways and Means Committee to the General Accounting Office report on the International Coffee Agreement, in other words, the international coffee cartel.

I asked the gentleman at that time if his committee had gone into the General Accounting Office report and the gentleman said it had not.

Mr. MILLS of Arkansas. That is right.

Mr. GROSS. But that in the interim between December 18, 1970, and any possible renewal of this agreement, you, the chairman said the committee would go into the General Accounting Office report.

Now, did the committee do this? Did it hold hearings? Did it get the General Accounting Office over to find out why the General Accounting Office made a report critical of the coffee agreement?

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman from New York will yield further, last year I told the gentleman we had not had an opportunity to go into the General Accounting Office report. This year we have gone into it and analyzed it in detail. It happens that the Department of Agriculture and other agencies of Government were consulted and the report was discussed with them, and these other agencies of Government do not agree with all that is in the report and neither does the committee, but we did go into the report.

Mr. GROSS. But there was no hearing held on it?

Mr. MILLS of Arkansas. No public hearing. I have said that. The public hearing was last year.

Mr. GROSS. Well, if the gentleman from New York will yield, I would like to go into that further, but I will not do so under the rule. The gentleman from Arkansas, with respect to the General Accounting Office, concluded his remarks on December 18, 1970, with this significant closing sentence:

> But it is a matter as well as the entire subject that will be looked into by the committee before there is any further extension of this agreement, if there ever is any extension.

Mr. Speaker, I am amazed that this bill is back here in view of the gentleman's language because he surely questioned this bill himself last year when he said: "If there ever is any extension."

Mr. MILLS of Arkansas. No, no.

Mr. GROSS. The gentleman knows that this cartel is costing the coffee consumers of this country millions upon millions of dollars a year, does he not?

Mr. MILLS of Arkansas. We did exactly this year what I advised the gentleman last year we would do before the

bill was extended. The bill was held in the committee, not because of any concern about the implementing legislation. The bill was held up, as I pointed out, because we were not satisfied that the people representing our Government had acted as forcefully as they should to eliminate the discrimination being carried on against us by the country of Brazil. That discrimination has been eliminated and thus our concern was eliminated.

Mr. GROSS. Mr. Speaker, if the gentleman from New York will yield further, the whole agreement is discriminatory against the people of the United States.

Mr. MILLS of Arkansas. Well, would the gentleman from New York yield further to me?

Mr. DELANEY. I yield further to the gentleman from Arkansas.

Mr. MILLS of Arkansas. I think my friend from Iowa would at least admit that that is a matter of opinion.

Mr. GROSS. Of course it is a matter of opinion, but the figures also back it up, I can say to the gentleman from Arkansas.

Mr. MILLS of Arkansas. I do not know about that.

Mr. GROSS. Well, go back to the snack bar just off the House floor and ask the lady operator what she paid for coffee in 1963 as compared to what she pays today. Walk back there after you get through with this discussion and ask her about it.

Mr. MILLS of Arkansas. Let me give the gentleman from Iowa some figures on prices in 1970 as measured in the consumer price index based on the period of 1957–59 equal 100.

In 1970 it showed that prices of all goods and services were up to 135.3 percent; all foods, 132.4 percent; tea, 105.5 percent; cola, 164 and milk, 127.

Really, you will find even during this period of inflation that everything has gone up in 1970 over 1957–59 when the price actually of coffee in 1957 was 114; in 1958, 101; and in 1959, it was 84.9. But on the average the price of coffee has gone up less than all goods and services, tea, and milk. In the year of 1970 there has been a slight increase to 105.2. In the month of January 1971, but in February the price dropped back down in March. We have a completely ample supply of coffee coming into the United States so there is no occasion for us to anticipate increases in the price of coffee unless—that is coffee coming from another country—unless, of course, there is some further disaster that people down there cannot protect themselves against such things as drought.

Mr. GROSS. That drought was a good many years ago, and they are still harping on the subject.

Mr. MILLS of Arkansas. They had one in 1969. That is not a long time ago.

Mr. GROSS. Let us read the footnote from the same table I, the same table I believe the gentleman from Arkansas is quoting.

Mr. MILLS of Arkansas. Mine is from the Department of Labor.

Mr. GROSS. It says:

Excludes instant coffee, for which indexing began in 1962; since base year is 1962, these data—

Mr. MILLS of Arkansas. That is true.

Mr. GROSS. Yes, you can bet your life these concluding words are true:

these data are not strictly comparable with other data in this table.

Mr. MILLS of Arkansas. That is true, and the whole statement is true.

Mr. GROSS. If you want to give us some help, please, give us some information on this table, and if you do not have that information then the committee ought to hold some hearings.

Mr. MILLS of Arkansas. Instant coffee is a small percentage of the total coffee consumed. We have had trouble with the instant coffee, and that is why the committee did not allow this extension last year, because of the fact that there was discrimination on the part of Brazil in the processing and selling of instant coffee from Brazil compared to the situation here of converting coffee into instant coffee in the United States.

Now, that has been eliminated, so the question the committee had about the matter has been entirely resolved by the President.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I raised some of the questions before the Committee on Rules that the gentleman from Iowa has just raised here, and I did obtain a statement that perhaps this is a foreign aid bill. I quite agree that it is, but payment, instead of coming from the Federal Treasury, is coming from the coffee users of this country.

I think that during the years we have been a party to this international coffee agreement, we have suffered the most from its provisions as we drink more coffee than any other nation in the world. There is, according to the committee report, $1 billion worth of coffee imported into this country every year.

The proponents say the agreement stabilizes prices and seem to overlook the fact that it assures every housewife that she will be paying higher prices for coffee. The report mentions $1 coffee and I cannot recall dollar-a-pound coffee prior to this international agreement.

I think we have to keep in mind that it is a foreign aid bill. This is pointed out on page 2 of the report, that these exporting countries, have been the beneficiaries of U.S. assistance. It goes on to say that:

. . . in the early 1960's losses from the declining coffee prices offset development aid and frustrated our efforts to promote growth and stability in these countries. This situation was particularly apparent with regard to the nations in Latin America and Africa. It was for the purpose of stabilizing the price of coffee at a level fair to both producing countries and consuming countries that the United States joined with 52 other countries in the International Coffee Agreement of 1962. . . .

Mr. Speaker, some might even go along with the foreign aid element involved in this agreement if we did not read from time to time about a surplus of coffee, and the dumping of it to maintain the higher prices which can be obtained under the agreement. I believe the housewives of the country which is importing coffee to the tune of $1 billion a year, really ought to receive some of the benefits from this overproduction. However, by virtue of this international coffee agreement they are precluded from any such benefits.

Mr. Speaker, I hope that more time and consideration is given to the report which the gentleman from Iowa mentioned, and prhaps we should have the report before this bill is brought forward for final House consideration.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am happy to yield to the gentleman.

Mr. GROSS. Is the gentleman as surprised as I am that this bill is here at all after the statement of the chairman of the Committee on Ways and Means as late as last December when he seriously questioned whether he would ever again bring this kind of a bill before the House? I wonder what really prompts bringing it out under those circumstances? He had grave doubts and so expressed them in the CONGRESSIONAL RECORD on December 18, 1970, that he would ever bring this monstrosity back—but here it is.

I think the rule ought to be defeated and thus save the consumers of coffee in this Nation an awful lot of money.

I thank my friend from Ohio for yielding to me.

Mr. LATTA. Mr. Speaker, I have no further requests for time.

Mr. DELANEY. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 336, nays 41, not voting 59, as follows:

[Roll No. 124]

YEAS—336

Abbitt	Bell	Broomfield
Abernethy	Bennett	Brotzman
Abourezk	Bergland	Brown, Mich.
Abzug	Betts	Broyhill, N.C.
Adams	Bevill	Broyhill, Va.
Addabbo	Biester	Buchanan
Anderson, Tenn.	Bingham	Burke, Fla.
	Blackburn	Burke, Mass.
Andrews, Ala.	Blanton	Burleson, Tex.
Andrews, N. Dak.	Boggs	Burlison, Mo.
	Boland	Burton
Annunzio	Bolling	Byrne, Pa.
Archer	Bow	Byrnes, Wis.
Arends	Brademas	Byron
Ashley	Brasco	Cabell
Aspin	Bray	Caffery
Badillo	Brinkley	Camp
Barrett	Brooks	Carney

Carter	Henderson	Pucinski
Casey, Tex.	Hicks, Mass.	Quie
Cederberg	Hicks, Wash.	Quillen
Chamberlain	Hillis	Railsback
Chappell	Hogan	Randall
Clausen, Don H.	Holifield	Rarick
Clawson, Del	Horton	Rees
Collier	Hosmer	Reid, Ill.
Collins, Ill.	Howard	Reid, N.Y.
Collins, Tex.	Hull	Reuss
Colmer	Hungate	Rhodes
Conable	Hunt	Riegle
Conte	Hutchinson	Roberts
Corman	Ichord	Robinson, Va.
Cotter	Jacobs	Robison, N.Y.
Daniel, Va.	Jarman	Rodino
Daniels, N.J.	Johnson, Calif.	Roe
Danielson	Jonas	Rogers
Davis, Ga.	Jones, Ala.	Rooney, N.Y.
Davis, S.C.	Jones, N.C.	Rooney, Pa.
Davis, Wis.	Jones, Tenn.	Rosenthal
de la Garza	Karth	Rostenkowski
Delaney	Kazen	Roush
Dellenback	Keating	Roybal
Denholm	Keith	Ruppe
Dennis	King	Ruth
Devine	Kuykendall	Ryan
Donohue	Kyl	St Germain
Dow	Kyros	Sarbanes
Dowdy	Lennon	Satterfield
Downing	Lent	Scheuer
Drinan	Link	Schneebeli
Dulski	Lloyd	Schwengel
Duncan	Long, Md.	Scott
du Pont	Lujan	Sebelius
Dwyer	McClory	Seiberling
Eckhardt	McClure	Shipley
Edmondson	McCollister	Shriver
Edwards, Ala.	McCormack	Sikes
Edwards, Calif.	McDonald, Mich.	Sisk
Erlenborn	McEwen	Skubitz
Esch	McFall	Slack
Eshleman	McKay	Smith, Calif.
Evans, Colo.	McKevitt	Smith, Iowa
Evins, Tenn.	McKinney	Smith, N.Y.
Fascell	Macdonald, Mass.	Springer
Findley	Madden	Stanton, James V.
Fish	Mahon	Steed
Fisher	Mann	Steele
Flood	Martin	Steiger, Ariz.
Flowers	Mathias, Calif.	Steiger, Wis.
Flynt	Mathis, Ga.	Stokes
Foley	Matsunaga	Stratton
Ford, Gerald R.	Mayne	Stubblefield
Ford, William D.	Mazzoli	Stuckey
Forsythe	Melcher	Sullivan
Fountain	Michel	Symington
Fraser	Mikva	Talcott
Frelinghuysen	Miller, Calif.	Taylor
Frey	Mills, Ark.	Teague, Calif.
Fulton, Tenn.	Mills, Md.	Terry
Fuqua	Minish	Thompson, Ga.
Galifianakis	Mink	Thomson, Wis.
Gallagher	Minshall	Thone
Garmatz	Mitchell	Udall
Gaydos	Mizell	Ullman
Gettys	Monagan	Van Deerlin
Giaimo	Montgomery	Vander Jagt
Gonzalez	Moorhead	Vanik
Goodling	Morgan	Veysey
Grasso	Morse	Waggonner
Green, Oreg.	Moss	Waldie
Green, Pa.	Murphy, Ill.	Wampler
Griffin	Murphy, N.Y.	Ware
Griffiths	Myers	Watts
Grover	Natcher	Whalen
Gubser	Nedzi	Whalley
Gude	Nelsen	White
Hagan	Nichols	Whitehurst
Haley	Nix	Whitten
Halpern	Obey	Widnall
Hamilton	O'Neill	Williams
Hammer-schmidt	Passman	Wilson, Charles H.
Hanley	Patman	Wolff
Hansen, Idaho	Patten	Wright
Harrington	Pepper	Wyatt
Harvey	Perkins	Wydler
Hastings	Pettis	Wylie
Hathaway	Pickle	Wyman
Hays	Podell	Yates
Hébert	Poff	Yatron
Hechler, W. Va.	Preyer, N.C.	Young, Fla.
Heckler, Mass.	Price, Ill.	Zablocki
Helstoski	Price, Tex.	Zion
	Pryor, Ark.	Zwach

NAYS—41

Anderson, Calif.	Clancy	Dingell
Ashbrook	Cleveland	Fulton, Pa.
Baker	Coughlin	Gibbons
Belcher	Crane	Goldwater
Brown, Ohio	Derwinski	Gross
	Dickinson	Hall
Harsha	Mosher	Snyder
Johnson, Pa.	O'Konski	Stanton, J. William
Kastenmeier	Pelly	Wiggins
Koch	Pirnie	Wilson, Bob
Landgrebe	Roncalio	Winn
Latta	Rousselot	Young, Tex.
McCloskey	Saylor	
McDade	Scherle	
Miller, Ohio	Schmitz	

NOT VOTING—59

Alexander	Eilberg	Peyser
Anderson, Ill.	Frenzel	Pike
Aspinall	Gray	Poage
Baring	Hanna	Powell
Begich	Hansen, Wash.	Purcell
Biaggi	Hawkins	Rangel
Blatnik	Kee	Roy
Carey, N.Y.	Kemp	Runnels
Celler	Kluczynski	Sandman
Chisholm	Landrum	Shoup
Clark	Leggett	Spence
Clay	Long, La.	Stafford
Conyers	McCulloch	Staggers
Culver	McMillan	Stephens
Dellums	Mailliard	Teague, Tex.
Dent	Meeds	Thompson, N.J.
Diggs	Metcalfe	Tiernan
Dorn	Mollohan	Vigorito
Edwards, La.	O'Hara	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Anderson of Illinois.

Mr. Celler with Mr. Peyser.

Mr. Kluczynski with Mr. Frenzel.

Mr. Staggers with Mr. Kemp.

Mr. Carey of New York with Mr. Mailliard.

Mr. Leggett with Mr. Conyers.

Mr. Aspinall with Mr. Powell.

Mr. Culver with Mr. Spence.

Mr. Dent with Mr. Stafford.

Mr. Mollohan with Mr. Shoup.

Mr. Clark with Mr. Diggs.

Mr. Biaggi with Mr. Sandman.

Mr. Blatnik with Mr. Dellums.

Mr. O'Hara with Mr. Hawkins.

Mr. Baring with Mr. Metcalfe.

Mr. Hanna with Mr. Meeds.

Mr. Vigorito with Mr. Clay

Mr. Eilberg with Mrs. Chisholm.

Mr. Gray with Mr. Rangel.

Mr. Edwards of Louisiana with Mr. McMillan.

Mr. Landrum with Mr. Tiernan.

Mr. Teague of Texas with Mr. Dorn.

Mr. Pike with Mr. Roy.

Mr. Purcell with Mr. Runnels.

Mr. Begich with Mr. Alexander.

Mr. Kee with Mr. Long of Louisiana.

Mr. Stephens with Mrs. Hansen of Washington.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RENEGOTIATION AMENDMENTS OF 1971

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 466 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 466

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8311) to amend the Renegotiation Act of 1951 to extend the Act for two years to modify the interest rate on excessive profits and on refunds, and to provide that the Court of Claims shall have jurisdiction of renegotiation cases. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment recommended by the Committee on Ways and Means now printed in the bill and all point of order against said committee amendment for failure to comply with the provisions of clause 7, rule XVI are hereby waived, but said committee amendment shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Massachusetts (Mr. O'NEILL) is recognized for 1 hour.

Mr. O'NEILL. Mr. Speaker, at the conclusion of my remarks I yield 30 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. Speaker, House Resolution 466 provides an open rule as to sections 1, 2, and 3, and a closed rule as to section 4, with 2 hours of general debate for consideration of H.R. 8311, Renegotiation Act Amendments of 1971. The resolution also provides that all points of order are waived against section 4 of the bill for failure to comply with the provisions of clause 7, rule XVI—the section would be nongermane.

The purpose of H.R. 8311 is to amend and extend the Renegotiation Act.

The bill would extend the act for 2 years—from June 30, 1971, to June 30, 1973. This extension will give Congress an opportunity to review the renegotiation process and the impact of the military procurement buildup in recent years on defense- and space-related profits.

Under existing law, interest at the rate of 4 percent accrues on excessive profits. H.R. 8311 amends the act to provide for flexible interest rates to be determined by the Secretary of the Treasury—at 6-month intervals—on the basis of current commercial rates at the time of the excessive profits determinations.

Another amendment provides the U.S. Court of Claims with exclusive jurisdiction over redeterminations of excessive profits determined by the Renegotiation Board. These cases have been under the jurisdiction of the U.S. Tax Court.

Present law is modified to make it clear that judges who have retired from active duty can be immediately recalled for judicial duty and their salary base period, for purposes of computing survivors' annuities, is to be the period of 5 consecutive years in which the judges receive the largest amount of compensation for their services.

It is estimated that the costs in the current fiscal year and in the 5 following fiscal years made by the changes regarding Tax Court judges will be negligible.

Mr. Speaker, I urge the adoption of House Resolution 466 in order that H.R. 8311 may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentle-

man's stating the purpose of waiving points of order, and especially I appreciate his saying that the waiver applies to section 4 only. We all know that clause 7 of rule XVI is the so-called rule of "germaneness." Could the gentleman tell us what is in section 4 of the committee amendment which this rule makes in order, that would not be germane to H.R. 8311

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman from Massachusetts yield to me to answer the question asked by the gentleman from Missouri?

Mr. O'NEILL. I am happy to yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. It is the opinion of the committee, and I must say it is my own opinion particularly, that section 4, which is an amendment adopted unanimously by the Committee on Ways and Means, might have been subject to a point of order on the ground that it was not germane to the basic bill. It is not a question of committee jurisdiction. The committee has jurisdiction over renegotiation and also over the Tax Court. But I thought that perhaps it would be safer to get a rule waiving a point of order against this section on the ground of germaneness, and I asked the Committee on Rules to so provide in its resolution. They have done that.

It is not a question of our taking the jurisdiction of another committee. The matter is clearly within the jurisdiction of the Ways and Means Committee.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. O'NEILL. I yield to the gentleman from Missouri.

Mr. HALL. This is the very point that I wanted to bring out on the floor of the House. Well knowing the propensity of the chairman of the Committee on Ways and Means for safety in legislative procedure, I can understand why he might want to avoid a point of order or additional loads on a renegotiation bill. Does this amendment under section 4 have anything to do with the little kicker that is written into H.R. 8213, which transfers jurisdiction from the Tax Court to the Court of Claims and at the same time gives additional retirement benefits to the judges thereof?

Mr. MILLS of Arkansas. Section 4 of the bill has nothing to do with the transfer of jurisdiction of redeterminations of excessive profits from the Tax Court to the Court of Claims. This is clearly a part of the renegotiation bill and is in the part of the bill where no points of order are waived. Section 4 deals with the recall of retired judges and with Tax Court judges' survivors' benefits for which the judges pay. We have a very inequitable situation in the present law in that a Tax Court judge who is called back to continue as a judge after once retiring must make contributions for the survivors' annuity on any increase in his salary that he may receive, but for survivorship purposes the benefits are based upon the salary that he drew at the time of his retirement. Section 4 changes this. We thought it was completely equitable to make the change. It has nothing to do with the judges' retirement benefits as such—only with survivorship benefits.

Mr. HALL. Again I thank the gentleman for his forthright statement, Mr. Speaker. If the gentleman from Massachusetts will yield further, quite aside from the question of equity, my question is whether or not this is the nongermane portion to which I refer in a colloquialism as the "kicker" in the bill, which would be nongermane and would require an additional act of Congress if it were not included?

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman from Massachusetts yield further?

Mr. O'NEILL. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. If the gentleman will notice, section 4 is an amendment of certain sections of the Internal Revenue Code. The Renegotiation Act is not a part of the Internal Revenue Code—it is a separate act. Because section 4 amends the Internal Revenue Code, I thought it might not be germane, and thus that we should, if we were going to consider this matter, ask for a waiver of points of order. It has to do with the whole section.

Mr. HALL. That makes it crystal clear to me, Mr. Speaker, and I would presume further that the chairman's oft-vented fear of opening the whole Tax Code up to amendments would be projected on the floor of the House were that not true.

Mr. MILLS of Arkansas. The gentleman is correct.

Mr. HALL. I have one further question if the distinguished majority whip will yield further, the gentleman appearing on behalf of the Committee on Rules.

Going back to our discussion of the retirement benefits and survivorship benefits of judges on the Tax Court, if they are recalled after retirement to serve at a higher rate of pay than that in which they were retired, would this mitigate toward giving them higher ultimate retirement, if they serve, say, for 3 or even 5 years in a higher pay bracket?

Mr. MILLS of Arkansas. No. The provision I am talking about is applicable only with respect to survivorship benefits. There is no problem under existing law with respect to retirement benefits. Under existing law, a judge's retirement pay is based on the current salary for the office. Thus, if a judge is called back and serves for 5 years under a higher rate of pay, then when he finally is retired, he is retired on the basis of that higher rate of pay. The same is true even if he is not recalled. There is nothing in the bill on this.

The point I was trying to make clear is that during this same period of time, this 5 years, while he is receiving the higher amount, he must continue to pay for survivorship benefits on the basis of this higher amount, but under existing law his wife would have no right to survivorship benefits based upon that higher amount on which he has made the contributions.

Mr. HALL. But he would still contribute to the retirement fund when recalled to active duty?

Mr. MILLS of Arkansas. Absolutely. He is required to do that now.

Mr. HALL. So, in essence, it amends the Internal Taxation Act, it amends the Renegotiation Act, and it amends the Civil Service Retirement Act, so far as the judges are concerned. The other kicker in there, which also would be nongermane to renegotiation, is it transfers jurisdiction from the Tax Court to the Court of Claims.

Mr. MILLS of Arkansas. The transfer of jurisdiction is germane and is in the part of the bill on which there is no waiver of a point of order. I might also point out, this is not an amendment to the Civil Service Retirement Act. These provisions relating to survivorship and retirement are a part of the Internal Revenue Code.

Mr. HALL. I understand that, but they do in effect take personnel out of civil service and give them separate consideration.

Mr. MILLS of Arkansas. This personnel is already out of civil service.

Mr. HALL. Indeed, like the Foreign Service Act and others do.

I thank the gentleman.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of the bill is to extend for an additional 2 years—through June 30, 1973—the Renegotiation Act, and amend it in several instances.

The act, first passed in 1951, generally provides that the Renegotiation Board is to review the total profit derived by a contractor during a year from all his renegotiable contracts and subcontracts in order to determine whether or not his profit is excessive. Generally speaking, contracts covered by the act are in the defense and space areas of Government procurement.

The act will expire on June 30, 1971. The bill will extend the act for 2 years—through June 30, 1973. The administration has sought a permanent extension but the committee felt a regular congressional oversight was desirable.

The bill amends the act in two other significant instances. First, it provides that where the Board has made a determination of excess profits against a contractor, such contractor may appeal the finding to the U.S. Tax Court. The bill removes this jurisdiction from the Tax Court, which is overburdened, and places it in the U.S. Court of Claims. Both courts approve this shift of jurisdiction. Secondly, once a determination of excess profits is made by the Renegotiation Board, interest is chargeable to the contractor until he pays back the excess profits to the Government. Currently, the statutory rate of interest is 4 percent. The bill amends the provision to allow the Secretary of the Treasury to set the rate, for each succeeding 6-month period based upon current commercial interest rates.

The committee estimates the expenses of the Renegotiation Board over a 2-year period at $10 million. During this period it will recover, based upon past performance between $20 to $35 million. The Court of Claims does not anticipate any additional costs because of its increased case load.

There are no minority views. The bill was reported unanimously by the committee.

The committee has requested a closed rule on section 4, which amends the In-

ternal Revenue Code and an open rule on the remainder of the bill, with 2 hours of debate.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS of Arkansas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8311) to amend the Renegotiation Act of 1951 to extend the act for 2 years to modify the interest rate on excessive profits and on refunds, and to provide that the Court of Claims shall have jurisdiction of renegotiation cases.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8311, with Mr. BOLLING (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Arkansas (Mr. MILLS), will be recognized for 1 hour, and the gentleman from Wisconsin (Mr. BYRNES), will be recognized for 1 hour.

The Chair recognizes the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, let me preface my remarks by saying I doubt that the Democratic side of the aisle will use the hour allotted to it under this rule. We should be able to dispose of this matter in a much shorter time, I would hope.

The renegotiation process is designed to eliminate excessive profits from Government contracts and related subcontracts primarily in national defense and space programs. In the absence of legislation, the Renegotiation Act will expire on June 30. The bill before us today, H.R. 8311, would extend the act for 2 years or until June 30, 1973.

The bill also makes two other amendments to the Renegotiation Act. First it revises the interest rate chargeable on excessive profits determinations and on overcollections of excessive profits. Second, it provides that the U.S. Court of Claims, rather than the U.S. Tax Court, is to have jurisdiction over redeterminations of excessive profits in the future. In addition, the bill makes two minor technical changes in the provisions of present law relating to the Tax Court.

As I indicated, the purpose of renegotiation is to eliminate excessive profits on military and space related Government contracts. The Renegotiation Act authorizes the Renegotiation Board to review the total profit a contractor derives during a year on all of his renegotiable contracts and subcontracts. In other words, renegotiation does not operate with respect to individual contracts or subcontracts. The board must consider a number of specific facts prescribed by the act in determining the existence and actual amount of any excessive profits which must be repaid to the Government.

It is expected that in the cases arising in the 2 years ahead there will be savings of from $20 million to $35 million. However, the existence of the Renegotiation Act itself in addition to recouping these amounts of money also encourages the elimination of excessive profits in two other ways. Contractors often make voluntary refunds or price reductions which in no small part are attributable to the prospect of renegotiation. Second, prices determined in initial contract negotiations also are significantly influenced by the possibility of eventual renegotiation. How much is actually saved in these ways is very difficult for us to estimate, but there nevertheless are additional savings.

Moreover, if for no other reason there would be a need to continue renegotiation because modern military and space procurement is very complex and is characterized by changing requirements. Often, there is a lack of established market costs or prices to provide guides for this procurement. As a result, negotiated contracts—often based on uncertain estimates—are used for the bulk of this procurement. For example, 89 percent of Defense Department military procurement in fiscal 1970 was negotiated. Think of it. Eighty-nine percent. In addition, 99 percent of NASA's procurement in this period was negotiated. The renegotiation process is an after-the-fact review to eliminate excessive profits which may arise on procurement made under these conditions.

A second factor which indicates the need to extend the Renegotiation Act is the continued relatively high level of defense-related procurement. To illustrate, military procurement by the Department of Defense rose to a peak of $44.6 billion in fiscal 1967. Since that time it has declined only slightly to a level of $36 billion in fiscal 1970. Moreover, the level of overall defense-related procurement—which includes more than just military procurement is expected to remain high for at least the next 2 years, we are told.

A third reason for extending the Renegotiation Act is the result of the normal timelag between the time a contract is awarded and the time renegotiation filings are made. As a result contracts relating to the peak period of military procurement for the Southeast Asia conflict will continue to be reported in filings with the Renegotiation Board for at least the next 2 years—the time period involved in this recommended extention. This is indicated by past experience with timelags. Although total military and space procurement has declined since fiscal 1967, the level of renegotiable sales rose substantially from $33.1 billion in fiscal 1967 to $48 billion in fiscal 1970.

For these reasons, the Committee on Ways and Means concluded that the Renegotiation Act should be extended for a 2-year period—from June 30, 1971, to June 30, 1973.

Because the very nature of the renegotiation process, however, involves a high degree of subjectivity on the part of the renegotiators, the committee believed it was desirable for Congress to have the opportunity to periodically review the administration of the Renegotiation Act. The 2-year extension provided by the bill will allow the Congress to again review the application of this human factor in the renegotiation process.

Let me now turn to the remaining provisions of the bill.

The first of these provisions deals with the rate of interest a contractor must pay on excessive profits from the time the Board determines their existence until they are finally repaid. The rate of interest presently prescribed by the act is 4 percent.

Since the contractor is, in effect, borrowing funds from the Government in these situations, it is unreasonable not to provide for realistic interest on these amounts. The present 4-percent rate clearly is not realistic in view of currently prevailing interest rates. In place of this fixed rate of interest, the bill provides for a flexible interest rate to be charged on excessive profits—and to be paid on overcollections of excessive profits. This rate is to be determined by the Secretary of the Treasury at 6-month intervals on the basis of current commercial interest rates for loans maturing in approximately 5 years. The rate prescribed for each 6-month period will apply to all determinations of excessive profits—and overcollections of excessive profits—made in the 6-month period in question.

The bill also amends the provisions of the act dealing with judicial redeterminations of amounts of excessive profits. Present law provides that the Tax Court is to hear a contractor's petition for a redetermination. That has been the case since the inception of the act. The bill transfers this jurisdiction from the Tax Court to the Court of Claims for a number of reasons.

First, the subject matter of renegotiation cases is similar to matters presently being handled in the Court of Claims—for example, actions brought by contractors for refunds in cases involving contracts with the Government.

Second, the procedures normally followed in the Court of Claims are better suited to the process of renegotiation than those which generally prevail in a Tax Court proceeding. For example, it is not unusual for the Court of Claims—often by using a Court of Claims Commissioner—to handle cases involving a lengthy hearing and a large volume of evidence. The same elements customarily exist in a renegotiation case. On the other hand, a Tax Court judge often has a calendar of tax cases which must be disposed of as quickly as possible, and the technique needed for tax cases is not closely related to the procedures required in renegotiation cases.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. MILLS of Arkansas. Mr. Chairman, I yield myself 5 additional minutes.

Third, the workload of the Tax Court recently has been much heavier than

that of the Court of Claims. Thus a shifting of renegotiation cases to the Court of Claims should make a substantial contribution to the evening-out of the workload of these two courts.

Moreover, the Committee on Ways and Means was told that this transfer of jurisdiction in renegotiation cases is approved both by the Tax Court and the Court of Claims. Further, both the Renegotiation Board and the Department of Justice have no opposition to this transfer.

This transfer of jurisdiction applies to all petitions for a redetermination which are filed after the enactment of the bill. In addition, cases presently pending in the Tax Court are to be transferred to the Court of Claims if the proceedings in the Tax Court have not progressed significantly. In other words, if the filing of papers is all that has occurred, those cases might well be transferred. That is an example of the situation where some action has been taken, but the case could be transferred to the Court of Claims.

The bill also makes two minor changes, unrelated to the Renegotiations Act, in the provisions of the present law relating to the U.S. Tax Court.

First, existing law is clarified—and I say "clarified" advisedly—to insure that, as Congress intended, a Tax Court judge who is retired from active duty can be immediately recalled for judicial duty. This is designed to overcome a possible ambiguity in present law which might be read as not permitting the recall of the judge until he has actually received some retirement pay. This was a result certainly not intended by the Congress.

Second, the bill provides that a judge's salary base period—and this is the point my friend, the gentleman from Missouri (Mr. HALL), was discussing—for purposes of computing his survivors' annuity, is to be the period of 5 consecutive years in which he receives the largest amount of compensation or retirement pay. Under present law, the base for computation of the survivors' annuity is frozen as of the time a retired judge first receives retired pay. In other words, if his salary or retired pay is later increased, the increased amount is not taken into account in computing the amount of his survivors' annuity. It is inequitable in our opinion to freeze the base in this manner, especially since if the judge's salary or retirement pay is later increased, he must make deposits into the retirement fund for the survivors' annuity on the basis of the increased amount.

The bill by removing this inequity does no more than equalize the treatment already available in all our other Federal courts. We think it is fair and equitable to provide this treatment for the retired members of the Tax Court as well.

That covers all of the provisions of the bill and I would like to repeat that the Committee on Ways and Means reported the bill unanimously. The bill has the support of the administration. They did want a longer extension of the Renegotiation Act, but we thought it was better to keep a little closer restraining rein on the process. As a result we have provided for a 2-year extension.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. MILLS of Arkansas. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Ways and Means' yielding.

I appreciate his statement about the need, particularly in the space industry and the defense industries for the renegotiation amendments and, indeed, his clear explanation of the cause for being of renegotiation contracts.

In the opinion of the chairman and his committee, would it have been possible to have developed formulas for contracting on the Department of Defense basis, for example, with industry to provide the necessary strategic weapons that we need or have in the offing without a renegotiation act?

Mr. MILLS of Arkansas. I would certainly think it would not.

Mr. HALL. Would the gentleman agree with me that defense contracts with defense industries could not have the built-in penalties as well as the incentives and completion dates or slippages based on alteration of contracts required by changes in specifications by the Department of Defense itself were it not for the possibility of renegotiation, even in this day of computers?

Mr. MILLS of Arkansas. I have been told by the membership of the Armed Services Committee that when our retired friend from Georgia, Carl Vinson, was chairman of the committee he was one of the most ardent advocates in the Congress of renegotiation and he said it was an absolutely necessary tool for the pricing of military materials within the Department of Defense.

Mr. HALL. I think somehow strategically this becomes so complex that the Members certainly, as the gentleman knows, fail to realize the importance of this act in developing this formulas.

Mr. MILLS of Arkansas. I think the gentleman is right.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman.

Mr. HUNGATE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I take it this makes no change in the requisite amount of time that a judge must serve in order for his survivors to qualify for benefits?

Mr. MILLS of Arkansas. The gentleman is correct. We made no change in that.

Mr. HUNGATE. I thank the gentleman.

Mr. Chairman, I urge the bill be approved.

The CHAIRMAN. The gentleman from Arkansas has consumed 19 minutes.

Mr. BETTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the chairman of the Committee on Ways and Means has so completely and clearly analyzed and explained the bill that I see no particular reason for me to elaborate further except to say that I support the chairman in the position he has taken and associate myself with his remarks.

The Renegotiation Act provides for a review by the Renegotiation Board of total profits derived from contracts essentially of a defense-related nature if a contractor's total renegotiable sales are in excess of $1 million. If the Board, after considering factors such as the individual contractor's efficiency, the risk he undertakes, the nature and extent of his contributions to the defense effort, and the character of the business, determines that a contractor's profits are excessive, it is empowered to reduce those profits.

In view of the complexity of modern military, space, and aviation procurement, the nature of the contracting process by which procurements are filled, and the heavy Federal commitments in defense-related procurement both in recent and current years, the committee felt that it would be appropriate to extend the act for a 2-year period.

The bill, which was unanimously reported by the Committee, also includes three amendments. The first amendment tranfers jurisdiction for the review of renegotiation cases decided by the Board from the U.S. Tax Court to the U.S. Court of Claims. The Committee has been advised that the caseload handled by the Tax Court is heavier than that currently being handled by the Court of Claims. Additionally, the renegotiation process essentially involves a claim between the Government and the individual citizen of a nature not unlike other claims that form the basis of the jurisdiction of the U.S. Court of Claims. Both the Tax Court and the U.S. Court of Claims, as well as the Department of Justice, concurred in the Committee's decision to transfer jurisdiction for review of renegotiation cases to the Court of Claims.

Additionally, the bill includes two amendments of a technical nature to provisions of the Internal Revenue Code relating to the Tax Court of the United States. An amendment is included to make it clear that the statute permits a retired judge at the time of his retirement to be immediately recalled by the chief judge. This simply clarifies the statute which has provided authority for the Tax Court to recall a retired judge at no additional compensation when the business of the court will be facilitated. Additionally, it is provided that a Tax Court judge's retirement annuity may be based not only on the average salary prior to his retirement, but on compensation he is paid subsequent to his retirement if he is recalled pursuant to the recall provisions of the Internal Revenue Code.

Mr. Chairman, I feel that both the extension of the Renegotiation Act and the amendments adopted by the Committee bill deserve the support of the House. I urge all of my colleagues to join me in supporting this legislation.

Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. GUBSER).

Mr. GUBSER. Mr. Chairman, I would like to echo the sentiments of the gentleman from Ohio (Mr. BETTS), and add

my compliments to the chairman for his usual articulate, succinct, to-the-point and clear explanation of the bill.

On three previous occasions I have come down to the well of the House to oppose extension of the Renegotiation Act on grounds that it had outlived its usefulness and constituted an added cost and harassment to business which actually was adverse to the taxpayers' interest. However, being a realist, I fully recognize the way the winds of public opinion are blowing today. Certainly it would be ill advised of this Congress at this point in time to do anything which appeared as a relaxation of restrictions against defense industry. No matter how justified it might be, I am quite certain that the general public would misunderstand it.

So, contrary to my usual positions, I am here only to compliment the committee for the additions which they have made to this bill. Certainly putting this determination over into the Tax Court is a wise move and, second, the redetermination of interest rates is timely. I stand here, therefore, urging that the bill be passed as reported from the committee.

I must take just 2 or 3 minutes, however, to briefly go over the past arguments that I have made in opposition to this legislation. I have not updated my figures, but I think I rather conclusively proved in 1968 that the amount refunded to the Treasury as a result of renegotiation may actually be a net loss. First this amount should be reported less the tax which had been paid on it—and that is approximately half—second, it is well established by reputable organizations that it costs one-tenth of 1 percent of renegotiable sales merely to submit to the process of renegotiation. That, when taken as a percentage of all renegotiable sales, amounts to a very sizable amount, an amount which is added to the price of the product charged to the Government. This amount, too, comes off the top of the tax yield which goes to the U.S. Government.

If you add to that the administrative costs of continuing the Renegotiation Act, I think you would find today, even in light of seemingly improved figures, that what I said in 1968 would still be true, that if you add up the total balance sheet, you will find that this results in a net loss to the taxpayers of the United States.

That is but one of my concerns. I am deeply concerned about what is happening to defense procurement.

I know the way the winds of public opinion are blowing. I recognize the heavy wind that comes from the fluttering of a flock of parrots voicing the cliches which are very popular today: Anything that is defense is evil. Any person who makes a weapon for the defense of this country is of necessity wrong and a profiteer. I recognize that is the mood which seemingly prevails.

But, I repeat, the time will come when these same people will recognize that the defense of this country is still a very important item, and it takes hardware. it takes people to manufacture that hardware, particularly in this day and age of long lead times and complicated technology.

What is happening? Every small businessman across this country is getting out of the defense business just as fast as he can get out of it. Despite the statements that you hear from the other side of this Capitol, defense industry profit is constantly going down to the point where it is not attractive. Many major defense contractors are in financial trouble. Every small businessman in this country is concentrating on getting out of defense and charting future growth in his company into commercial channels.

We are shrinking the base of expertise which is available to the U.S. Defense Department, and concentrating it in the hands of a few cartels.

We are building American Houses of Krupp because of harassments to business like the Renegotiation Act. The House of Krupp did not serve the best interests of Germany and following the same path will not serve the United States of America.

Mrs. GRIFFITHS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. BROOKS).

Mr. BROOKS. Mr. Chairman, the House Government Activities Subcommittee, which I serve as chairman, is in the final stages of preparing a report for ultimate submission to the House concerning the efficiency and the effectiveness of the operations of the Renegotiation Board. Our purpose is to frame a series of affirmative and constructive recommendations, the implementation of which will make the Renegotiation Board a meaningful process by which the American public can be protected from excessive profits on defense and related contracts.

While the nature and extent of our recommendations must await the review and evaluation of the full Committee on Government Operations, it is appropriate for me to state at this time that our investigation reveals that the Board, under is present level of operations, is almost totally ineffective in guarding the public's interests against excessive profits.

Operating on a temporary basis, with a grossly inadequate staff, without an effective data processing system, and with vague and obscure standards as to the meaning of excessive profits, the Board simply is not doing the job that the American people have been led to believe is its function.

Because of the confidentiality of the filings defense contractors submit annually to the Board, it is difficult to obtain authoritative data from the Board to use in evaluating the Board's effectiveness. However, during the hearings, the Board furnished the subcommittee with a list of 123 defense contracts that were subject to renegotiation determinations during fiscal year 1970.

The renegotiable profits of these 123 contractors were stated in terms of percentage of sales and also in terms of a percentage of beginning net worth and beginning capital. The amount of the redetermination subject to return to the Government was also listed.

Several factors are evident from this schedule. First, even after renegotiation, many of the contractors involved were left with substantial profits, measured either in terms of a percentage of sales or in terms of a percentage of net worth and capital investment. It is also evident from the magnitude of the renegotiable sales listed on the schedule that these companies were in most instances medium or even small in size.

After obtaining this schedule from the Renegotiation Board, the subcommittee sought additional information as to how many of the companies listed on the schedule as having been subject to renegotiation determinations during fiscal year 1970 also appear on the list of 100 companies receiving the largest dollar volume of prime contract awards published annually by the Department of Defense. To our complete amazement, we found that, in year after year, the 100 defense contractors receiving approximately 70 percent of all defense procurement contracts are seldom subject to redetermination.

As an example, take the 123 companies whose profits were renegotiated in fiscal year 1970. Assuming, as we must, that there is a 2- or 3-year lag between the contract award and a renegotiation determination, the subcommittee inquired as to the number of the 123 companies that also appeared on the list of the 100 large defense contractors during the period of the prior 5 years.

The results are as follows: In 1966, none; in 1967, one; in 1968, four; in 1969, two; in 1970, two; and in 1971, one.

As both the list of defense contractors subject to redetermination, as well as the list of 100 largest defense contractors, change annually, and because of the lag between contract award and renegotiation determinations, it is impossible to establish an absolute connection between these two lists. However, on a practical basis, it is quite evident that of the Nation's 100 largest companies, as well as subsidiary corporations, only 2 or 3 percent of them fall within the renegotiation process—and these 100 corporations account for 70 percent of the Nation's defense procurement.

In fairness to the members of the Renegotiation Board and its staff, I wish to stress the fact that the renegotiation process, under ideal conditions, would be a difficult and complex job. But to perform this task, or at least to try to perform this task, without adequate resources and under the other handicaps and deficiencies that have been revealed during our investigation, would be next to impossible. Generally, I favor placing the Renegotiation Board on a permanent basis. However, I believe that this action should be postponed until the Board has been given the opportunity to operate efficiently and effectively with adequate resources in terms of staff, modern computer equipment, and with clearer guidelines from Congress as to the meaning of excessive profits. If, during the next 2-year period, either in the absence of Congress providing the resources to make such action possible, or the failure of the Board to translate these additional resources into a viable operation, then my

recommendation would be to abolish the Board and consider instead a simple but effective excess profits tax which the Internal Revenue Service could administer more efficiently, more effectively, and in keeping with congressional intent against excess profits.

Mr. Chairman, I include in the RECORD a table showing the determinations of excess profits made by the Renegotiation Board in fiscal year 1970 including figures showing renegotiable profits as a percent of sales, as a percent return on beginning capital, and as a percent return on beginning net worth:

DETERMINATIONS OF EXCESSIVE PROFITS, FISCAL YEAR 1970

[In thousands of dollars]

Determination number:	Renegotiable profits	Profit as percent of sales before determination	Percent return on beginning capital [1] before determination	Percent return on beginning net worth before determination	Excessive profits [2] determination
1	$655	20.0	132.1	251.9	$350
2	841	30.7	141.1	299.3	600
3	260	15.2	42.8	59.6	50
4	808	27.5	82.9	125.7	400
5	512	21.1	79.9	166.8	250
6	177	11.0	114.9	327.8	50
7	888	15.7	40.0	62.4	100
8	288	18.0	84.0	133.3	75
9	594	18.9	66.5	[3]	250
10	715	16.7	50.6	83.8	225
11	304	18.3	81.3	188.8	75
12	386	26.1	[3]	[3]	200
13	1,241	39.7	[3]	[3]	500
14	688	48.6	[3]	[3]	250
15	478	16.8	138.4	[3]	150
16	290	27.9	150.3	367.1	39
17	329	20.6	43.6	92.4	100
18	1,634	23.4	[3]	[3]	500
19	471	17.3	69.8	168.8	50
20	775	14.2	20.6	36.4	175
21	993	18.1	25.9	44.3	100
22	388	18.2	25.8	28.8	50
23	181	11.1	71.0	143.6	50
24	279	14.1	49.9	104.5	75
25	388	23.1	62.2	109.9	150
26	117	23.2	62.9	97.5	50
27	636	51.2	[3]	[3]	389
28	208	22.2	[3]	[3]	178
29	118	20.0	36.9	83.7	30
30	2,219	30.2	16.2	148.9	1,500
31	696	17.9	40.7	80.7	150
32	394	21.2	68.6	154.5	100
33	478	17.4	86.6	186.7	75
34	1,756	8.8	45.6	182.0	350
35	180	17.2	96.8	193.5	50
36	728	34.4	136.8	206.2	500
37	419	16.2	197.6	602.0	250
38	430	22.6	130.7	238.9	225
39	350	25.8	69.0	143.4	150
40	551	28.0	71.7	144.6	250
41	275	22.0	57.9	86.2	75
42	388	17.1	63.4	233.7	50
43	1,133	28.9	44.6	112.2	250
44	948	15.7	[3]	[3]	75
45	677	20.6	104.8	466.9	200
46	817	22.9	58.1	95.7	250
47	427	29.3	82.8	168.1	200
48	282	18.9	61.8	104.1	50
49	702	19.0	44.6	85.6	100
50	246	23.2	50.0	68.3	61
51	524	22.6	100.0	112.7	150
52	471	19.0	53.5	109.3	75
53	338	20.5	70.1	520.0	75
54	107	[3]	[3]	[3]	35
55	872	18.9	76.5	104.3	100
56	715	19.2	66.6	100.4	150
57	287	14.6	46.9	141.4	100
58	598	14.1	77.5	166.6	75
59	185	16.3	740.0	740.0	40
60	231	50.0	228.7	962.5	175
61	1,477	34.7	225.8	687.0	1,000
62	$863	12.2	37.3	60.1	$75
63	406	18.5	47.7	76.6	100
64	322	18.4	23.6	50.5	50
65	634	10.0	47.3	103.8	125
66	1,226	13.9	[3]	[3]	300
67	1,222	21.4	74.6	125.3	600
68	408	17.7	81.8	129.9	115
69	634	9.5	70.0	109.3	200
70	103	[3]	[3]	[3]	30
71	2,297	40.4	192.5	806.0	1,500
72	1,028	21.2	52.0	68.8	450
73	418	19.1	197.9	339.0	175
74	347	27.5	85.3	262.9	200
75	610	12.1	152.5	1,326.1	150
76	498	25.7	238.3	1,329.0	300
77	488	17.8	120.2	375.4	125
78	248	17.5	30.9	74.7	75
79	1,132	47.2	197.9	215.6	750
80	786	15.7	116.8	671.8	100
81	550	21.4	106.8	390.1	200
82	145	23.9	[3]	[3]	60
83	507	17.7	45.6	117.1	150
84	4,242	19.1	138.6	389.9	1,500
85	704	18.0	[3]	[3]	200
86	1,393	14.4	36.4	44.5	300
87	612	18.3	31.7	410.7	150
88	2,849	12.6	32.8	100.0	300
89	8,094	33.8	[3]	[3]	1,750
90	1,154	13.4	76.5	224.5	175
91	1,194	13.4	57.9	229.6	125
92	521	22.6	71.4	148.4	275
93	581	19.8	98.1	206.8	375
94	937	18.7	181.9	433.8	250
95	1,038	15.4	27.7	35.0	400
96	997	23.1	118.7	218.6	600
97	539	19.4	37.1	59.6	60
98	1,147	20.8	79.2	188.7	500
99	1,505	18.4	153.3	303.4	700
100	488	15.6	60.2	101.7	125
101	510	18.3	61.7	140.1	200
102	1,465	14.3	46.8	82.0	550
103	218	15.5	107.4	298.6	75
104	2,367	15.2	35.2	88.1	500
105	215	15.4	[3]	[3]	75
106	2,696	37.7	240.5	612.7	2,100
107	320	31.0	105.9	175.4	175
108	329	13.0	20.5	41.2	50
109	1,049	12.8	34.9	51.5	100
110	1,599	21.7	119.1	255.2	650
111	2,097	38.0	190.5	378.5	1,575
112	342	20.8	54.7	90.5	100
113	294	21.0	49.9	143.4	225
114	212	13.3	114.6	605.7	175
115	331	27.4	117.0	472.9	207
116	190	47.4	[3]	[3]	175
117	2,682	2.5	[3]	[3]	500
118	292	23.1	28.3	58.8	75
119	877	17.1	20.2	29.9	150
120	1,956	27.9	351.2	365.6	1,350
121	844	29.8	111.1	152.6	500
122	249	24.0	125.8	622.5	37
123	181	18.0	[3]	[3]	6

[1] Total assets.
[2] Before adjustments for State income taxes.
[3] Not relevant because of intercompany relationships, net worth deficit or nominal net worth, limitation imposed by the statutory floor, or other circumstances.

Mrs. GRIFFITHS. Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, several questions arise often when we are considering the extension of the Renegotiation Act and the first one always seems to be: What is the Renegotiation Board and do we need it?

Not many people are aware that there is an independent agency whose sole purpose for existence is to eliminate the excessive profits on space-defense contracts and related governmental contracts, by making determinations on an annual basis after the fact.

Do we need the Renegotiation Board? For the sake of the taxpayer—yes; and especially in view of the Renegotiation Board's success in carrying out its functions.

I first became interested in the Renegotiation Board back in 1966 when the name of the Board was mentioned during some hearings before the committee on which I serve—the Banking and Currency Committee. Based on my inquiries since then, I cannot but support the Renegotiation Act's extension and any legislative move to give it the strength it had back in 1951 when it was first established as an independent agency during the Korean war.

Unique conditions surround the defense-space market, which are not found in the private market which makes it susceptible to limited and ineffectve price competition; and hence, to the possibility of excess profits. The items supplied are specialized and complex, and the cost and production experience is not usually reliable or available. The lack of adequate price competition, and the need for predictions, leaves a great susceptibility for inaccurate profits, especially during the surge of procurement contracts that arise during military involvement.

HISTORY

Renegotiation as a process dates back to 1942. It was decided early in World

War II that the application of fixed limits of permissible profits worked to the detriment of many contractors. A flexible criteria was developed which operated highly effectively by the war's end, permitting the retention of profits as high as 25 percent of renegotiable sales. As a result of this extensive experience, the present six-part criterion for determining excessive profits was adopted in 1951 during the Korean war, and was administered through an independent Board.

The Board in 1951 had 742 employees, and was strong enough for a while to rake in over $167 million its peak year in 1955. However, since it was not permanent, it had to keep coming back to the Congress every couple of years—slowly, but surely, various exemptions crept in and the number of staff was cut down. In 1967 the personnel numbered 178, but, fortunately, now it is up to 232. This is still not sufficient, as is evidenced by the backlog cases—1,294—pending before the Board.

But, despite its low numbers in personnel, the exemptions, and the hiking up of the floor of renegotiable contracts from the original $250,000 to $1 million, the Board continues to do well.

GOOD RECORD

The Board has had a tremendous batting average. Thirty-three million dollars excess profit determinations were discovered during fiscal year 1970—totaling over $1 billion of excess profit determinations, after State taxes. There were $18,168,705 voluntary price reductions during fiscal year 1970.

Determinations of excessive profits, broken down by the Government fiscal year in which they were made, are as follows:

Fiscal year Board determination

1953	$10,970,771
1954	119,463,169
1955	167,256,288
1956	152,649,327
1957	150,991,300
1958	112,724,199
1959	60,757,877
1960	52,708,003
1961	17,200,093
1962	7,844,467
1963	10,069,536
1964	24,160,028
1965	16,146,803
1966	24,513,962
1967	15,980,214
1968	23,069,748
1969	21,350,413
1970	33,453,457
Total	1,030,309,655

NOTE.—The above figures include determination of $33,185,470 made pursuant to the 1943 and 1948 Acts. 15th Annual Report of Renegotiation Board, 1970, p. 12.

The fairness of the renegotiation process is attested to by the percentage of determinations that are agreed to annually. Out of 123 determinations it made during fiscal year 1970, 88 percent agreed to it, with only 19 appeals to the tax court. The tax court has affirmed 60 percent of all the cases it has considered since 1951—83 of the 137—with 66 pending cases.

The need for the Renegotiation Board is apparent, based on its record. And certain indicators require its continued existence.

The number of filings, for example, continue to rise according to the 1970 Renegotiation Board report, "reflecting the continuing impact of the Vietnam conflict." The number of above-the-floor filings received rose to 5,085—4,400 filings were of contractors, other than brokers or manufacturers agents—totaling $48 billion of renegotiation sales.

Filings received

Fiscal year:	
1967	3,737
1968	4,552
1969	5,030
1970	5,085

Also, as I have said before, the percentage of defense and space contracts which are negotiated, with minimal or no competition, warrants the continuance and strengthening of the excess profits watchdog. Approximately 89 percent of the defense contracts are negotiated—and 99 percent of the space contracts are negotiated.

So, the need does exist for the extension of the Renegotiation Board—and as you can see by looking at the expenses it incurs compared to its recoveries, it more than pays its own way, while performing its very patriotic task on behalf of the taxpayers. Its expenses have totaled a little over $60 million since 1952, while it has recovered over $1 billion, after State taxes: After deduction of credits for Federal income and excess profits it is $413,442,978.

RENEGOTIATION BOARD EXPENSES THROUGH JUNE 30, 1970

Fiscal year	Total	Salaries	All other
1952	$1,606,259	$1,176,003	$430,256
1953	5,093,308	4,443,662	649,646
1954	5,116,806	4,823,730	293,076
1955	4,338,924	4,159,975	228,949
1956	3,860,987	3,632,357	228,630
1957	3,514,032	3,320,272	193,760
1958	3,028,037	2,729,362	298,675
1959	3,003,657	2,702,100	301,557
1960	2,814,200	2,511,119	303,081
1961	2,911,684	2,600,646	311,038
1962	2,579,513	2,246,385	333,128
1963	2,325,462	2,024,826	300,636
1964	2,507,482	2,229,818	277,664
1965	2,577,345	2,286,223	291,122
1966	2,464,876	2,180,394	284,482
1967	2,532,686	2,238,484	294,202
1968	2,625,539	2,343,765	281,774
1969	3,071,716	2,672,335	399,381
1970	3,986,519	3,505,457	481,062
Total	60,009,032	53,826,913	6,182,119

In view of all the positive points that have accrued on behalf of the renegotiation process, I trust that not only will this body extend its existence for a mere 2 years—but at least three and hopefully indefinitely.

IS A 2-YEAR EXTENSION SUFFICIENT IN VIEW OF THE RENOGIATION'S SUCCESS AND NEED?

Most definitely not. Excess profits at the expense of the taxpayers I should hope will continue to be fished out in view of the evidence that it exists, and historical precedence that it accompanies every war.

I believe very strongly that an indefinite extension is necessary to give a certain amount of security so that it does not have to live in fear that the very existence of the Board is in jeopardy over 2 or 3 years. We cannot expect an agency which is unsure of its very existence to argue vigorously in behalf of improved scrutiny of profiteers, and be able to attract sufficient first rate, specialized help.

During the 90th Congress, we extended its life for 3 years—and as far as I can remember it was the first time its powers were not debilitated. I was very pleased, naturally, and would hope that this body will again look at the merits of the Renegotiation Board and extended for at least more than 2 years, or indefinitely.

For your information, there are still enough pending cases before the Board to keep it busy for almost 2 years at their present rate of consideration. See table below:

REGIONAL BOARD WORKLOAD

Fiscal year	Assignments received	Assignments completed	Ending backlog
1967	635	421	678
1968	827	567	938
1969	970	617	1,291
1970	690	687	1,294

Since we are still not out of Vietnam, and since there is no definite withdrawal date in sight, I would hope you will agree with me that 2 years is certainly not enough of an extension.

The House Ways and Means Committee reasons that these short sprints are better because it can continue to review the agency's efforts. Short springs of breath for the Board's continued existence are not sufficient. We should permit it to breath naturally so that it can function effectively, and not have to make to wait anxiously for another gasp of air when we again consider whether the patient should live or die. I suggest that the patient can live—and that it may still be possible to oversee its recoveries, in a more thorough fashion we would not be trying to beat the June 30 deadline.

I suggest, that whenever the Board be made permanent, that the staff of the Joint Committee on Internal Revenue Taxation be authorized to make periodic studies of the Board, submitting its findings and recommendations for legislative action to the House Ways and Means Committee. Without the pressure of a deadline, the committee and Congress could better schedule whatever time the issues would warrant. This year, for example, because of the tight schedule, the Renegotiation Act had to be sandwiched in for consideration in an executive session of the House Ways and Means Committee.

My proposal would permit the Congress to continue consideration of the Renegotiation Board's function whenever it deemed necessary, and at the same time, it would permit it to work without fear of not having any life at the end of the next fiscal year.

The Board's overseeing powers, moreover, do not extend only to the weapons for war. Its authority will continue to be needed in the aftermath of war, new transportation systems, and space vehicles. Certainly no one can argue that the defense-space contracts will ever run out.

And, if the Renegotiation Board should ever lose its effectiveness, Congress, of

course, still has the prerogative to terminate the existence of this agency.

EXAMPLES OF WAR PROFITEERING

I must point out to you that since all the Renegotiation Board's records are not available for public viewing, the only information we can actually get besides the annual report, is from cases that have appealed into the tax court. This is the reason why the Board's role as the taxpayer's guardian against excess profits has not really been publicized.

Pending before the tax courts right now are cases appealing determinations ranging up to $9 million; however, there is no way of determining any specific information about the other 88 percent of the 123 determinations.

Before the Joint Economic Committee in 1968, I reported on the aerospace industries: In one case, for example, the Boeing Airplane Co. appealed a determination by the Board that for the year 1952 it had received excessive profits in the amount of $9,823,340. The Tax Court of the United States decided upon review of the case in a decision handed down in 1962 that Boeing had received not $9.8 million in excessive profits, but $13 million in excessive profits. Among other items, Boeing had attempted to charge the cost of the design development, and construction of the prototype of the 707 commercial airliner as an expense item to be allocated to renegotiable business under its contracts with the Department of Defense. Equally intriguing is the fact that the work on the prototype, according to the opinion of the tax court, "occurred in a walled-off area of the Government plant at Renton, Wash.," for which Boeing was charged and paid rental. Boeing by the way, for the year 1952, reported $42.4 million in profits before taxes, a profit of 120.6 percent on its invested capital. During the same year, 99.6 percent of its total sales constituted Government sales.

The Boeing case is cited as *Boeing Airplane Co.* v. *The Renegotiation Board of the United States of America*, 37 T.C. 64, January 10, 1962. Another case involving North American Aviation, Inc., decided in October of 1962, may be found at 39 T.C. 19. In the North American case, the court decided that for the years 1953 and 1954 that company had received excessive profits in the amounts of $4 million and $12.5 million. In 1953, North American Aviation reported a whopping 612 percent profit on its capital investment, and in 1954 it reported a superwhopping profit of 802 percent. In each year more than 90 percent of its sales was to the Federal Government.

There are just a few examples of what I call "war profiteering"—others, go unnoticed, because of the exemptions that have been carved out.

ARE THERE ANY RECOMMENDATIONS BASED ON STUDIES, TO EXTEND THE RENEGOTIATION ACT INDEFINITELY?

Yes. Time and again, of course, the administration has requested an indefinite extension of the act, based on its experience. Moreover, there have been studies that have found not only the need for the renegotiation process, but for an indefinite extension.

In 1960, the House Armed Services Committee reported a recommendation for permanent legislation. The committee's Special Subcommittee on Procurement Practices of the Department of Defense concluded:

> The hearings and data which we present in this report along with our conclusions and recommendations, fully justify and require the continued application of the principle of statutory renegotiation. The high incidence of negotiated contracting which is dependent exclusively in some instances and heavily in others on "estimating" is fraught with dangerous possibilities of "unjust enrichment" at public expense.

The Joint Committee on Internal Revenue Taxation has had several staff reports that reaffirmed the need for the Renegotiation Act. It is unfortunate that it recommended only temporary extensions of the Board, based on the same reasoning that the House Ways and Means Committee report makes—that it can, thus be subject to review. But as I have already suggested this same joint committee and the House Ways and Means Committee can continue to review it at their discretion, and I would hope update and strengthen it.

Vice Adm. H. G. Rickover, U.S. Navy Director of the Division of Naval Reactors at the U.S. Atomic Energy Commission, has been very active in his interest of the Renegotiation Board and he also recommends permanent legislation. He has had many years of experience in the Government and has spearheaded many effective proposals in the area of defense procurement, as you know. And based on this experience, he makes several other recommendations, which he has presented to the House Committee on Government Operations Subcommittee headed by my very able colleague, the Honorable JACK BROOKS. Comprehensive hearings have been held on the efficiency and effectiveness of the Renegotiation Board operations during the last Congress, and during this session.

Based on the information available to me, I have every reason to believe that the subcommittee's report will back me up on several recommendations which I have made to strengthen the Board's effectiveness. One of these is to make the Board permanent.

I had hoped that the committee report would have been available to us for consideration during our deliberations on the House floor; however, neither the report nor the recent hearings are yet available.

The subcommittee also looked into the various exemptions which have been accrued over the years, and I believe will also be requesting the Congress to plug up the loopholes in the act.

Mr. REID of New York. Mr. Chairman, I rise in support of extending the life of the Renegotiation Board, but I would like to say now, for the legislative history of this bill and this Board, that having looked into its operations to some degree, I think its powers should be increased.

At present, the Renegotiation Board, established in the Korean war to review certain Government contracts relating mainly to Defense matters and to judge any "excessive profits," is virtually powerless to act on thousands of contracts due to a complex system of exemptions.

In my judgment, the jurisdiction of the Board should be increased to review additional areas where the Renegotiation Board has estimated that billions of dollars worth of contracts have escaped Government scrutiny. Specifically, it is estimated that by the Renegotiation Board that $11 to $13 billion in prime contracts have evaded review due to these loopholes.

For instance, there is a section in the law which exempts from scrutiny all contracts for "standard commercial articles." Although both the Renegotiation Board and the administration in 1968 recommended the abolition of this exemption, it was only tightened up by the Congress. This broad-languaged section precludes the review of bulk sales of such articles as tools and computers. But what is important to realize is that it is just as easy to make large profits on commercial articles as it is on strategic weapons. Abolishing the exemption could save the Government billions of dollars.

In addition, there is also a provision in present law which precludes the review of contracts for under $1 million. In my judgment, a small defense contractor is just as likely to make excessive profits as is a large one; a contract of $500,000 can bring in the same proportion of profits, if not a greater proportion, than can a contract of over $1 million.

Further, the Board should be directed to make periodical and thorough spot checks and reviews, and in general should review all contracts where excessive profits may result. Because over 50 percent of the Defense Department's contracts are single-source contracts, special attention should be directed at these.

The House Government Operations Committee, and specifically the Subcommittee on Government Activities, has held hearings on this issue, and may well in its wisdom report out a bill, consistent with the hearing record.

Corporate profits are certainly justifiable and in addition are an excellent incentive for progress in our free enterprise system. However, excessive profits are clearly not in the public interest; no one should be allowed to make excessive profit off the national defense, off the Government, and thereby off the taxpayers' money.

Mr. BETTS. Mr. Chairman, I have no further requests for time and I yield back the balance of my time.

Mrs. GRIFFITHS. Mr. Chairman, I have no further requests for time and I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read the bill as follows:

H.R. 8311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TWO-YEAR EXTENSION.

Section 102(c)(1) of the Renegotiation Act of 1951 (50 U.S.C. App. sec. 1212(c)(1)) is amended by striking out "June 30, 1971" and inserting in lieu thereof "June 30, 1973".

SEC. 2. MODIFICATION OF INTEREST RATE ON EXCESSIVE PROFITS AND ON REFUNDS.

(a) Section 105(b)(2) of the Renegotiation Act of 1951, as amended (50 U.S.C. App. sec. 1215(b)(2)), is amended—

(1) by striking out the phrase "rate of 4 per centum per annum" each place it appears and inserting in lieu thereof "rate per annum determined pursuant to the next to the last sentence of this paragraph for the period which includes the date on which interest begins to run";

(2) by striking out the phrase "interest shall accrue and be paid" the second place it appears in subparagraph (A) and inserting in lieu thereof "interest at the same rate shall accrue and be paid"; and

(3) by adding at the end thereof the following new sentences: "Interest shall accrue and be paid at a rate which the Secretary of the Treasury shall specify as applicable to the period beginning on July 1, 1971, and ending on December 31, 1971, and to each six-month period thereafter. Such rate shall be determined by the Secretary of the Treasury, taking into consideration current private commercial rates of interest for new loans maturing in approximately five years.".

(b) Section 108 of the Renegotiation Act of 1951, as amended (50 U.S.C. App., sec. 1218), is amended by striking out "at the rate of 4 per centum per annum" in the last sentence and by inserting before the period at the end of such sentence "at the rate per annum determined pursuant to the next to the last sentence of section 105(b)(2) for the period which includes the date on which interest begins to run".

(c)(1) The amendments made by subsection (a) shall apply only with respect to amounts of excessive profits determined by the Renegotiation Board and with respect to the amounts of additional excessive profits determined by the Tax Court or the Court of Claims after June 30, 1971.

(2) The amendments made by subsection (b) shall apply only with respect to amounts finally adjudged or determined to have been erroneously collected after June 30, 1971, by the United States pursuant to a determination of excessive profits.

SEC. 3. JURISDICTION OF RENEGOTIATION CASES.

(a) Section 108 of the Renegotiation Act of 1951, as amended (50 U.S.C. App., sec. 1218), is amended—

(1) by striking out in the first sentence thereof "The Tax Court of the United States" and inserting in lieu thereof "the Court of Claims";

(2) by striking out the following sentence: "For the purposes of this section the court shall have the same powers and duties, insofar as applicable in respect of the contractor, the subcontractor, the Board, and the Secretary, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, review by the Tax Court of decisions of divisions, stenographic reporting, and reports of proceedings, as such court has under sections 1110, 1111, 1113, 1114, 1115(a), 1116, 1117(a), 1118, 1120, and 1121 of the Internal Revenue Code in the case of a proceeding to redetermine a deficiency."; and

(3) by striking out each place it appears therein "Tax Court" and inserting in lieu thereof "Court of Claims".

(b) Section 108A of such Act is amended to read as follows:

"SEC. 108A. REVIEW OF COURT OF CLAIMS DECISIONS.

"The decisions of the Court of Claims under section 108 shall be subject to review by the Supreme Court upon certiorari in the manner provided in section 1255 of title 28 of the United States Code for the review of other cases in the Court of Claims."

(c) Section 114(5) of such Act is amended by striking out "Tax Court," and inserting in lieu thereof "Court of Claims, the United States Tax Court,".

(d) Sections 103(f), 103(1), 105(a), 105(b), and 106(a)(6) of such Act are amended by striking out "The Tax Court of the United States" or "the Tax Court" each place it appears therein and inserting in lieu thereof "the Court of Claims".

(e) The amendments made by this section shall apply with respect to any case in which the time for filing a petition under section 108 of the Renegotiation Act of 1951 for a redetermination of an order of the Renegotiation Board determining an amount of excessive profits expires on or after the date of enactment of this Act. Any petition for a redetermination of an order of the Renegotiation Board which is filed with the United States Tax Court on or after the date of enactment of this Act and before the ninetieth day after such date of enactment shall be deemed to be filed with the Court of Claims and shall be transferred from the United States Tax Court to the Court of Claims within thirty days after the day it is so filed. Except as determined by the Chief Judge of the United States Tax Court as described hereinbelow, all cases arising under the Renegotiation Act of 1951 which are pending in the United States Tax Court on the date of enactment of this Act shall be transferred within thirty days after such date from the United States Tax Court to the Court of Claims. In any such case in which the Chief Judge of the United States Tax Court finds and determines that proceedings have progressed to the point that the case can be more expeditiously decided by the United States Tax Court than the Court of Claims, the Chief Judge by order entered within thirty days after the date of enactment of this Act shall direct that such case be retained by the United States Tax Court. The applicable provisions of the Renegotiation Act of 1951 as in effect prior to the amendments made by this section shall be applied with respect to any case under the Renegotiation Act of 1951 which at any time was pending in the United States Tax Court and which is not transferred to the Court of Claims pursuant to this subsection.

With the following committee amendment:

On page 6 after line 11, insert:

"SEC. 4. THE UNITED STATES TAX COURT.

"(a) The first sentence of section 7447(c) of the Internal Revenue Code of 1954 (relating to recalling of retired judges of the United States Tax Court) is amended by striking out 'Any individual who is receiving' and inserting in lieu thereof 'At or after his retirement, any individual who has elected to receive'.

"(b) Section 7448(m) of such Code (relating to computation of annuities of widows of Tax Court judges) is amended by striking out '1¼ percent of the average annual salary received by such judge for judicial service and any other prior allowable service during the last 5 years of such service prior to his death, or prior to his receiving retired pay under section 7447(d), whichever first occurs, multiplied by the sum of his years of judicial service,' and inserting in lieu thereof '1¼ percent of the average annual salary (whether judge's salary or compensation for other allowable service) received by such judge for judicial service (including periods in which he received retired pay under section 7447(d)) or for any other prior allowable service during the period of 5 consecutive years in which he received the largest such average annual salary, multiplied by the sum of his years of such judicial service,'.

"(c)(1) The amendment made by subsection (a) shall be effective as if included in the Internal Revenue Code of 1954 on the date of its enactment. Provisions having the same effect as such amendment shall be treated as having been included in the Internal Revenue Code of 1939 effective on and after August 7, 1953.

"(2) The amendment made by subsection (b) shall apply only with respect to judges of the United States Tax Court dying on or after the date of the enactment of this Act."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8311) to amend the Renegotiation Act of 1951 to extend the act for 2 years to modify the interest rate on excessive profits and on refunds, and to provide that the Court of Claims shall have jurisdiction of renegotiation cases, pursuant to House Resolution 466, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

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

The bill was passed.

The title was amended so as to read: "A bill to amend the Renegotiation Act of 1951 to extend the act for 2 years, to modify the interest rate on excessive profits and on refunds, to provide that the Court of Claims shall have jurisdiction of renegotiation cases, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON CERTAIN CLASSIFICATIONS OF YARN OF SILK

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1680) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BETTS. Mr. Speaker, reserving the right to object and I shall not object, I take this opportunity to ask the chairman if he will explain the bill.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, the purpose of H.R. 1680 is to continue for 2 years, until the close of November 7, 1973, the suspension of duties on certain classifications of spun silk yarn which is due to expire on November 7, 1971.

The duties on certain classifications of spun silk yarn have been suspended by various public laws since the original duty suspension was enacted by Public Law 86–235, approved on September 8, 1959. The suspension of the duties was last extended by Public Law 91–28 for a 3-year period from November 7, 1968, to November 7, 1971.

The suspension of duty was made in order to lower the cost of imported fine silk yarn to domestic producers of fine-yarn fabrics who compete with imported fine-yarn fabrics. The Committee on Ways and Means has been advised that the same reasons which justified the original suspension of duties justify the continuation of the suspension.

The committee unanimously recommends enactment of H.R. 1680 as reported.

Mr. BETTS. Mr. Speaker, I support H.R. 1680, a bill which extends for an additional 2 years the temporary suspension of duties on certain classifications of silk yarn scheduled under existing law to expire on July 1 of this year.

The suspension of duty on spun silk yarns is necessary in order to make it more economical for domestic producers of fine-yarn fabrics to produce them in competition with similar imported fabrics. The yarns which are suspended from tariff by this legislation are used for making sewing thread, decorative stripings for fine worsteds, lacing cord for cartridge bags, and, in combination with other fibers, certain types of necktie fabrics, shirtings, dress, and suiting fabrics, upholstery, and drapery materials.

Inasmuch as the need to suspend the duty on these yarns is the same today as it was in 1959 when the duty was originally suspended, the committee approved an additional 2-year suspension which will last until November 7, 1973. This extension should not result in any additional revenue loss, or administrative costs.

No objection to the continuation of this suspension has been brought to the committee's attention, and the committee unanimously recommended this legislation.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, I would like to ask the gentleman from Arkansas a question. Is this product used in particular fabrics for apparel——

Mr. MILLS of Arkansas. It is.

Mr. GROSS. Or in general?

Mr. MILLS of Arkansas. It is used in what we describe as fine yarns. As the gentleman knows, there is no silk produced in the United States.

Mr. GROSS. For Florida bathing suits?

Mr. MILLS of Arkansas. It could be, I understand.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1680

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 432, Aug. 17, 1963; 19 U.S.C., 1202) is amended (1) by striking out the termination date applicable to items 905.30 and 905.31, namely 11/7/68 and (2) by inserting in lieu thereof, the termination date "11/7/73".

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) items 905.30 and 905.31 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out '11/7/71' and inserting in lieu thereof '11/7/73'.

"(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, after November 7, 1971."

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the committee amendment.

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

There was no objection.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIMINATION OF DUTY ON ALUMINUM HYDROXIDE AND OXIDE, CALCINED BAUXITE, AND BAUXITE ORE

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4590) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BETTS. Mr. Speaker, reserving the right to object, I do so in order to ask the chairman to explain the bill.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, the purpose of H.R. 4590 is to provide for the permanent duty-free treatment of calcined bauxite, bauxite ore, and aluminum hydroxide and oxide. Currently, the duties on calcined bauxite, bauxite ore and on aluminum oxide—alumina—when imported for use in producing aluminum are temporarily suspended until July 15, 1971.

The duties on crude bauxite and calcined bauxite and aluminum oxide—alumina—when imported for use in producing aluminum were suspended by legislation enacted in 1956. These duty suspensions have been extended at various times by the Congress since that time. This bill would make permanent the present suspension of duty on calcined bauxite and bauxite ore and would extend the existing suspension of duty on alumina when imported for use in producing aluminum by permanently suspending the duty on imports of alumina without regard to end use.

Alumina is a product used for the production of aluminum primarily, but is also used in the manufacture of abrasives, refractories, and aluminum chemicals. Bauxite ore is a mineral used in the production of alumina—from which aluminum and other products are produced—as well as abrasives, chemicals, refractories, and miscellaneous products. Bauxite is considered to be vital to domestic industries such as the aluminum, steel, and chemical industries. Your committee is advised that known domestic commercial deposits of bauxite are small and that the U.S. production of bauxite now accounts for less than 15 percent of domestic requirements and, as demand increases, the United States will continue to be largely dependent upon foreign sources for aluminum raw materials.

The bill would restore the column 2 rates of 0.5 cents per pound with respect to all alumina and $1 per ton with respect to calcined bauxite and bauxite ore. Such column 2 rates apply to products of a country designated by the President as being under Communist domination or control.

In view of the experience gained under the suspensions since 1956, the Committee on Ways and Means is convinced that a permanent suspension of duty on alumina, calcined bauxite, and bauxite ore as provided by the bill, is warranted.

No objections have been received from any interested agencies of the executive branch.

The committee is unanimous in recommending enactment of H.R. 4590.

Mr. BETTS. Mr. Speaker, I support H.R. 4590, a bill to make permanent the existing suspension of duties on aluminum oxide when imported for use in producing aluminum, on calcined bauxite and on bauxite ore.

The duties on these products were suspended by Congress in 1956, and such suspension has been periodically extended since then. The products involved constitute basic raw materials for U.S. aluminum, steel, and chemical industries. They are used not only in the production of aluminum, but in the manufacture of abrasives, refractories, chemicals, and miscellaneous products. The

committee was advised that domestic production of these commodities was sufficiently small that the United States will continue to be largely dependent upon foreign sources for these products in the future.

For these reasons, the committee unanimously recommended that the existing temporary suspension of duty should be made permanent.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Tariff Schedules of the United States (19 U.S.C. 1202) are amended as follows:

(1) Item 417.12 (relating to aluminum hydroxide and oxide (alumina)) is amended by striking out "0.15¢ per lb." and inserting in lieu thereof "Free".

(2) Item 521.17 (relating to bauxite, calcined) is amended by striking out "11¢ per ton" and inserting in lieu thereof "Free".

(3) Item 601.06 (relating to bauxite ore) is amended by striking out "10¢ per ton" and inserting in lieu thereof "Free".

(4) Items 907.15 (relating to aluminum oxide (alumina) when imported for use in producing aluminum), 909.30 (relating to bauxite, calcined), and 911.05 (relating to bauxite ore) are repealed.

(b) The rates of duty for items 417.12, 521.17, and 601.06 in rate column numbered 1 of the Tariff Schedules of the United States, as amended by subsection (a), shall (1) be treated as not having the status of statutory provision enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carrying out foreign trade agreements to which the United States is a party, and (2) supersede the staged rates of duty provided for such items in Annex III to Proclamation 3822, dated December 16, 1967 (32 Fed. Reg., No. 244, part II, p. 19037).

SEC. 2. The first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after July 15, 1971.

With the following committee amendment:

On page 2, line 3, strike out "Items" and insert in lieu thereof "Effective July 16, 1971, items".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUATION OF TEMPORARY DUTY SUSPENSION ON CERTAIN METAL SCRAP

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7767) to continue until the close of June 30, 1973, the existing suspension of duties for metal scrap, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BETTS. Mr. Speaker, reserving the right to object—and I shall not object—I take this opportunity to ask the chairman if he will kindly explain the bill.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I am glad to yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, the purpose of H.R. 7767 is to continue for 2 years, until the close of June 30, 1973, the temporary suspension of duties on certain metal waste scrap provided by item 911.12 of the Tariff Schedules of the United States.

Legislation for the temporary suspension of duties on various metal scrap was first enacted in 1942. With various changes, the suspension of duties has been continued from time to time, depending on the scarcity of the particular metals at the time.

This bill would continue for 2 years the temporary suspension of duties on certain metal waste and scrap, principally iron and steel, aluminum, magnesium, nickel, and nickel alloys waste and scrap. As before, the bill would not suspend the duties applicable to waste and scrap of lead, lead alloy, zinc, zinc alloy, tungsten, or tungsten alloy, nor would it suspend the duties applicable to articles of lead, lead alloy, zinc, zinc alloy, tungsten, or tungsten alloy.

Imports of scrap covered under this bill have not in the past few years constituted important components of the total supplies of such metals. Imports in some cases, however, have represented important sources of metals for limited numbers of consumers of such metal in some sections of the country.

Mr. Speaker, the U.S. Tariff Commission has indicated to the Committee on Ways and Means that the conditions which prompted the initial temporary suspension of duties on metal scrap and the continuation thereof have not materially changed. There is no objection to this bill from the interested departments and agencies, nor was objection received from any other source.

The committee unanimously recommends enactment of this legislation.

Mr. BETTS. Mr. Speaker, I support H.R. 7767, which continues to the close of June 30, 1973, the existing suspension of duties on certain metal waste scrap which expires on June 30 of this year.

The types of scrap included in this bill—principally, such metal scrap as iron and steel, aluminum, magnesium, nickel and nickel alloys—have been imported duty-free almost continuously since 1942. The Department of Labor reports that these types of scrap materials are essential to the operations of some industries. Imports in some cases represent important sources of these metals for limited numbers of consumers of such metals in some sections of the country. The Labor Department advised the committee that free importation is of benefit to workers engaged in producing products made from metal scrap. As before, this bill would not suspend the duties applicable to waste and scrap of lead, lead alloy, zinc, zinc alloy, tungsten, or tungsten alloy, nor the duties applicable to articles of lead, lead alloy, zinc, zinc alloy, tungsten or tungsten alloy.

The committee was advised that the conditions justifying the suspension of duty on these metals through the years continue to prevail. The committee received no objections to the legislation from the interested departments and was unanimous in recommending enactment of the bill.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 7767

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.12 (relating to articles other than copper waste and scrap and articles of copper) of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "6/30/71" and inserting in lieu thereof "6/30/73".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after June 30, 1971.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE STATUS OF CERTAIN GIFTS FROM SERVICEMEN IN COMBAT ZONES

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8312) to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BETTS. Mr. Speaker, reserving the right to object, and I shall not do so, I take this opportunity to ask the chairman to explain the bill.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I am happy to yield to the chairman of the committee.

Mr. MILLS of Arkansas. Mr. Speaker, the purpose of H.R. 8312 is to extend for 2 years until December 31, 1973, the existing provision of the tariff schedules which permits members of the Armed Forces serving in combat zones to send gifts from abroad not exceeding $50 in retail value on a duty-free basis. This duty-free status is scheduled to terminate on December 31, 1971.

Under existing customs law and regulations, gifts sent from abroad may enter free of duty if they are valued at not more than $10 fair retail value in the country of shipment. However, the United States historically has made an exception to this $10 rule in the case of gifts from servicemen serving abroad in time of war. Under this exception, gifts from these servicemen valued up to $50

determined on the basis of the fair retail value in the country of shipment, may enter this country free of duty. The last exception of gifts from servicemen related to the Korean conflict and expired on July 1, 1961.

In 1966, in recognition of the Vietnam conflict, Congress reenacted this $50 exception for servicemen on duty in combat zones on a temporary basis, and this provision has been extended by Congress since that time.

In view of the continuation of the Vietnam war, your committee is of the opinion that the continuation of the $50 gift exemption for an additional 2-year period is necessary.

The enactment of H.R. 8312 was urged by interested agencies of the executive branch, and no objection to the bill was received by the Committee on Ways and Means.

The committee, therefore, unanimously recommends enactment of H.R. 8312.

Mr. BETTS. Mr. Speaker, I support H.R. 8312, which would extend for 2 years until December 31, 1973, the existing provision of the tariff schedules which permits members of the Armed Forces serving in combat zones to send from abroad on a duty-free basis gifts not exceeding $50 in retail value.

Existing law permits gifts sent from abroad that do not have a retail value in the country of shipment of more than $10 to enter the United States duty free. We have traditionally permitted gifts from servicemen serving abroad during wartime to enter duty free if they do not exceed $50 in retail value in the country of shipment. In view of the Vietnam conflict Congress extended this special treatment to servicemen on duty in combat zones on a temporary basis. Provisions of existing law are scheduled to expire December 31 of this year.

The Department of the Navy has advised the committee that in view of our engagement in the present conflict in Southeast Asia, there is a continued need for the exemption from import duties on gifts costing $50 or less, as termination of this privilege would seriously affect the morale of those serving in the Armed Forces. The committee felt that it would be appropriate to continue the special duty-free treatment for an additional 2-year period.

No objections have been received in regard to this legislation, and the executive agencies, as well as the committee, unanimously recommend its enactment.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 8312

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 915.25 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "On or before 12/31/71" and inserting in lieu thereof "On or before 12/31/73".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1972.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUATION OF ASSISTANCE PROGRAM FOR U.S. CITIZENS RETURNED FROM ABROAD

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8313), to amend the Social Security Act in order to continue for 2 years the temporary assistance program for U.S. citizens returned from abroad, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. BETTS. Mr. Speaker, reserving the right to object, and I shall not object, I do so in order that the chairman may have the opportunity to explain the bill to the House.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield to the chairman of the committee.

Mr. MILLS of Arkansas. Mr. Speaker, the purpose of H.R. 8313 is to extend for 2 years, from June 30, 1971, to June 30, 1973, the provisions of section 1113 of the Social Security Act, which authorizes the Secretary of Health, Education, and Welfare to provide temporary assistance to citizens of the United States who are without resources and who are identified by the Department of State as having returned or having been brought from foreign countries to the United States because they are destitute, or ill, or because of war, invasion, or a similar crisis.

It is estimated that at a given time more than a million U.S. citizens and their dependents live, work, study, and travel abroad. These people are subject to the same hazards as Americans living at home, including illness, loss of employment, desertion, and family breakup.

The temporary assistance provided to these persons includes financial assistance, reception, care, and transportation from the port of entry to the individual's final destination. The program also provides for help in planning for resettlement, obtaining and using existing resources, and locating friends and relatives.

While this program has helped only a relatively few people, the help has been vital to the individuals who have been involved. The Department of State is responsible for bringing the individuals to the shores of the United States, but it has no authority to provide help after arrival in the United States. Under section 1113, temporary assistance is provided only after an individual returns to the United States and has been referred to the Department of Health, Education, and Welfare by the Department of State, which certifies that the repatriate is a citizen and the reason for his return.

Section 1113 was enacted as part of the Social Security Amendments of 1961, and originally provided for an expiration date of June 30, 1962. This date has been extended by Congress several times and was last extended by Public Law 91-41 to June 30, 1971.

The number of cases referred by the State Department has varied from year to year, but within a rather limited range. In fiscal year 1968, there were 342 referrals; in fiscal year 1969, 440 referrals; and during fiscal year 1970, 376 referrals. Appropriations have varied from $104,048 in fiscal year 1966 to $250,226 in fiscal year 1969. The estimated cost for fiscal year 1971 is $206,000; the estimated cost for fiscal year 1972 is $225,000.

Mr. Speaker, H.R. 8313 was unanimously reported by the Committee on Ways and Means, and I urge that the House adopt the bill.

Mr. BETTS. Mr. Speaker, I withdraw my reservation of objection.

Mr. Speaker, I rise in support of H.R. 8313, a bill which would extend for 2 years from June 30, 1971, to June 30, 1973, the authority of the Secretary of Health, Education, and Welfare to provide temporary assistance to citizens of the United States who are without resources and have returned or have been brought to this country from a foreign nation because they are destitute, ill, or because of war, invasion, or a similar crisis.

U.S. citizens who become public charges in a foreign country are subject to deportation. This bill would continue the Secretary's authority to provide them temporary assistance in the form of financial assistance, reception, care, and transportation from the port of entry to their final destination as well as help in planning for resettlement, obtaining and using existing resources, and locating friends and relatives. H.R. 8313 also includes temporary assistance for U.S. citizens evacuated to the United States as a result of an international crisis and this authority was most effective in repatriating U.S. citizens from Cuba and the Dominican Republic.

This program is used infrequently—440 times in 1969 and 376 in 1970—thus, its cost to the American taxpayer is very little—$206,000 in fiscal year 1971 and an estimated $225,000 for fiscal year 1972. But the aid it provides our citizens who find themselves momentarily in need—in most cases due to circumstances beyond their control—is vital.

No objection was presented to the committee to the enactment of this bill and the committee was unanimous in recommending this legislation.

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

Mr. HALL. Mr. Speaker, further reserving the right to object, I appreciate the explanation of H.R. 8313 and from reading the bill and the report and listening to the distinguished chairman's explanation it makes a rather close working alliance between the Secretary of State or the Department of State and the Secretary of Health, Education, and Welfare or the Department of Health, Education, and Welfare?

Mr. MILLS of Arkansas. Mr. Speaker,

if the gentleman will yield, the gentleman is correct.

Mr. HALL. Would it be fair to assume that the authorization in this bill would continue or grant a right for the Secretary of the Department of Health, Education, and Welfare to hospitalize Foreign Service personnel that were returned by the Department of State because they were destitute—although I cannot imagine Foreign Service personnel at present pay rates becoming destitute or ill or because of an invasion or similar crises, to be hospitalized at St. Elizabeth's Hospital here in the District of Columbia?

Mr. MILLS of Arkansas. Mr. Speaker, this is not intended for that purpose. It has never been used for that purpose. There is a separate program I might say with respect to the repatriated mentally ill U.S. citizens. Thas is Public Law 86–571.

This legislation, however, has to do with U.S. citizens who are returned to the United States under emergency conditions. For instance, a man may run off and leave his wife and family in some foreign country. They are destitute and have to get back home in order to survive. So, after the family had been returned to the United States by the Secretary of State he would contact the Secretary of Health, Education, and Welfare and turn the family over to him. From that point the Secretary of Health, Education, and Welfare would see that the members of the family got back home to their loved ones.

Mr. HALL. Of course, there is separate legislation for Foreign Service personnel who are civilians in addition to military personnel being hospitalized and there is a specific law for hospitalization at St. Elizabeth's for Foreign Service personnel when needed.

Mr. MILLS of Arkansas. The gentleman from Missouri is correct. The estimated cost of this program for 1972 is $225,000, which shows the limited application of the proposed legislation.

Mr. HALL. I appreciate that and I appreciate the limitation on the legislation, but I am anxious to develop a little bit of information. Who determines "destitution or illness." Since this is the responsibility of the Department of State, I presume the medical attaché in our foreign embassies would determine this before the Secretary of State authorizes the transportation home?

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield further, the Secretary of State would act on information which came to him, of course, from his offices abroad. The Secretary of the Department of Health, Education, and Welfare, or his delegate, makes the determination as to whether or not a particular individual will be paid any money out of this program. That is the determination of the Secretary of the Department of Health, Education, and Welfare, and a person must be in destitute circumstances to receive this type of assistance.

Mr. HALL. Mr. Speaker, one further question: Am I to understand that this applies to the U.S. citizens abroad only?

Mr. MILLS of Arkansas. Only to U.S. citizens who are returned from abroad.

Mr. HALL. There is nothing in this legislation that would authorize expatriated Cubans who have come into this country being paid $100 a month, more than some of our social security or welfare recipients receive?

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield further, the authorizing legislation says that it is to provide temporary assistance to citizens of the United States who are identified by the Department of State as having been brought back from a foreign country to the United States because of destitution, illness, or other crisis. It does not apply to Cubans. There is another program administered by the Department of Health, Education, and Welfare that provides assistance to Cuban refugees.

Mr. HALL. I thank the gentleman for his explanation.

Mr. SCHMITZ. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am happy to yield to the gentleman from California.

Mr. SCHMITZ. Mr. Speaker, I thank the gentleman for yielding.

I wonder if the gentleman from Arkansas would answer a question I have about the application of this legislation?

Would a person who is expelled from a foreign country because of the fact of agitating against U.S. policies be given, say, equal treatment to that of a person fleeing a war in another country?

I ask this because when I was in Europe I saw as many anti-Americans, or I should say I saw a similar number of anti-American slogans and anti-American agitators as we have in this country. And it seems to me that you might have quite a few of these people who could become destitute, since they are the same type as those we have here in this country, and they may even have to leave the foreign country because of agitating against U.S. foreign policies.

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield, there is no evidence I know of that there has been even one of these cases involving the type of individual you describe. But there is nothing in the law that says that a person must be more than a citizen of the United States who is in some foreign country found by the State Department to be destitute or meet the other emergency condtions spelled out in the law to be eligible for assistance. So this does not get into the question of the patriotism of the individual at all. But as I said, we know of no cases such as that having benefited under this program.

Mr. SCHMITZ. Mr. Speaker, if the gentleman from Missouri will yield further, I would ask the gentleman from Arkansas what about the hippie types? I have seen plenty of American hippies over in Europe. Could it not be that they could spend all their money and then claim destitution, and come back with Federal aid?

Mr. MILLS of Arkansas. If the gentleman will yield further, if the State Department should conclude that they should be returned to the United States on account of destitution, then it is possible that they could come back.

Mr. SCHMITZ. It seems like a pretty good deal for them.

Mr. MILLS of Arkansas. I must repeat that there has not been one case of that sort involved in those who have been helped. In most of these cases a man has died, or a man has run off and left his wife and children, or the man himself has become ill and has been ill for a long time, and has exhausted all his resources, and wants to get back home to his loved ones. Those are the general type cases.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from New York.

Mr. CONABLE. Mr. Speaker, I thank the gentleman from Missouri for yielding, and with his permission I would like to ask the chairman, the gentleman from Arkansas (Mr. MILLS), if there are not also automobile accident cases that are involved?

Mr. MILLS of Arkansas. That is correct.

Mr. CONABLE. Those cases are frequently involved.

Mr. MILLS of Arkansas. That is correct. They may be students, or they may be teachers who are on vacation, touring in Europe. We have had some of those cases.

Mr. HALL. Mr Speaker, I withdraw my reservation of objection.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, how about foreign citizens in this country who become destitute? Are they subject to deportation, and are they deported with the same facility that our citizens are deported from foreign countries?

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield further, I would say in reply to the inquiry of the gentleman from Iowa that I am unable to answer that question because they are not involved under this program, they are not helped under this program. I would say that it would be up to their country of origin, whether or not they had a program to take care of them, if we send them back to their country of origin. I just do not know.

Mr. GROSS. The facts of the matter are that we take care of them in this country if they become destitute, do we not?

Mr. MILLS of Arkansas. No, we take care of resident under the welfare program. They must either be citizens or residents and they cannot be tourists passing through the United States.

Mr. GROSS. This is dealing with U.S. citizens; is it not?

Mr. MILLS of Arkansas. This bill is limited entirely to bringing U.S. citizens back from abroad to the United States.

Mr. GROSS. Yes, and whether they are residents or nonresidents?

Mr. MILLS of Arkansas. No, no, they have to be citizens.

Mr. GROSS. Or tourists—whatever they may be—as long as they are U.S. citizens?

Mr. MILLS of Arkansas. They may be touring in Europe, as the gentleman from New York (Mr. CONABLE) pointed out and may have rented a car and been in a wreck and exhausted their resources and there is nobody to bring them back. But

they would be brought back and assisted under this program.

Mr. GROSS. Or if a man loses his figurative shirt at the Monte Carlo gambling casinos, he would be taken care of; would he not?

Mr. MILLS of Arkansas. Let me make it quite clear, if there is any misunderstanding as to what I have said, that we are not talking about the transportation of these people back to the United States. We are talking about the Department of Health, Education, and Welfare picking them up when they have landed at the Port of New York or Miami or somewhere else and then providing these services to them and getting them back to somebody who can care for them, someone who is related to them in most instances.

Mr. GROSS. Well, he could be just as broke as anybody could be from having patronized the gambling casinos in Monaco, as though he had had an automobile accident and had to pay off a judgment before he left.

Mr. MILLS of Arkansas. We have not had one case of an American going abroad and squandering his money in the gambling casinos and coming back and using this program.

Mr. GROSS. You do not think that will happen?

Mr. MILLS of Arkansas. No, I do not think it will.

Mr. GROSS. Let us know if it does.

Mr. MILLS of Arkansas. Yes, I will keep it clearly in mind.

Mr. GROSS. How about the draft evaders and deserters who have found sanctuary in such countries as Sweden?

Mr. MILLS of Arkansas. No, we are not bringing them back.

Mr. GROSS. I beg your pardon?

Mr. MILLS of Arkansas. We are not bringing them back and we are not helping them under this program.

Mr. GROSS. No, because they do not want to come back.

Mr. MILLS of Arkansas. That is right.

Mr. GROSS. We also have some of them in Canada, and that is a foreign country. They are coming back over the border from Canada. Will the gentleman keep us advised if they are coming back and have to hit the Federal payroll for some money, as this bill provides?

Mr. MILLS of Arkansas. I will advise the gentleman, if the State Department brings any of them back and suggests to the Secretary of Health, Education, and Welfare that we take care of them. But we have not had any of those cases yet.

Mr. GROSS. I was not really acquainted with this program until this afternoon. But I am going to be watching it with interest over the next year. I think I will ask for a report on who comes back and under what circumstances they are being spoon fed. Perhaps it is an acceptable program—I do not know.

Mr. MILLS of Arkansas. It is a necessary program. There are very few people who have been affected by it and the amount of dollars involved is comparatively small.

Mr. GROSS. The gentleman well knows that we are spoon feeding an awful lot of people around the world these days and it is hard to keep up with all of it. I am going to be interested to see how this works out.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas (Mr. MILLS)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 8313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1113(d) of the Social Security Act is amended by striking out "1971" and inserting in lieu thereof "1973".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED SOCIAL SECURITY BENEFITS INADEQUATE

(Mrs. GRASSO asked and was given permission to address the House for 1 minute and to revise and extend her remarks, and to include extraneous matter.)

Mrs. GRASSO. Mr. Speaker, on March 17, 1971, President Nixon signed into law a bill to increase social security benefits by 10 percent. The increase is retroactive to January 1.

It is clear that any increase in benefits, however small, helps our older citizens—at least a little bit.

It is also clear that most of this last increase of 10 percent in benefits is negated by the rising cost of living as well as cuts in other Federal programs designed to help the elderly.

On the average, single recipients will now receive $125 a month instead of $114, with their minimum payment rising from $64 to $70.40. The average benefits for couples will be $218.90 instead of $199, with their minimum payment increasing from $96 to $105.60.

If we consider that the cost of living across the Nation has risen 5.9 percent since January 1970, when the previous social security increase of 15 percent went into effect, we see that our senior citizens are receiving little comfort—indeed little aid—from the most recent increase in benefits voted by the Congress.

Mr. Speaker, we can and we must do better to provide for older Americans.

We must take action in the Congress now—not later.

It is up to us to give our senior citizens the resources that will enable them to live comfortably and with dignity.

An excellent article appeared in the Wall Street Journal of June 3, which eloquently and in a personal style reports the woes of older Americans living on social security benefits:

FOR MANY OLDSTERS, SOCIAL SECURITY RISE DOES NOT DO MUCH GOOD; GAINS IN LIVING COSTS, CUTBACK IN OTHER FEDERAL AID HURT; NO LIVER, BUT A BANANA SPLIT

(By Marguerite Nugent)

NEW YORK.—Today should be a happy day for 72-year-old Rubin Traub, a weary-looking retired garment worker who wears a battered hat and rumpled trousers. In this morning's mail will come a $16 increase in his monthly Social Security check—seemingly enough for a few more groceries or a pair of new shoes.

Not enough at all, says Mr. Traub as he sits forlornly in the dingy basement of an old people's club on Manhattan's Lower East Side. The increase in Social Security benefits, he explains, won't event cover the $17 a month by which his rent recently rose. Pinned to Mr. Traub's tattered lapel is a small black-and-gold button that says "Senior Power." Pointing to the pin, he laments, "This means nothing. New shoes? Why, I can't even afford a shoeshine."

Others share Mr. Traub's feelings about the 10% rise in benefits. To a large extent, that increase soon will be—or already has been—eaten up by advances in the cost of living, talks with more than 100 elderly persons in New York indicate. And while costs in the U.S. as a whole haven't risen as fast as in this city, many of the nation's 26 million Social Security recipients aren't in much better financial shape than Mr. Traub.

What's more, the elderly complain, whatever they might gain from the 10% increase is being wiped out by cuts in other federal programs designed to help the aged. On July 1, for example, the Health, Education, and Welfare Department will stop its funding for food at 26 centers across the nation. The program is designed to provide nutritionally balanced meals for the elderly. Already, nine of the centers have eliminated hot noontime meals—for which they charged 55 to 65 cents.

SUNDAE IN NEW YORK

As a result, there's a tinge of bitterness when some of the elderly discuss the Social Security increase. "I think I'll get a banana split," says Tom Duffy, a retired transit worker who spends much of his time playing shuffleboard in a Brooklyn park. "Sure, it'll help," sneers Max Tobias, a retired house painter who lives on the Lower East Side. "Maybe I can afford a newspaper every once in a while." But Mrs. Flora Meegan, a widow in her 80s, says she may go to the dentist for the first time in seven years.

The extra money is provided by a bill that President Nixon signed March 17. The increase will be retroactive to Jan. 1 (retroactivity checks will be mailed in June) and will raise the total of national benefits by $260 million from the current level of $2.6 billion a month. The measure also provides for a 5% increase in payments for persons 72 and over who don't qualify for full Social Security benefits.

On the average the rise will mean $125 a month instead of $114 for single recipients and $218.90 instead of $199 for couples. The minimum payment for single people will rise to $70.40 from $64, and for couples it will go to $105.60 from $96.

Since January of last year, when the previous Social Security benefit rise of 15% went into effect, the cost of living across the nation has risen 5.9%. In New York City, where 1.1 million recipients live, the jump has been 7.4%.

WOES OF A FORMER FURRIER

A retired furrier, Max Silverman, says all but $4 of his $16 gain in Social Security benefits will go toward a recent increase in his rent.

Rent increases come as no surprise to those who must deal with the problems of the elderly. "Once new benefits go into effect, it isn't long before the landlords start raising their rents to match the increase," says an official at New York City's Office of the Aging. No one could agree more than Mrs. Gurtie Shlakman, who lives in a low-income housing project on the Lower East Side and just had her rent raised 20%. "It's like they give you the money with one hand and take it away with the other," she complains.

The elderly, however, can fight such increases. New York City has a program under

which retired persons aged 62 and over may apply for exemptions from rent increases provided their yearly income doesn't exceed $4,500 and their rent is at least a third of that total. Under this stipulation, a group of the elderly in the Bronx is fighting a 15% rent increase.

Housing, of course, represents only one of the rising expenditures that older citizens—as well as Americans in general—must face. Some elderly persons under doctors' care say they can no longer afford certain foods they are supposed to eat. "My doctor says I'm supposed to have liver once a week," says an 80-year-old man sitting on a park bench at Broadway and 72nd Street. Choking on the exhaust fumes of buses that roar by, he adds, "But liver went to $1.15 a pound from 85 cents in one week recently, and I can't afford it any more, even with the increased benefits." And Mr. Tobias, the former house painter, says he is supposed to take lemon juice with his medication but has stopped buying lemons because the price rose so sharply. "Who can afford it?" he asks.

THE PRESIDENT'S ENERGY MESSAGE

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RHODES. Mr. Speaker, last Friday President Nixon forwarded to the Congress a message calling for a broad range of actions by private industry and Government to insure an adequate and reliable supply of clean energy in the years ahead. The "Energy Message," a first in American history, sets forth new commitments and new initiatives to meet the Nation's mushrooming demand for energy in a form and in a way which meets our environmental requirements as well.

The President's message is marked by action words of "expand," "accelerate," and "modernize." It calls for increased effort on all fronts to meet the Nation's impending energy and environmental crisis.

President Nixon proposes:

First, increased energy research and development;

Second, accelerated availability of known energy resources on Federal lands;

Third, modernization and expansion of our uranium enrichment capacity;

Fourth, improved energy conservation;

Fifth, increased efforts to balance environmental requirements with energy demands; and

Sixth, consolidation within the Department of Natural Resources of the Federal energy resource development programs.

Recognizing the employment of improved nuclear reactors as "our best hope today for meeting the Nation's growing demand for economical clean energy," the President has called for additional funds to permit further development and demonstration of the "fast breeder reactor," a radically new, efficient and clean source of power. This program offers great promise, not only as an additional power source but because of its potential as an environmentally desirable replacement for today's polluting power generating facilities.

For the more distant future, the President calls for increased funding for controlled thermonuclear research. Simply stated, this research is aimed at slowing down and harnessing the hydrogen bomb—the fusion process. When finally perfected, it will produce unlimited quantities of heat and power, even cheaper and with even less radiation danger than is provided by the breeder reactor.

Mr. Speaker, the Congress has been called upon to accelerate and broaden Federal efforts to meet the Nation's rocketing demand for clean energy. I urge that prompt action be taken to implement President Nixon's energy program.

THE TRAGEDY AT THE NEW HAVEN, CONN., AIRPORT

(Mr. BROOKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BROOKS. Mr. Speaker, an Allegheny Airlines turboprop, attempting to land in bad weather, struck a power line, ripped through some summer cottages, and crashed into the marshland at the New Haven Airport. The airport did not have an instrument landing system. If the airport had been equipped with this relatively inexpensive landing aid, 28 persons, including two infants, would almost certainly be alive today.

The facts are tragically simple, but the fact that there will be Huntington, W. Va.'s and New Haven, Conn.'s, in the future, snuffing out the lives of additional people, is inevitable.

The tragedy at New Haven was no local disaster. It approaches a national scandal, where shortsighted individuals in the executive branch of the Government refuse to recognize the desperate need to provide the Nation with an adequate air traffic control system for the 1970's. All of the risks cannot be taken out of air travel, but it is reasonable and logical for the public to assume that the Federal Government does whatever it can to optimize the safety of air operations. Yet, of the 600 airports in the Nation with regularly scheduled commercial traffic or a high volume of general aviation traffic, only about half have the rudimentary elements essential to optimum safety in operations, that is, control towers, surveillance radar, and instrument landing systems.

Furthermore, under the plans developed by the Department of Transportation, there will be no effort to provide the Nation's airports with these lifesaving devices. In fact, top officials in the Office of Management and Budget talk in terms of reducing expenditures for air traffic control facilities and equipment so as to concentrate the limited funds the administration is making available on research and development leading to a completely automated system for the 1980's, 1990's, and beyond.

In the absence of some abrupt and affirmative change in the policies of the Nixon administration so as to recognize the desperate need for an effective air traffic control system for the 1970's utilizing equipment and techniques that have been developed and can now be procured, the Nation faces tragedy and chaos in the field of commercial aviation. The danger is no longer limited to those in the air. Large aircraft, such as the Boeing 747, flying over densely populated metropolitan areas, could kill thousands of persons on the ground should there be a midair collision.

Should we encounter a series of air tragedies, the traveling public might well lose faith in the safety of these operations, driving many of the Nation's airlines into a state of bankruptcy. In the ultimate sense, the Nation's economy could be seriously hurt before remedial action could be taken to provide the type of system we need today and which we can have if only the Nixon administration would move forward with an effective air traffic control program.

At this time, the air traffic control system is grossly underfunded and airport construction has reached an almost hopeless level. Funds that Congress earmarked for airway and airport improvement are siphoned off to support routine FAA operations while the traveling public—innocent and trusting as they are—remain the subject of a calculated risk on the part of high administration officials.

At Huntington, W. Va., and yesterday morning at New Haven, these officials gambled with the lives of innocent people and lost. Hopefully, the shock of death and destruction might cause a reappraisal of present policies concerning air traffic control. Failure of the present administration to respond with an adequate program to meet the air traffic control needs of the Nation during the 1970's is indeed a national scandal.

PROPOSED AMENDMENT BARS ASSIGNMENT OF STUDENTS ON BASIS OF RACE, COLOR, OR CREED

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

Mr. MIZELL. Mr. Speaker, I rise at this time to inform my colleagues that I have written a letter to Chairman CELLER, of the Committee on the Judiciary, urging him to initiate hearings in the immediate future on House Joint Resolution 646, my proposed constitutional amendment barring assignment of students to public schools on the basis of race, color, or creed.

The resolution now has 13 cosponsors in the House, representing constituencies from all over the country, including the States of North Carolina, Ohio, Tennessee, New York, Alabama, Illinois, Texas, Oklahoma, and Virginia.

I understand this identical resolution is to be introduced in the Senate this week, and widespread, bipartisan support is expected for the legislation in that body, as well.

We must all recognize that the crisis of public education is a matter of national concern. The myth that this issue is of interest solely to the South has been disproved by the fact that we have cosponsors from every section of the Nation.

That myth has been further discredited in recent weeks and months as a result of incidents of outrage at the prospect of forced busing being applied in Northern, Eastern, and Western sections of the country.

One illustrative case in point can be found in the news of just the past week.

The city of San Francisco, long recognized as the most cosmopolitan city in America, was drawn into the busing controversy last week as a result of a private suit being filed in a Federal court, calling for the busing of 24,000 black, Chinese-American, Mexican-American and white students to 100 elementary schools, beginning next fall.

The mayor of that city said:

The plan was opposed by large percentages of the Mexican-American, black, Chinese and white communities.

And he was further quoted as saying:

I don't see why it has to be thrust upon the people.

And this, Mr. Speaker, is precisely the point. Here is a city known for its variety of ethnic backgrounds and for its spirit of community involvement and improvement. A private suit has disrupted this spirit of accord, not because of any racial animosity, but because a policy of forced busing is repulsive to a majority of San Franciscans, as it is to North Carolinians and all Americans.

The cost to implement the proposed San Francisco plan would be an estimated $2.5 million over the current budget for the school district. And this overpowering additional expense would be imposed at a time when other educational improvements—increases in teachers' salaries, rehabilitation of buildings and facilities, and all the other improvements that desperately need to be made are being indefinitely postponed.

There is little reason for surprise when we hear of one bond referendum for education after another being defeated across the country. Why should the people be expected to shoulder another heavy financial burden to pay the cost of a policy and a program they strongly oppose?

There is, of course, no good reason for people to pay that kind of price, and I foresee a pattern of such referendum defeats taking definite shape and being constantly enlarged throughout America.

Surely we can see that this is not the answer to the question of how we shall provide an education of high quality for every American child, regardless of the color of his skin.

And just as surely we can see that the answer does lie in the constitutional amendment which I have proposed, an amendment which would preserve the right of American school children to attend their neighborhood schools; an amendment which would permit the financially hard-pressed school districts of the Nation to use what money they have to provide educational opportunities for all American children, no matter what their race.

It is quite clear to me that this course of action is infinitely preferable to a policy of spending money we do not have to pay for buses we do not need to send children to schools they do not want to attend.

I urge the immediate consideration of this amendment, and I urge my colleagues to join with me in working for swift enactment of this vitally important measure.

SENATOR THOMAS J. DODD

The SPEAKER pro tempore (Mr. CABELL). Under previous order of the House, the gentleman from Connecticut (Mr. MONAGAN), is recognized for 60 minutes.

Mr. MONAGAN. Mr. Speaker, I am pleased to open today's special order for our former colleague and a long-time friend of mine, Thomas J. Dodd.

Many of us had the opportunity to work closely with Tom Dodd during his two terms in the House and two terms in the Senate. The list of causes he championed during this service is long and impressive. The issues he chose to tackle were often controversial, yet he never hesitated to stand alone if necessary for causes for which he believed.

Tom Dodd is perhaps best known for his commitment to a strong national defense in the face of Communist expansion. His efforts in this field served to keep Congress alert to our international goals, and to keep us prepared against threats to those goals.

The scope of Senator Dodd's interests went far beyond defense, however. His most courageous individual fight was for gun control, and despite powerful forces massed against him, his efforts contributed to legislation which, though not as strong as he wanted, was still landmark legislation.

As a family man he had a deep interest in the problems of youth, and as chairman of the Senate Subcommittee on Juvenile Delinquency, he did much to improve public awareness of this increasingly difficult problem. He called the Nation's attention to the close connection between television violence and child behavior. He was also an early advocate of strict narcotics control.

Tom Dodd's accomplishments were not limited to his congressional career. He was for many years prior to congressional service an active member of the Federal Bureau of Investigation. He was also an able lawyer, and following World War II, he established an outstanding record as Chief U.S. Trial Counselor at the Nuremburg war crimes trials.

Throughout his career, Tom Dodd remained consistent in one important respect—his individualism and courage. His career was original. I am hopeful that this is how he will be remembered. He took his stand for right as he saw it. His positions often generated controversy, but such controversy led to useful and enlightening national debate.

Tom Dodd's contributions to the country were thus important ones. He leaves a legacy of legislative interest that should be remembered in assessing his career.

Above all I remember him for his wit and his sparkle, for the pleasure of his company, and for the generous and kindly assistance he so often rendered to me and to others.

At this time, I should like to offer the sympathy of the House to Grace Dodd and to all the members of the Dodd family.

I include at this point several newspaper articles and editorials which express some of the popular feeling for Senator Dodd:

DODD REMEMBERED AS A BRAVE LONER

(By John Chamberlain)

The obituaries for former Sen. Tom Dodd of Connecticut could hardly avoid the fact that his career was badly damaged by the censure of his colleagues for accepting testimonial dinner money as a gift. Dodd always claimed innocence of wrongdoing, but I don't want to belabor the question here. What is fitting at this particular time is to recall the senator's great courage as a loner who was always willing to go against the 'fraidy cats on specific issues involving what he conceived to be the safety of his country.

Thinking back in time, there was his speech in the Senate on the subject of Nikita Khrushchev's Berlin ultimatum. Khrushchev had been rattling his rockets and threatening blood-chilling things if we failed to go along with Soviet plans for West Berlin. There were many senators who counselled a crawling response, but Dodd said we should stand fast for our own rights. The speech, as veterans of the Cold War remember it, turned the Senate around. Among his colleagues, John F. Kennedy and Jacob Javits were quick to congratulate him. The record says that Khrushchev, impressed by U.S. steadfastness, backed down.

Then there was the time President Eisenhower issued that invitation to Khrushchev to visit America. Dodd deplored the whole business. It did him no good, for Ike refused to change his mind and Khrushchev came anyway. But the senator had been willing to stand alone for a principle.

In 1960 Dodd supported Lyndon Johnson for the Presidential nomination, and this at a time that a great majority of northern Democrats were for John Kennedy as a "sure thing." It could have gone badly for Tom Dodd were it not for the unforeseen fact that JFK, letting his desire to win the South overcome his antipathies, decided to put L.B.J. on the ticket in the vice presidential slot.

When the first nuclear test moratorium was being considered Dodd warned the country that the Soviets would terminate a mutual ban whenever it appeared to their advantage to do so. Dodd wasn't listened to, but subsequent events proved him to have been an accurate prophet.

His ability to predict Communist behavior was borne out by what happened in Laos after Averell Harriman, as JFK's envoy, agreed to a coalition settlement. As Dodd had warned, the Communists violated their agreement almost before the ink was dry on it.

Dodd was also on record with a warning against Fidel Castro when the bearded rebel was still in the Sierra Maestra.

When Jack Kennedy approved the UN expedition against Moise Tshombe in Katanga, Dodd pointed out that the whole business constituted a flagrant interference with the internal affairs of the Congo. As such, it was a violation of the UN Charter. The Katanga episode set a precedent for much of our behavior in Vietnam.

As a final instance of Tom Dodd's willingness to stand alone, his vote in the Lewis Strauss confirmation proceedings might be singled out. Strauss was being considered for secretary of commerce and the Northern Democrats were almost unanimous in their opposition. Dodd pointed out that they were victimizing Strauss because he had op-

posed giving security clearance to physicist J. Robert Oppenheimer, who had admitted to having both Communists and fellow-traveler friends. The stand taken by Dodd's northern colleagues had nothing to do with Strauss's qualifications for the commerce portfolio, but confirmation was refused anyway.

The censure vote hurt Tom Dodd's effectiveness as a foreign policy spokesman for a couple of years, but in 1969 he was back in good form. Several of his speeches anticipated the Nixon Doctrine of "low-profile" support for anti-Communist nations. A heart attack hurt the senator's chances for re-election in 1970, but he gamely fought it out as an unsuccessful Independent candidate to succeed himself. His courage was there to the last, and it is for courage that many of us will want to remember him.

[From the Meriden Journal, May 25, 1971]

DEATH OF SENATOR DODD

"The evil that men do lives after them,
The good is oft interred with their bones."

So spoke Mark Anthony on the death of Julius Caesar, in Shakespeare's version of the funeral oration.

For Sen. Thomas J. Dodd, Connecticut citizens should reverse the order. Sen. Dodd's death yesterday at the age of 64 marks the end of a career more than ordinarily marked by both good and evil, politically and morally. In his case, it is the good that should be remembered.

In 1967 the U.S. Senate censured Dodd for his alleged misuse of campaign funds, thereby bringing shame to the name of his state. Dodd was charged with appropriating at least $6,083 from campaign funds for his personal use. He was never charged with any criminal wrongdoing, and there are many who believe that by voting 92 to 5 to censure him his fellows were guilty in the very least of hypocrisy. Among the time-honored ground rules of political operation, his biggest crime, in relation to his fellows, may well have consisted in having been caught.

The censure incident had the effect of obscuring a career that was often controversial, usually original, and sometimes heroic. One of the tragedies of Dodd's personal disgrace was its effect on his best and bravest campaign, to pass legislation tightening controls on the sale and use of guns. Compared in importance to this issue, Dodd's personal peccadilloes shrink to insignificance.

Dodd was, in fact, something of an off horse, often in unexpected directions. He was an early champion of stricter narcotics control and he raised a storm with his charges of the harm that violence on television was doing to our children and our society in general. He was an early anti-Castroite, and a consistent opponent of anything that was tinged with communism. Last year he was virtually the only Democrat in Congress to support President Nixon's decision to send troops into Cambodia.

Not necessarily a great Senator, not always a good one, Thomas J. Dodd nevertheless lived his public life by the rules as he understood them, and took his stand for the right as he saw it. He was a colorful figure, and time and again he demonstrated that he had true grit. The Connecticut scene becomes more drab with his departure.

[From the Waterbury (Conn.) Republican, May 25, 1971]

THOMAS J. DODD

Former U.S. Sen. Thomas J. Dodd's sudden death at 64 has taken from the Connecticut scene one of the most controversial figures in its political history. Few could remain neutral about Dodd. His supporters hailed his long history of fighting communism, his outstanding record as chief U.S. trial counselor at the Nuremberg war crimes trials following World War II, and his continued battle for gun control legislation.

His opponents were quick to respond with the fact that he had been censured for wrong-doing by the U.S. Senate. The censure was the primary reason Dodd was not considered for the nomination by the Democratic Party for another term. He ran as an independent candidate in the election and was dropped from the party rolls. But Dodd was still a Democrat, regardless of the law which deprived him of his membership in the party.

Dodd was a most colorful figure throughout his career. No one ever looked more like a senator than he. He was a most skilled orator and when he was at his best, was exceedingly convincing.

Dodd was never averse to maintaining an independent position even in the Democratic Party. One of the highlights of his career involved the 1960 presidential campaign. Although the Democratic leaders of the state backed the late John Kennedy for the presidential nomination, Dodd was for Lyndon Johnson. He was all smiles when Kennedy astounded many political leaders by picking Johnson for his running mate.

Connecticut Democrats were even more astounded four years later when the word got out at the national convention that Johnson had summoned Sen. Dodd to Washington (along with Hubert Humphrey) to discuss a vice-presidential candidate.

It will take some time before the state witnesses another figure who is as colorful and prominent as was Sen. Dodd.

POLITICAL LEADERS JOIN DODD MEMORIAL RITES

WEST HARTFORD.—The politically high and mighty mingled with common folks Wednesday as last rites were performed for former Sen. Thomas J. Dodd.

A requiem mass was sung at St. Thomas the Apostle Church for the former Democratic senator, a political Goliath in Connecticut until four years ago when he was censured by the Senate for converting campaign funds to personal use.

Even after the censure, Dodd retained respect and affection. At the services, Democratic Sen. Abraham Ribicoff and Republican Sen. Lowell Weicker paid their respects as the Most Rev. Joseph F. Donnelley, auxiliary bishop of the Archdiocese of Hartford, and the Most Rev. Vincent J. Hines, bishop of Norwich, recited the Mass.

The 900-seat church was filled to capacity. Among the dignitaries present were Gov. Thomas J. Meskill and State Democratic Chairman John M. Bailey.

The flag-draped coffin was taken to the Dodd family plot in the Pawcatuck section of Stonington, the town where the family lived before moving recently to Old Lyme.

About 200 persons attended the 10-minute burial service, and Dodd's body was laid to rest at a gravesite on the top of a small hill.

Dodd died of a heart attack early Monday in the Old Lyme home.

The St. Thomas Seminary choir sang "A Mighty Fortress Is Our God," a Protestant hymn by Martin Luther, and concluded the service with "America The Beautiful."

The black-veiled widow followed the coffin from the church. On her left was one of the former senator's six children, Thomas Jr.

Tuesday, two public wakes for Dodd drew hundreds more to honor the man who made a name as a stern anti-Communist, a crusader against drugs and televised violence and an outspoken advocate of stiff anti-gun laws.

James Boyd, a former Dodd Senate aide who was largely responsible for exposing Dodd's financial dealings, said Wednesday he was not especially proud that he helped cause Dodd's political downfall.

He said, however, he was proud of exposing the facts that led to the censure.

His remarks were made in a telephone interview with Hartford radio station WPOP. Boyd now heads an organization in Washington called the "Fund for Investigative Journalism."

Letters and telegrams of condolence streamed into the family home from the highest levels, including messages from President Nixon and former President Johnson.

Mr. Nixon hailed Dodd as a man "who never failed to put the national interest above party politics or personal ambition."

[From the Bridgeport Post, May 30, 1971]

HISTORY WILL JUDGE DODD

(By Carey Cronan)

WASHINGTON.—The case of Thomas J. Dodd will probably be the subject of controversy for many years to come.

But despite the censure of the Senate many believe that the record of the late Connecticut legislator will leave its mark in the annals of Congress.

He was the prime mover for gun control legislation and his constant agitation for tighter drug controls helped to spur many pieces of legislation in this field.

His hearings on juvenile delinquency and prison conditions did not result in any noteworthy legislation but they helped to keep Congress and the public aware of mounting problems in these areas.

HIS PHILOSOPHY

While he was generally regarded as a liberal on domestic matters Senator Dodd was an independent in the foreign affairs field. He was an inveterate foe of Communism and as vice chairman of the Senate Internal Security Subcommittee presided over most of the executive sessions which delved into matters that were seldom publicized to the fullest. He warned against the menace of Castro Communism long before the Cuban dictator was exposed as a fraud.

He spoke out on the Congo and he advocated tax deductions for college education costs. His record as chief trial counsel to Justice Robert Jackson at Nuremberg for 18 months was a noteworthy accomplishment in the public service.

ASKED INVESTIGATION

Historians should remember that Tom Dodd might never have been investigated by the Senate if he had not himself demanded it. In this he was probably the unwilling victim of a psychological newspaper war by writers using material stolen from the senatorial files.

But future students will probably ask time and again why if the Senate thought Tom Dodd was guilty of misconduct they did not strip him of his seniority and his official posts in the Senate.

Why, if the Senate thought him guilty, did the Department of Justice find no grounds on which to prosecute him?

Why did so many Connecticut contributors to his testimonial affairs refuse to say that they were concerned in any way with the use of funds donated to the Senator?

Why did the Senate Ethics Committee reject completely much of the so-called evidence against him, and refuse even to consider it or to question those involved in much of it?

Why was the conduct of some of his staff members kept from the hearing record?

Why did the Justice Department take no action against those who stole and copied the Senator's files on so many personal and possibly top secret matters?

To many the Senate language of the censure that Mr. Dodd's actions reflected on the Senate was rather vague. The case did not involve government money. It dealt only with funds given to the Senator by his constituents and friends.

And too, the question as to just what is a political expenditure has never really been settled.

As Senator Lee Metcalf put it when Senator Dodd finished his second term: "He was

more sinned against than sinning." Future historians will have to judge the case when the emotion has died down and the picture can be seen in all its stark truth.

[From the Waterbury American, May 25, 1971]

DODD PRAISED BY LAWMAKERS

STATE CAPITOL.—Both political parties in both chambers of the General Assembly Monday joined together to eulogize former U.S. Sen. Thomas J. Dodd, who died at his home early Monday.

"He made great contributions to the state and the country and history will prove him one of the greatest senators to serve this country," summed up Sen. J. Edward Caldwell, D-Bridgeport, the Senate majority leader.

Nor did the legislator shy away from Dodd's censure by the Senate.

"He was a fighter and never backed off," said Rep. Carl Ajello, D-Ansonia, House majority leader. "His head was not bowed even when trouble was heaped upon it."

"History will vindicate Tom Dodd," said Rep. John F. Papandrea, D-Meriden. "Just examine his record. He stood a true American."

Senate Minority Leader Alden A. Ives, R-Morris, said that Dodd was "a man of great dedication and conviction, something our federal Congress can use more of."

A colleague from the past, Rep. Robert King, D-Tolland, who served with Dodd as a fellow prosecutor in the Nuremberg war crime trials, said many of the precedents of these tribunals could be attributed to the "hard work and persistence Tom Dodd gave the job."

King said Dodd often was a "lonely man, but always believed in what he was doing and what he did he did well."

"America has lost a great man," King said.

Rep. Otha Brown, D-Norwalk, referred to Dodd's censure as something "that made all of us re-evaluate our own moral positions."

"Let those among you who are without sin cast the first stone," Brown said.

"He had courage and what he thought was right, he thought was right," said Rep. Morris Hogan, R-Burlington. "He was willing to fight for principle and never gave in on principle for the sake of votes."

"Tom Dodd never met a man he couldn't look in the eye," said Rep. John D. Mahaney, D-Waterbury. Rep. Thomas McNellis said Dodd was a man of courage and principle who "represented his people with heart."

"If ever courage and indomitable spirit was shown it was when Tom Dodd stood a beleaguered figure," said Rep. Nicholas Longo, R-West Hartford. "He was a good man, a great man."

House Minority Leader Francis Collins, R-Brookfield said Dodd was a Democrat with "many friends on both sides of the aisle."

Mrs. GRASSO. Mr. Speaker, will the gentleman yield?

Mr. MONAGAN. I am happy to yield to the gentlewoman from Connecticut (Mrs. GRASSO).

Mrs. GRASSO. Mr. Speaker, Tom Dodd died in the quiet serenity of a May night—a night filled with the pungent sweetness of a Connecticut spring.

The sturdy yellow house on Lyme Street where he and Grace made their home was full of love and affection of family and friends, as has been every dwelling that they called home.

Tom Dodd left a legacy of love and faith that was reflected in the long line of mourners at his bier and in the quiet tears of men and women whose lives had found new hope and new direction because of his assistance.

He was my Congressman and my Senator. As his constituent I know of the times without number that he responded swiftly, efficiently, and humanely to help relieve a family's distress or some personal grief.

The records of this Government will chronicle those achievements that were Tom Dodd's efforts to build a better world for the abused, the suffering and the oppressed, to find release of nations and people in bondage. Most of all we will remember his fierce and passionate love of country.

I shall cherish forever our last visit together in the sunny village marketplace of Old Lyme just 2 weeks before he died. I waited my turn as he held court with new neighbors who were delighted and proud that he and Grace had selected this town for their home. We shared happy banter of old and dear friends and talked of plans for hopeful days to come.

The days of his retirement were all too brief—the respite from the storms of combat all too short.

Yet, even as he lies in the earth of his beloved eastern Connecticut where he was born and where he died, that rich and vibrant voice echoes the requiem:

Here he lies where he longed to be
Home is the sailor, home from the sea
And the hunter home from the hill.

Mr. MONAGAN. I thank the gentlewoman for her contribution. I yield back the balance of my time.

Mr. GIAIMO. Mr. Speaker, I have had the pleasure of knowing the late Tom Dodd and his lovely wife Grace for many years. I knew Tom during several different periods of his three decades of public service, and know how much his wife and family were a source of both strength and encouragement during his lifetime. To Grace and the Dodd family, my wife and I offer our deepest sympathy.

Our sense of loss, however, is tempered by our gratitude in Connecticut and in America for a man who began working long ago on problems which only recently have become popular "causes."

A man thoroughly familiar with the causes and effects of violent crime, Senator Dodd was also a leader in the movement for civil rights and social justice.

A director of the National Youth Administration in Connecticut, Tom Dodd showed early his concern for the young and the problems they have in finding appropriate training and useful work. His later chairmanship of the Senate Subcommittee on Juvenile Delinquency was a forum for personal leadership on legislation to curb delinquency and control the abuse of narcotics and other drugs.

Tom Dodd's long-time fight for gun control was another manifestation of his training in law and early experience with the division of investigation, forerunner of the FBI. Most importantly, Tom's dedication to the spirit of a society of laws gave him the insight and the stature to deal with extremism of both the right and left.

An internationalist, proud of America's constructive post-war foreign aid works, Tom Dodd was also keenly aware of the historical value and modern necessity to maintain America's balance of strength in arms and in diplomacy. He worked for the nuclear test ban treaty because he thought that treaty to be in the Nation's and the world's best interest, but he also worked to guard against erosion of our military strength.

Sadly for some, however, these and other examples of Tom Dodd's independence and dedication are put into focus only by his death. As a recent editorial in the Hartford, Conn., Courant said:

That his latter years were clouded by his Senate censure in 1967 for financial misconduct should not diminish the many contributions Mr. Dodd made both to his State and his Nation.

If history judges us all by our faults, Tom Dodd's will be found on balance to be small. If, on the other hand, we are to be remembered for work well done, for courage and straight language, and for accomplishments that contribute to a greater good, Tom Dodd's career will exemplify those qualities. We who knew him salute that career, mourn his loss, but are and will remain grateful for his leadership.

Mr. Speaker, a recent article in the newspaper Roll Call is a substantial contribution to the written record of Tom Dodd's career, and I insert this article.

Mr. Speaker, in addition, a recent editorial on TV station WTNH in New Haven, Conn., characterized the independence with which Tom Dodd served Connecticut and the Nation, and I insert this editorial also.

The articles follow:

[From the Roll Call, June 3, 1971]

THOMAS DODD: A LONELY FIGHTER

(By Allan C. Brownfeld)

When he was censured by the United States Senate they said of Thomas Dodd that he was corrupt, and his friends said that, no he wasn't corrupt, he was simply like all of the others, and that if he was censured then they should all be censured. Perhaps this only reflects the cynicism of our own age, and it is possible that our overlooking the faults of others is simply a reaffirmation of our own faults and our rejection of the idea of sin. For, in a world in which nothing is right and nothing is wrong, who is fit to cast judgment?

Now Thomas Dodd is dead, and many who attacked him in life have cast aside their harsh appraisals and replaced them with the sugar-coated remembrances that are no more than a sham. If the life, career, and death of Senator Dodd have any meaning at all for us, it may be in a manner we will not want to hear.

For, rather than appearing corrupt, this life casts a far different image upon today's political scene. A pirate, when he was brought before the Emperor Alexander, declared that "I, for stealing some jewels, am called a pirate and an outlaw. You, for stealing the whole world, are declared emperor." Thomas Dodd may not have been fastidious in his handling of the matters of his life, but in the things which are, in reality, the life and death questions of our civilization he was a valiant, and often a lonely, fighter.

Senator Dodd, as chief trial counsel at Nuremberg in 1945–46, said that he was privy to "an autopsy of history's most horrible catalogue of human crime." It was here that he also became an arch foe of communism and he was angered by the effort of the Soviet prosecutors to blame Nazis for the massacre of 15,000 captured Polish officers at Katyn forest, a massacre which Dodd claimed and later history has proven was performed by the Russians themselves.

"I learned of the desperation and terror of hundreds of thousands of Russian war pris-

oners and slave laborers held by the Nazis whom we, through ignorance, returned against their will to the Soviet authorities," Dodd told The Readers Digest. "I am still tormented by accounts of mass suicides in which men slashed their wrists with tin cans and women jumped with their children from upper-story windows rather than face return to Russia."

Thomas Dodd lived through an era in which many members of his party said that Communism was no longer a threat, and he died at a time when the leadership of the other party was making conciliatory sounds toward both the Russians and the Communist Chinese. Politics in the partisan sense was never of any importance to him. What mattered most was a strong national defense and a concern for freedom. This made Senator Dodd an increasingly lonely figure in a Senate dominated by those who sought not either defense or dignity, but simply followed the public opinion polls which indicated restlessness with a lingering war and an urge for a new isolationism. Those who fight the times do not always have an easy end. Would Jack Anderson and Drew Pearson, many ask, have launched an attack upon William Fulbright or George McGovern? The answer, these critics state, can easily be seen. In this sense, Senator Dodd paid not only for the data on his tax returns but for his steadfast opinions, which did not follow the tide of the times.

This writer had the opportunity to be associated with Senator Dodd for several years. When making a pronouncement about matters of foreign policy and defense he never consulted the polls, and he never took a count of the letters for and the letters against. His concern was what policy would best advance freedom, what policy would convince world Communism that aggression would not be permitted to succeed, what policy would best maintain the security of our own country. He supported the war in Vietnam, he opposed east-west trade, he defended our commitment to the Nationalist Chinese—not because it was popular, but because it was right. How many men who voted to censure Thomas Dodd can say that they base their votes on principle and not on convenience? Unfortunately, we will never know.

They told Senator Dodd that the Communists were no longer a danger, and that we needed to "reorder priorities." Despite the fact that he was long a domestic liberal, in favor of labor unions and gun control and civil rights, he recognized that without a firm posture in the world all of the domestic "priorities" mattered little. And when they told him he was not modern and was "behind the times," it semes that he simply wondered what they meant.

In his book, The Fish Can Sing, the Icelandic writer Halldor Laxness confronts one of his characters with a young man who believes in neither ghost stories nor any things unseen. In response, he states: "Mankind's spiritual values have all been created from a belief in all the things the philosophers reject. . . . How are you going to live if you reject not only the Barber of Seville but also the cultural value of ghost stories.

If it were to be proved scientifically or historically or even judicially that the Resurrection is not particularly well authenticated by evidence—are you then going to reject the B-minor Mass? Do you want to close St. Peter's Cathedral because it has come to light that it is the symbol of a mistaken philosophy and would be more useful as a stable? What a catastrophe that Giotto and Fra Angelico should have become enmeshed in a false ideology as painters, instead of adhering to realism. The story of the Virgin Mary is obviously just another falsehood invented by knaves and any man is a fraud who allows himself to sigh, 'Pietra Signor.' "

Somehow, Senator Dodd believed all of the old American ideas about individual freedom and human dignity and the need to oppose tyranny and oppression. What kind of "liberals" are they, he wondered, who could overlook Red China's rape of Tibet, the Soviet Union's persecution of Jews, the deprivation of freedom to millions of men, women, and children in Eastern Europe? If in order to be elected to public office you must leave your conscience on the doorstep maybe, he may have mused, it just isn't worth it.

Too many Members of Congress, and of the press corps, have become mere faddists. Senator Dodd would have agreed with C. S. Lewis when he said "We must condemn . . . the uncritical acceptance of the intellectual climate common to our own age and the assumption that whatever has gone out of date is on that account discredited. You must find out why it went out of date. Was it ever refuted? And if so by whom, where, and how conclusively? Or did it merely die away as fashions do? If the latter, this tells us nothing about its truth or falsehood. From seeing this, one passes to the realization that our own age is also a 'period' and certainly has like all periods its own characteristic illusions."

And so, a life is ended. But it was a life which, in the important things, was true to a standard far different from that of the roar of the crowd. Thomas Dodd saw the evils of Nazism and Communism firsthand. He recoiled from their horror only to find in his own country a growing unwillingness to confront evil.

Some will only remember of this man that he was censured by the Senate for income tax irregularities. But that may be the least important thing of all, and we ourselves may have fallen to such a depth that we can no longer recognize the heroic qualities in others. Thomas Dodd fought a lonely battle for the things upon which Western civilization is based and we must hope that in the next generation there will be enough of those to fight this same battle so that civilization itself will be preserved.

[WTNH–TV8 telecast]

SENATOR DODD TRIBUTE

The career in public service of Thomas J. Dodd covered almost four decades.

To the news media, to the public in general . . . he was not just a "controversial figure" in recent years . . . he was always that.

That can mean, after all, the willingness to be outspoken, to call things as deeply-felt . . . no matter whose feathers are ruffled, whose toes are stepped on. With the controversies of recent years, it became easy for some to forget the forward-thinking activities of Thomas J. Dodd over all of these four decades past.

Take one area . . . civil rights . . . and the extent of active involvement by so many concerned people today. Regardless of other considerations, all must remember what men such as Tom Dodd did starting back in the 1930's . . . "maverick" and "unpopular" things which laid the groundwork for the gains of many years later.

"Maverick" and "crusader" labels came to him for starting things rolling in so many "right-now" problems; narcotics, gun control, youth-and-crime . . . and standing up to party leadership—to be a public voice for the common man.

Fierce devotion remained strong; over a quarter of a million named him their choice for Senate last fall.

Among all the tributes voiced today . . . his role was perhaps best described by an opponent: Thomas J. Dodd could identify so well with a vital person in America . . . the so-called average, independent-thinking voter; the one who found it hard to identify with the more "traditional" men in political life . . . and often, therefore, would not have been as active in the political process.

Mr. O'NEILL. Mr. Speaker, with the passing of Senator Tom Dodd the people of Connecticut have lost a great friend and servant, the people of the Nation have lost one of their finest statesmen, and we in the Congress have lost a colleague. Thomas J. Dodd was a member of the House for 4 years and it was my privilege to know him intimately. I join my colleagues and the people of Connecticut in paying tribute to a man who gave his full measure to the job of serving the public. Thomas J. Dodd represents a tradition of courage and determination which has endeared him to the people he represented, and which secures for him a place in the annals of American democracy. Tom Dodd's life and work is exemplary of the individual spirit which has forged America's greatness and which will insure our greatness for the future.

Mr. STEELE. Mr. Speaker, Tom Dodd was a man committed to public life, proud of his patriotism and proud to serve his country. A tireless worker, he was a fighter for causes in which he believed.

His crusades first focused nationwide attention on such issues as juvenile delinquency, civil rights, crime, gun controls, and drug abuse. On each of these issues, Tom Dodd—the man known as the Crusader from Connecticut—gave no quarter until he had seen a cause through to the end. From his days with the Division of Investigation, the forerunner of the Federal Bureau of Investigation, Tom Dodd knew firsthand crime's causes and effects. As chairman of the Senate Subcommittee on Juvenile Delinquency, his vast knowledge helped formulate omnibus legislation to stem delinquency and drug abuse.

His fame, justly earned, as a Nuremberg prosecutor, was a further highlight of Tom Dodd's distinguished and dedicated public service.

Yet, with all his national and international acclaim, Tom Dodd's heart and soul remained in his beloved Connecticut, striving faithfully to serve the needs of his constituents back home. Tom Dodd and his wife, Grace, lived in the district I now represent and will long be remembered with particular fondness by the people of eastern Connecticut, his first and his final home.

Mr. ANNUNZIO. Mr. Speaker, Tom Dodd served the Senate and the Nation with dedication and distinction, and his early death is a sad loss. A very able Representative of his State of Connecticut during his 4 years in the House and 12 years in the Senate, he compiled a record that will be remembered by our Nation with respect and gratitude.

Former Senator Dodd gave his whole life to public service. As an FBI agent, Connecticut director of the National Youth Administration, Justice Department attorney, prosecutor at the Nuremberg trials, and in Congress, his outstanding leadership put him in the forefront of the guardians of America's safety. His courageous and steadfast advocacy of gun control played a vital role in the enactment of the first compre-

hensive gun control law in 1968. Likewise, his work in drug abuse, juvenile delinquency, and crime has helped make America a safer place for all our citizens.

Tom Dodd was a stanch believer in individual freedom, human dignity, and the need to oppose tyranny and oppression. He was always concerned about the policy that would best advance freedom, the policy that would best convince world communism that aggression would not be permitted to succeed, and the policy that would best guarantee the security of our Nation. Conciliation and convenience had no place in his philosophy, for when Tom Dodd cast his vote on the great issues confronting our country, conscience and principle were his only guides. Nothing could deter him from the course he deemed right for America, and although oftentimes his fight against communism was a lonely one, his steadfastness of purpose never faltered.

Mr. Speaker, it is always a tragedy when our Nation loses such a dedicated public servant as Thomas Dodd, but those, like myself, who knew him personally as a warm human being and as a loyal and generous friend, particularly mourn his absence.

Mrs. Annunzio joins me in extending to his widow, Mrs. Grace Dodd, and to the other members of his devoted family, our heartfelt sympathy in their bereavement.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I join today with my colleagues in paying tribute to a man of bravery and devotion who served with honor in both Houses of the Congress of the United States.

Thomas J. Dodd served the people of Connecticut and the Nation as a whole with distinction as a Member of the House in the 83d and 84th Congresses, and then in the Senate from 1958 to 1970. His service in the Congress culminated a career as an agent of the Federal Bureau of Investigation, an attorney and prosecutor, at home and abroad.

Tom Dodd was a man who hated crime and violence whether it was on a local or international level. He believed that people had a right—the legal and God-given right—to live in peace and freedom, free from fear.

I think there is no question in either House of the Congress that the legislation existing today to control deadly firearms is traceable directly to Tom Dodd. This was a a passion of his life and the people of the United States are a lot safer due to his efforts.

He has passed to his reward now. But we shall never forget him and the good he accomplished for his country.

Mr. DERWINSKI. Mr. Speaker, I am proud to join my colleagues in honoring the memory of the late Senator Thomas J. Dodd, who is also remembered for his service here in the House of Representatives before being elected to the other body.

It was my privilege to work with Senator Dodd on numerous governmental and civic assignments, in which he consistently displayed intense interest in the well-being of our country, and special concern over the challenges from abroad.

He was a dedicated American patriot in a period when the very foundations of our country were being attacked by individuals and groups who, unknowingly or deliberately, were trying to undermine the history and traditions of our country. He was a man of strong convictions and was convinced that the United States must ever remain alert to the dangers of communism. Throughout his career, first in the House and then in the Senate, he was a dynamic legislator and spokesman in foreign affairs.

Tom Dodd was also a very pleasant, warm, and gracious individual whom many of us were privileged to know as a friend rather than just as a colleague in the legislative branch.

Mr. Speaker, Tom Dodd served his State and Nation in a most effective fashion and the United States has lost one of its soundest statesmen with the passing of Senator Dodd.

Mrs. Derwinski joins me in extending condolences and sympathy to the Senator's widow, Grace, and his family.

Mr. MURPHY of New York. Mr. Speaker, as a friend of Senator Thomas J. Dodd during the time I have been a Congressman I would like to comment on the achievements of this "Crusader from Connecticut."

Senator Dodd was known as a fighter against two major evils facing America. He fought the external threat of international communism and, internally, the threat of crime—especially youth crime. He made contributions in the fight against the attempts by world communism to subvert America and the free world. While others in Congress became hysterical over the Communist threat, Tom Dodd was levelheaded in his approach to the problem which was epitomized by his work in achieving the nuclear test ban treaty. And while I applaud his work in this area, I feel his major contribution to America was his fight against our internal threat—juvenile delinquency and youth crime, drug addiction, firearms controls, and his attempts in his final years to eliminate prison horrors and create a true system of juvenile justice.

It was typical of Tom Dodd in his passing that his family requested that instead of flowers, contributions be made to Altruism House in New London, Conn., a residential treatment center for his State's young drug addicts.

It was also typical of Tom Dodd that in his last days as a U.S. Senator he interrupted a bitterly contested senatorial campaign to conduct public hearings on the raging heroin epidemic in Vietnam that was killing our troops at the rate of two a day. His political career drawing to an end, his physical strength drained from the rigors of a vigorous campaign and a heart attack, he summoned enough strength and energy to warn the people of the United States of the rampant drug disaster facing our young soldiers in Southeast Asia.

Tom Dodd is gone, but he has left a legacy to the youth of America in the form of 10 major Federal laws—one for each year as the chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, a record which his wife and children can be proud of.

My closest relationship with Senator Dodd was in the area of firearms controls. We worked together in 1963 when we introduced the first mail-order gun laws in the Senate and House; and, we continued the fight for gun legislation through a turbulent 5 years that saw the murder of 50,000 Americans including a beloved President, a famous Senator, and an adored civil rights leader. Dodd the fighter took up the challenge of Federal firearms controls in the face of a bitter and resourceful gun lobby. And despite the fact that his State was the reservoir of 90 percent of the gun manufacturers in the United States, he fought for passage of the Gun Control Act of 1968.

The American people owe a debt of gratitude to Tom Dodd for the loved ones that have been saved because of this excellent piece of legislation. But there were other laws, perhaps not as dramatic, but just as important, that will make America a better place for young people in the years to come and for which I salute Senator Dodd today.

As the chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, Senator Dodd presided over a decade of fine legislative achievements.

The subcommittee was an important tool of the Senate in the war against crime.

It was important for the young people of this Nation.

On a personal level it was important to Senator Dodd because it represented a sizable portion of his life's work and his service to America.

In one way or another since February of 1961 when he became chairman of the subcommittee he was involved in every major piece of delinquency control legislation that has come out of Congress.

It was Senator Dodd's early proposals which lead to the passage of the first Federal juvenile delinquency law, the Juvenile Delinquency and Youth Offenses Control Act of 1961. That act became the first major Federal program to fight delinquency and, in fact, a blueprint for the national war on poverty and on crime sponsored by the Johnson administration.

One of the areas of his work that Senator Dodd was most proud of was in the field of narcotics and dangerous drugs.

During the time he was chairman of that subcommittee he conducted 40 days of public hearings on narcotics, dangerous drugs, marihuana, peyote, and LSD. He took testimony from 167 witnesses ranging from addicts and convicts, through doctors, lawyers, attorneys general, and governors. He heard from experts at every step along the way.

As a direct result of that effort on July 8, 1965, the Congress adopted the Drug Abuse Control Amendments of 1965, which established the Bureau of Drug Abuse Control under the Department of Health, Education, and Welfare. It was charged with protecting our young people from the unregulated traffic in literally billions of dangerous drugs such as the amphetamines, the barbiturates, LSD, and other drugs. This legislation was proceeded by years of investigations and

hearings by Senator Dodd and his subcommittee.

The Bureau of Drug Abuse Control was merged with the Federal Bureau of Narcotics of the Treasury Department and by an Executive order of President Johnson was moved to the Justice Department as the Bureau of Narcotics and Dangerous Drugs. That means one-half of the Federal law enforcement personnel in existence today are a result of the 1965 bill.

If arrest figures and convictions are any measure of an act's effectiveness, and I believe this to be so, then the 1965 amendments Senator Dodd fought for have been successful.

For example, in fiscal year 1968, arrests nearly doubled over the previous year, and convictions showed a threefold increase for the same period.

The number of illicit dosage units of these drugs seized by Federal agents provides further evidence of the effectiveness of the 1965 act. The total number of units seized varied from some 9 million in 1967 to some 16 million in 1970, with 2 peak years in between during which some 33 million were seized in 1968 and some 29 million in 1969.

Senator Dodd could take great pride in the fact that the 1965 act has proven to be most effective with regard to curbing diversions from the upper echelons of the chain of distribution down to the youthful drug abuser on the streets of America.

After extensive hearings in 1962, and with broad bipartisan support, Senator Dodd introduced Senate Joint Resolution 65, calling for the establishment of a joint Mexican-American Commission to get at one of the prime sources of the illicit narcotics on the American market.

After extensive public hearings on the same subject in 1965, and again in 1966, he introduced a similar resolution. In April of 1966, at the request of the administration, his subcommittee convened a meeting of Federal, State, and local officials in San Diego, Calif., to assess drug smuggling along the Mexican border.

In addition, Senator Dodd conducted personal discussions on the problem with high-ranking Mexican public officials and civic leaders.

All of these efforts bore fruit with recent moves by the Mexican and United States Government to establish and expand marihuana and opium poppy field eradication programs.

Dodd's subcommittee played a major role in the White House Conference on Narcotics in 1961. Of the recommendations to come out of that conference one was the establishment of a Joint Mexican-American Commission on Narcotics and the other was that the Congress enact the Drug Abuse Control Amendments which the Senator originally introduced in early 1961.

The Connecticut Senator introduced the Narcotic Addict Rehabilitation Act of 1966. The Juvenile Delinquency Subcommittee held extensive hearings on it and helped pass into law this legislation which for the first time enabled federally convicted heroin addicts to get back on their feet rather than make them rot in prison.

This subcommittee helped write the congressional guidelines for the Drug Penalty Amendments of 1968 which raised penalties for the then rampaging traffic in LSD.

Senator Dodd's subcommittee began investigating the current drug problem in addition to reevaluating the Federal laws relating to narcotics in early 1968. Hearings were held in March of 1968 and they resulted in the introduction by Tom Dodd of the Omnibus Narcotic and Dangerous Drug Control and Addict Rehabilitation Act of 1969. This bill was a recodification of all existing Federal drug laws including the outdated 1956 Narcotic Act, and the 1965 drug amendments. It was the most comprehensive Federal law ever proposed and covered every phase of the drug traffic and abuse problem.

After 18 months of hearings and debate in the Senate and House, this bill was signed into law by the President on October 27, 1970, and is now known as the Comprehensive Druge Abuse Prevention and Control Act of 1970.

Senator Dodd also introduced the latest Federal delinquency bill—Public Law 90–445—the Juvenile Delinquency Prevention and Control Act of 1968 which is an extention of the original 1961 act, and again, the Juvenile Delinquency Subcommittee devoted a great deal of time in perfecting and amending this law.

All of these bills represented new, sometimes novel approaches to the control of crime and delinquency.

Some of these measures were opposed by special interests.

Title IV, the firearms section of the Omnibus Crime bill and the Gun Control Act of 1968 were passed after years of stressful confrontations with the firearms industry, the National Rifle Association, and other interest groups.

The early drug bills proposed by Senator Dodd and incorporated into the Comprehensive Drug Abuse Prevention and Control Act were fought bitterly by the drug industry as was the recent act.

Yet these measures were determined to be necessary by Tom Dodd through painstaking investigation and research by his staff and the members of his subcommittee. They were enacted to help save lives and to preserve the health of our young people.

Between 1961 and 1964 the Senator investigated the television industry with the goal of protecting children from the excessive violence that existed in many shows. These hearings had a profound effect on the television industry's penchant for mayhem and while there is still violence on TV today, recent surveys show that the levels of crime, violence, and brutality are significantly lower than in the early 1960's.

In 1967 the Dodd subcommittee studied the staggering auto theft problem which faced the Nation. They found that auto theft was usually the first step on the road to crime for thousands of young Americans and that there were ways to make cars much more theft-proof. Many of the new antitheft devices on today's automobiles were the result of that investigation. In addition, the exposé of the criminal traffic in automobile master keys resulted in legislation prescribing criminal penalties for the illegal manufacture and interstate distribution of such master keys.

In 1967 the Dodd subcommittee was responsible for the passage of a law to control the growing flood of obscene and pornographic materials which was reaching into American homes, unwanted by both children and adults, by way of the U.S. mails. As a result of the subcommittee hearings a measure was signed into law which allowed the postal patron legal recourse against the mail-order smut merchants who operated through the anonymity of a sealed envelope. An example of the effectiveness of this law is seen by the fact that 292,679 persons requested, and got, stop orders issued to mailers of pornography in 1969.

In late 1968 the Dodd subcommittee launched an extensive investigation of the conditions in correctional and other confinement institutions for juvenile and criminal offenders.

The subcommittee held 23 days of hearings and heard 51 witnesses. To help correct the serious defects that exist in institutions in every part of the country Senator Dodd developed comprehensive legislative measure, S. 2905, to aid States and localities in prison reform, in the development of rehabilitation programs and in the construction of more adequate facilities.

The depth and intensity of the subcommittee's investigation in this field has led to a major breakthrough with respect to public recognition of the critical need for improvement of the conditions under which this society confines offenders.

In 1970 the subcommittee brought to national attention an investigation with respect to drug abuse in the military that had begun in 1966. These hearings made the Congress and the American people painfully aware of the frightening consequences of the drug problem we face. The subcommittee unveiled the fact that thousands of drugged soldiers, seamen and airmen posed a threat to our very security and Dodd recommended drastic steps to come to grips with the problem.

As a result of this investigation Senator Dodd introduced legislation that would establish a far-reaching humane program for the improvement of the handling of military drug abusers.

In one of his last statements as a public official, Senator Dodd said he considered the handling of drug abusers one of the most important tasks facing this Nation. He stated:

It is these individuals who contribute to the serious problem of human pollution in our society.

Unless we take greater pains in correcting offenders, unless we treat and rehabilitate those dependent on drugs, we allow them to contaminate and afflict others with crime and drug abuse.

This is the situation today when prisons and training schools provide graduate education in criminality and when our ineptness in managing drug abusers causes the victims of this menace to multiply in near epidemic proportions.

I need not add that the majority of victims in either case are young people.

And that is what Senator Dodd was concerned about—our young people in trouble.

Mr. Speaker, I believe that the measure of a man is the total impact he leaves on those who come after him. I am certain that history will record that Thomas Joseph Dodd's service to his country was exceptional and that he was one of the truly great lawmakers in the history of the U.S. Congress.

Senator Dodd was a controversial man. But out of the controversy I have seen much good accrue to his beloved United States of America. I send his family my sympathy at their loss, my admiration for their loyalty to him in his time of trial, and my respect for the mark of greatness that was in him.

Mr. DONOHUE. Mr. Speaker. I wish to join with my colleagues in this well merited tribute to our former colleague and my dear friend the late U.S. Representative and Senator, Thomas J. Dodd, of Connecticut.

As one who felt highly privileged in his friendship, I was deeply saddened at the news of his sudden and untimely death.

In private life Tom Dodd was widely recognized as an able and distinguished lawyer, who consistently conducted himself in accord with the highest traditions of the legal profession.

The last 16 years of his life was spent in the U.S. Congress. Throughout this service, he was universally esteemed and respected for his exceptional legislative knowledge and leadership; he was admired for his steadfast political convictions and he was acclaimed for his patriotic dedication.

Tom Dodd's legislative record clearly reveals him to have been a gifted congressional leader who daily expended every ounce of his extraordinary talents and diligence in honorably serving his country and constituents. For his most effective work and accomplishments in the special legislative area of crime control and correction, this Nation will forever remain indebted to him.

However, far above and beyond his legislative achievements, he was beloved for his humble attitude, his patient tolerance, his compassionate understanding and his generous heart.

In simple summary, Tom Dodd was a decent man, a good neighbor, and a steadfast friend, who will be long and sorely missed by all his associates and the numberless individuals he willingly and happily helped throughout his public and private life.

My deepest sympathy goes out to his devoted and courageous wife, Grace, and to their wonderful children. I know all of the Members of this House join in our prayer that the good Lord will grant His heavenly peace to the great soul of our beloved colleague and friend.

Mr. MORSE. Mr. Speaker, I knew Tom Dodd both in times of triumph and in times of trouble, and he was a man of great warmth, great compassion, great courage, and great humility.

He had an extraordinary public career, having been one of those who established the Justice Department's first Civil Rights Section. He was a distinguished lawyer and was awarded a Presidential Citation and the Medal of Freedom for his work as executive trial counsel at Nuremberg. As a Member of the Senate from the State of Connecticut, he was an acknowledged leader on a number of important issues, including gun control and prison reform. He identified drug abuse as a major national problem many years ago. He was a man committed to freedom and democracy.

His life and his career were strengthened by the love and devotion of his gracious wife, Grace, and I pray that the affection of those of us who served with Tom Dodd could in some way lessen her sorrow. May I extend to her and to her children my most heartfelt condolences.

Mr. BOLAND. Mr. Speaker, I wish to join with my colleagues in expressing sadness in the death of a former Member of this House with whom I served, Senator Thomas J. Dodd of Connecticut.

Tom Dodd and I were elected to the 83d Congress on the same day, November 4, 1952, from neighboring congressional districts in Connecticut and Massachusetts, and served together in this House for the next 4 years. We worked closely together on Connecticut River Valley problems and I found him always to be most helpful and cooperative. We were not only working colleagues but good friends

A courageous fighter for causes in which he believed, Tom Dodd will long be remembered for his advocacy of gun control legislation, leading to passage by the Congress in 1968 of the first comprehensive gun control law; his fight against drugs and the leading role he played in the adoption of a major revision in the Nation's drug control laws; and his fight for the enactment of comprehensive crime control legislation.

Tom Dodd had a record in both the House and later in the Senate of strong liberal positions and votes on social and economic issues and on legislation to help the people of his State and the Nation.

He had a brilliant career in public service, first as an FBI agent, then as Connecticut director of the National Youth Administration, later as an assistant to the U.S. Attorney General for 7 years, and after the end of World War II as principal prosecutor at the Nuremberg trials.

Mr. Speaker, I join with other Members of the House in extending my profound sympathy to Senator Dodd's devoted wife, Grace, and to his fine children.

Mr. COTTER. Mr. Speaker, Thomas J. Dodd, former Member of the House and Senate, died at his home in Old Lyme, Conn.

Tom spent most of his adult life in public service, beginning as an agent for the FBI, Connecticut director of the National Youth Corps, Assistant to the U.S. Attorney General for 7 years, and the principal prosecutor at the Nuremberg trials.

Tom was elected to serve in the House for the First District, which I am now privileged to represent. He served in the House from 1952 to 1956. Then in 1958 he was elected to the U.S. Senate for the first of two terms and served from 1958 to 1970.

During Tom's tenure in Congress he contributed significantly to many areas. His strong stand on the controversial issue of gun control served to highlight this extremely complex issue. It is a measure of his foresight that his work in drug abuse and juvenile crime have proved the basis for much of the work that is being done today in these vital areas.

I am saddened by his death and to his wife, Grace, and his family I extend my deepest sympathy.

At this point I include in my remarks the following editorial which appeared in the Hartford Courant:

THOMAS J. DODD

Thomas J. Dodd was described as "a gentle sort of man" by an interviewer some years ago. But beneath his soft-spoken manner dwelt the spirit of a fighter for causes in which he believed. And though he seldom raised his voice, he nonetheless said what he thought, whether it was popular with his party of many years, the Democrats, or anyone else. Perhaps that is why he often received more mail than any other member of the Senate during his two terms with that body, and why he once asserted that he had been accused of being both a left- and a right-winger. That his latter years were clouded by his Senate censure in 1967 for financial misconduct should not diminish the many contributions Mr. Dodd made both to his state and his nation.

Many of the crusades upon which Mr. Dodd embarked first focused nation-wide attention upon conditions and issues which were to become uppermost in our priorities. Juvenile delinquency, drug-abuse, civil rights, crime and gun controls were among these. Always an advocate of justice, law and order since his days with the Division of Investigation, the forerunner of the Federal Bureau of Investigation, Mr. Dodd knew at first-hand crime's causes and effects. His experience as state director of the National Youth Administration helping young persons to get jobs and training during the Depression, surely gained him insight to understanding their problems, adding expertise to his chairing the Senate Subcommittee on Juvenile Delinquency. From that position he contributed his knowledge to formulation of bills to stem delinquency and drug abuse.

Other distinctions in Mr. Dodd's long career of public service must include his leading the International Military Tribunal's case against 21 major World War II criminals at Nuremberg which gained him a Presidential citation, the Medal of Freedom and, from Italian President Gronchi in 1958, that nation's Commander of the Order of Merit.

Soon after his election by Connecticut's First District to the House of Representatives, Mr. Dodd received the unusual honor for a junior Congressman of being named to the House Foreign Aid Committee. And he served his nation overseas as a representative to Latin America and to the Congo. In addition, Mr. Dodd worked for years toward passage of the Nuclear Test Ban Treaty and was an avid adherent of Mr. Nixon's Vietnam policy collecting and delivering petitions of support from some 40,000 Connecticut residents last year.

Thus, he lived, a man committed to public life, proud of his patriotism and proud to serve his country, selecting what he thought was right, no matter what the party affiliation of its other proponents, and giving no quarter until he had seen the cause through to the end. Thomas J. Dodd must be remembered for that while Connecticut and the nation mourn the loss of a tireless worker for its good as he saw it.

GENERAL LEAVE TO EXTEND

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the late Senator Dodd.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

INTRODUCTION OF LEGISLATION TO CREATE A NEW U.S. DEPARTMENT OF EDUCATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma (Mr. EDMONDSON), is recognized for 15 minutes.

Mr. EDMONDSON. Mr. Speaker, America has no more valuable natural resources than its youth. From them come the leaders of our Nation for each succeeding generation. Adequate support of the training and preparation of our children to meet the challenges of society in their later years should, therefore, be a matter of the highest priority for the U.S. Government.

Today, I am introducing legislation which will create a new U.S. Department of Education, presided over by a Secretary of Education appointed by the President, with the advice and consent of the Senate.

Without doubt, the policies of how to finance and support our education programs, beginning with the preschool training and continuing through the graduate level of higher education, should be subjects which deserves Cabinet level attention.

With a separate advocate of educational causes in the President's Cabinet, I sincerely believe we will begin to see the type of commitment to education in this country which is absolutely essential to the preparation of national leaders for every walk of life.

It is my strong personal belief that only through achieving excellence in our education system will we eventually be able to deal effectively with problems that confront our Nation. The enactment of legislation to create a separate Federal Department of Education will evidence the Congress' commitment to this goal and I urge this body's favorable and prompt consideration of this measure.

Mr. Speaker, the support for a new U.S. Department of Education is widespread in my own State of Oklahoma, and I would like to include in the RECORD at this point a representative sample of several letters I have already received on the subject:

OKLAHOMA CONGRESS OF PARENTS AND TEACHERS,
May 21, 1971.

Hon. ED EDMONDSON,
U.S. House of Representatives,
House Office Building,
Washington, D.C.

DEAR MR. EDMONDSON: The Oklahoma Congress of Parents and Teachers requests your support of HR 2356, a bill to create a Cabinet Department of Education. We feel that this would help put education first among national concerns.

Our states are being pushed harder and harder to finance public education. Consequently, all states are going to be depending more on federal funding for public schools.

We feel a separate Department of Education can and will give better direction for our growing educational problems. Federal education programs are included not only under the Department of Health, Education, and Welfare bureaucracy but, in addition, are spread through scores of other federal agencies including Labor and National Defense Departments, Office of Economic Opportunity, and the National Science Foundation.

Now is the time to raise education to its rightful place in the nation's priorities. Thank you for your favorable consideration of this bill.

Sincerely,
MRS. CLEVELAND RODGERS,
Legislative Chairman, OCPT.

NATIONAL EDUCATION ASSOCIATION,
Washington, D.C., April 10, 1971.

Hon. ED EDMONDSON,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE EDMONDSON: As you are aware thousands of letters are being sent to President Nixon asking for a Cabinet Department of Education.

We appreciate your leadership in this and other areas and know you will continue to assist educators, parents, and interested citizens in this effort.

Sincerely,
JUANITA KIDD,
Director.

STATE OF OKLAHOMA,
Oklahoma City, Okla., April 8, 1971.

Hon. ED EDMONDSON,
U.S. Congressman, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN EDMONDSON: Enclosed is a copy of a letter which I have mailed to President Nixon. We have no more important business in the nation than to educate our young people and to prepare them for the problems ahead. This can best be done if we have dedicated men and women serving through a Department of Education with the full importance of a cabinet-level position.

It is to be hoped that you would agree concerning the importance of a National Department of Education and that you would be willing to urge the President to develop such a department.

Sincerely,
DAVID HALL,
Governor.

SOUTH CENTRAL SAFETY EDUCATION INSTITUTE,
Edmond, Okla., May 17, 1971.

Hon. ED EDMONDSON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN EDMONDSON: I strongly urge the consideration that a separate cabinet Department of Education be established.

At the present time, education at both the public school level and the higher education level are in dire need in many areas. It is believed that education should be one of the first among the national concerns. I believe that massive federal funding for education is needed in obtaining the desired outcomes and goals set forth in this area.

Your interest for supporting this type of legislation is urgently requested.

Sincerely yours,
S. D. SHEPHERD,
Chairman, Safety Education Department.

CHANGING FEDERAL FARM TRUCK RULES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. PRICE) is recognized for 30 minutes.

Mr. PRICE of Texas. Mr. Speaker, I rise to introduce legislation to deny the Bureau of Motor Carrier Safety of the Federal Highway Administration authority to regulate farm trucks and drivers. Joining me in this endeavor are Representatives LES ASPIN of Wisconsin; OMAR BURLESON, of Texas; JOHN N. HAPPY CAMP, of Oklahoma; JOHN DOWDY, of Texas; O. C. FISHER, of Texas; MIKE MCCORMACK, of Washington; JOHN MELCHER, of Montana; ALBERT QUIE, of Minnesota; WILLIAM ROY, of Kansas; KEITH SEBELIUS, of Kansas; GARNER SHRIVER, of Kansas; and LARRY WINN, JR., of Kansas.

Those of use who are concerned about this issue have been working with appropriate officials in the Department of Transportation and the Department of Agriculture in an effort to get the executive branch to rescind their regulations in the farm truck and driver area. That these efforts have borne fruit is evidenced by the DOT announcement earlier today that the Department intends to revise its commercial vehicle qualification regulations insofar as they apply to drivers of certain vehicles controlled and operated by farmers.

Mr. Speaker, the specifics of the Department's revisions have yet to be published. I am advised, however, that a formal filing of a Notice of Proposed Rule Making in the Federal Register will be made within a week or 10 days. It is my hope that the Department of Transportation will act to remedy the problems their regulations have created for the farmers of this Nation.

In any event, Mr. Speaker, I think the bill I am introducing today will have singular value in helping resolve this troublesome issue because it will help define the broad limits of the problems at hand and will give the legislative branch a firm basis on which to act if the executive branch fails to set its regulatory devices in order.

My bill will relieve farmers, farm cooperatives, and custom combine operators from all driver qualification regulations that were recently promulgated by the Bureau of Motor Carrier Safety of the Federal Highway Administration. At the present time farmers, farm cooperatives, and custom operators are regulated with regard to: Farm truckdriver age limits; mental, physical and driver test requirements; truck sizes and weight limitations; and stringent recordkeeping requirements. With regard to the latter, farmers are required to develop and maintain extensive records on driver-age qualifications, driver traffic records, and employment records.

Mr. Speaker, in my judgment farmers have enough problems without Federal bureaucrats adding to them by enforcing unreasonable regulations. Unless the present regulations are changed or substantially modified by the Department

of Transportation, daytime farmers will be forced to become nighttime bookkeepers. Moreover, from my lifelong association with farming and ranching, I know most of these regulations to be ill conceived, ill advised, and inappropriate.

In theory, the Federal regulations are supposed to promote safety, but instead they promote waste and inefficiency. I say waste because these very same areas are, for the most part, already adequately covered by State laws. I say inefficiency because in operation these regulations prevent the farmer from devoting his full attention and energies to the problems of farming; and believe me, anyone who thinks being a successful farmer is an easy job just does not know what he is talking about.

Another aspect of these Federal regulations disturb me greatly; namely, any regulations successfully promulgated by the DOT in this area will, in all probability, serve as models or minimum standards for future State enactments. Thus to the extent the States follow the lead of the Federal Government, thinking the Federal Government is in the best position to know about farm truck and driver regulations, to that extent the States will be surrendering their autonomy to the Government bureaucrats who draft these regulations.

Mr. Speaker, despite the fact that the Department of Transportation appears to be taken a more enlightened view of the problems inherent in Federal regulation of farm trucks and drivers, I think the interests of the farmers of this Nation would be best served if this whole matter were lifted out of the Department and turned over to the several States, where it belongs. For this reason, I urge my colleagues to support this proposal and expedite its passage.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. In 1869 Cleveland Abbe issued America's pioneer weather forecasts which were based on telegraphic reports. The world-renowned astronomer and meteorologist was born in New York in 1838.

OPERATION HELPING HAND

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

Mr. HOSMER. Mr. Speaker, on two previous occasions I elaborated about a joint civilian-U.S. Navy program called Operation Helping Hand. Today, I would like to focus my remarks on a particular aspect of the program; namely, the construction of dependent shelters.

At the present time a need exists for construction of 27,000 such shelters at various naval bases throughout South Vietnam.

This need was brought about, in part, by the tremendous expansion of the Vietnamese Navy in just a very short period of time. Two years ago, the Vietnamese Navy had fewer than 500 craft and only 17,000 personnel. However, as a result of the U.S. Navy's ACTOV—accelerated turnover to the Vietnamese—program, its assets and personnel strength have more than doubled and today the Vietnamese Navy ranks among the 10 largest in the world. It has a fleet of more than 1,000 riverine craft and ships and a personnel strength of almost 40,000.

On the surface it would appear that our Navy has done all that is possible to assist the Vietnamese Navy in its fight against Communist aggression. But this vast growth within the Vietnamese Navy caused some critical problems that our Navy is determined to resolve before leaving South Vietnam.

Not only is it impossible for the Vietnamese navymen to bring their families to their duty stations, but they are forced to leave them behind in the only place they can afford—a shabby dwelling located in the midst of a community of squalor.

We are all very familiar with housing problems for we are faced with it in every region of the country. The housing situation in our own Navy leaves a lot to be desired. However, comparing our situation with that in Vietnam is like comparing apples with oranges. To the Vietnamese, the family is the foundation of their society, and to separate the family is to take away part of one's life.

Notwithstanding the close family relationship, it is virtually impossible to expect a Vietnamese sailor to function effectively in any aspect of the war when he is constantly worried about his dependents. Moreover, when the $32-a-month salary of an average sailor is compared to the $200 received by a Saigon taxi driver, one begins to wonder why he is even fighting.

Realizing the adversity of the situation and the fact that it threatens the success of our entire Vietnamization program, U.S. Navy advisers began assisting in the construction of dependent shelters. Construction has begun at 24 bases with 1,914 units completed and another 1,100 under construction at this time. Appropriated funds of the two navies will finance only 10,500 units, leaving a balance of about 17,000 units still unfunded.

At some bases excess barracks buildings are being converted into apartment dwellings. Where unused structures are not available for conversion, units are being built from the ground up. The houses are constructed primarily of laterite brick blocks produced at several locations in Vietnam, and contain approximately 500 square feet of living space. Since much of the material is obtained through donation and excess stock, the average cost of each unit is a modest $600.

This is just another example of the dedication, resourcefulness, and ingenuity being performed by our sailors in Vietnam. This effort, which they have become so deeply involved in during the past 2 years, is most commendable and I wish to say, on behalf of all Americans: "Well done—continue the march."

DEFENSE AUTHORIZATION BILL—PART II

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 30 minutes.

Mr. ASPIN. Mr. Speaker, soon the House will debate and vote on the Defense authorization bill. At that time, I will submit an amendment to limit the authorization for fiscal year 1972 to the level authorized for fiscal year 1971.

As reported out by the Armed Services Committee, the authorization bill requests a significant increase over the amount authorized for the current fiscal year. This is partly because the bill contains a substantial increase in naval vessel procurement, the same amount requested by the administration.

The increase of about $615 million over the amount authorized for fiscal year 1971 represents a real increase of about $485 million over the amount authorized for the current fiscal year and about $730 million over the amount actually appropriated for fiscal year 1971. However, a critical examination of the administration's request and the committee report will show that this increase is not warranted. In fact, a reduction in ship construction would be compatible with the administration's own recommended force levels for fiscal year 1972 and naval force requirements.

Modernization cannot be considered in the absence of force levels. As naval force levels have been reduced over the past several years, the older, World War II vessels have been retired. With fewer ships to replace, there should be less need for new ships. Yet, what we are observing in the fiscal year 1972 budget is a sharp increase in requests for naval vessel procurement at a time when the recommended naval force levels are still declining.

The prevailing assumption that we must keep abreast of the Soviets and increase naval vessel procurement because they do is simplistic and misleading. The Soviet Union and the United States have different objectives and missions for their naval forces, and each is confronted with a different set of problems. For example, the United States needs naval forces in deploying and supporting land and tactical air forces overseas; the Soviets do not need naval forces for this purpose. On the other hand, the Soviets have a limited number of year-round ocean ports whereas we have ready access to two oceans.

As shown below, about $1.5 billion in fiscal year 1972 or almost half of the naval vessel procurement included in the authorization bill is for two programs—the high-speed nuclear submarine SSN–688 and the new class of antisubmarine warfare—ASW—destroyers DD–963. Both programs could be greatly reduced or even terminated after the fiscal year 1971 buy. The number of SSN's and ASW destroyers funded through fiscal year 1971 is enough to counter even the most

pessimistic assumptions concerning the future quantity and quality of Soviet submarines. A tabulation follows:

[In millions of dollars]

SSN–688:	
Construction (5)	877.5
Less advanced procurement	−110.0
Plus long-lead construction	+113.5
Total	881.0
DD–963: Construction (7)	599.2
Total	1,480.2
Total, naval vessel procurement	3,328.9

The request for the authorization of five SNN's in fiscal year 1972 is consistent with the Navy's publicly stated force objective of 105 SSN's. To reach this goal we must replace conventional submarines with nuclear submarines on a 1-for-1 basis at the rate of 5 per year until the late seventies. But this force objective of 105 SSN's is based neither on an evaluation of the Soviet submarine threat nor an analysis of submarine barrier operations and requirements. It is largely derived from force levels inherited from the late 1940's.

The number of attack submarine we need to counter the Soviet submarine threat is or should be dictated by geography. There is an optimum number of submarines which can be stationed as barriers in particular areas in the world. More submarines do not improve the effectiveness of given barriers and in fact, may impair their capability to intercept submarines. This is true regardless of the number of Soviet submarines which may attempt to penetrate the barrier.

Likewise, increases in Soviet submarine capability, particularly, increased speed and lower noise levels, does not alter the attack submarine requirement. A Soviet submarine attempting to penetrate a submarine barrier will go slow to make as little noise as possible. And the best way to counter the new, quieter Soviet submarines is to improve our detection capability rather than buy more ASW platforms. Even if the Soviets predeployed most of their submarines prior to the outbreak of hostilities, we would not need more submarines. Land- and sea-based ASW aircraft and escort ships would first engage the Soviet submarines. But eventually the Soviet submarines must return to port, and to do so, they must transit the submarine barriers.

Based on such a geographic analysis of submarine barrier requirements, former Secretary of Defense Robert S. McNamara concluded that a total of 60—not 105—"first-class" SSN's was needed. More than 60 have already been authorized. The buy through fiscal year 1971 provides for 69 SSN's for ASW operations. Since the first SSN was commissioned in 1954 and submarines have a useful life of about 28 years, no replacement would be needed until the late seventies. Moreover, most of the conventional attack submarines could be retired now. And most important the five new SSN's requested in this year's authorization bill could be cut from the budget.

The authorization bill also includes about $600 million for construction of seven more DD–963 ASW destroyers. This new class destroyer is designed for offensive and defensive task group operations including the hunting and killing of enemy submarines. How many ASW escorts we need, including the DD–963, is determined or should be determined by the number of forces they are assigned to protect—specifically, carrier task forces.

The original DD–963 program approved in fiscal year 1969 was for 30 ships. At that time there were 15 attack carriers—CVA's—and four ASW carriers—CVS's—for a total of 19 carriers.

But before 1980 the carrier force level will drop to at most 12 even assuming another nuclear attack carrier—CVAN—is approved. Currently, there are eight Forrestal-class conventional carriers, the nuclear-powered *Enterprise* and two CVAN's under construction which will be under 30 years old—the useful life of a naval surface ship—by 1980. The CVS's are approaching 30 years old and no replacements are planned. In fact, the Navy is already testing a new CV concept whereby both attack and ASW aircraft would operate from the existing CVA's. Thus, the number of carrier task forces to be protected by escort ships has dropped from 19 to 11 or 12.

Terminating the DD–963 at the end of the fiscal year 1971 buy, brings to nine the number of ships authorized. However, for a 12-carrier force, no more than nine DD–963's are needed because of the capability of other escorts currently in the force and authorized to date. Terminating the DD–963's would create a shortage of escorts having the single ASW capability. However, since there is an excess in the more expensive dual-capable antiair/antisubmarine warfare—AAW/ASW—escorts, the shortfall can be rectified by assigning a greater percentage of AAW/ASW escorts to these roles.

Although we probably would not buy such additional AAW/ASW escorts for this purpose, having an excess capability in this area is not altogether undesirable, given the nature and extent of our requirements. And the seven new DD–963's requested in the authorization bill can be eliminated from the budget.

Mr. Speaker, these two programs together cost $1.5 billion. My amendment would cut $1.9 billion from this year's budget. But my amendment would not cut specific programs. Rather it would impose a ceiling on the overall authorization. Certainly a significant portion of that reduction could come from cutting the SSN–688 and DD–963 programs without jeopardizing our capability to counter the Soviet naval threat.

WHY DOES NOT PRESIDENT NIXON CARE WHAT THE AMERICAN PEOPLE THINK?

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

Mr. ROSENTHAL. Mr. Speaker, a pair of public opinion polls published over the weekend vividly illustrate how strongly the American people feel about the need to bring the Indochina war to an immediate halt.

A nationwide survey by the American Institute of Public Opinion, known as the Gallup poll, shows 61 percent of all persons interviewed believe the United States made a mistake sending troops to fight in Vietnam, while only 28 percent feel it was not a mistake and 11 percent are undecided. This represents a complete reversal of opinion from 5½ years ago, according to Dr. Gallup.

This comes on top of an earlier Gallup poll survey indicating 73 percent of the citizens of this Nation feel we should withdraw all our troops by the end of this year.

And yet the President persists in claiming the support of the American people for his war policies. He refuses to set a withdrawal date because, he says, he is protecting our withdrawing troops and does not want to leave them defenseless. However, many of our combat troops are gone and the majority of those remaining are support forces—hardly what you would want to beat off a major enemy offensive, if you really expected one.

The President says he will keep troops in Southeast Asia until the Communists release their last American prisoner.

Another reason, I suspect, the President wants to keep troops in Vietnam against the will of the American people is to support the unrepresentative and reactionary Thieu-Ky regime, and help win reelection for President Thieu in this fall's Vietnamese elections—an election, incidentally, which Thieu has practically guaranteed for himself by railroading preferential legislation through the National Assembly to stifle the competition.

What really are President Nixon's reasons for wanting to keep U.S. troops in Southeast Asia when the American people want them brought home?

Is the President telling us everything? Is he falling into the the same fatal credibility gap that helped bring about Lyndon Johnson's downfall?

There may be a clue in a survey conducted recently in California. Residents of that State listed President Nixon and Gov. Ronald Reagan as the public officials they trusted least.

A random sample of residents was asked to rate various public officials on their honesty. The results showed 58 percent felt the President "sometimes does not tell everything" or is "often untruthful," while 41 percent said he is "completely open and truthful" or "truthful considering his responsibilities." It is worth noting that it is similar to the 58 percent and 39 percent figures given for President Johnson.

I am including published reports of both polls in the RECORD:

[From the Washington Post, June 6, 1971]

THE GALLUP POLL: 61 PERCENT OF AMERICANS NOW BELIEVE ENTRY IN VIETNAM WAR WAS MISTAKE

(By George Gallup)

PRINCETON, N.J.—The proportion of Americans who think it was a mistake to become involved in Vietnam has reached an all-time high of 6 in 10—a complete reversal of opinion from five and one-half years ago.

In the latest nationwide survey, 61 per cent of all persons interviewed believe the U.S. made a mistake sending troops to Vietnam, compared to 28 per cent who say we did not make a mistake and 11 per cent who are undecided.

In January, 59 per cent said they believed the Vietnam involvement was a mistake, with 31 per cent disagreeing and 10 per cent expressing no opinion.

In the first survey on the issue, conducted in August, 1965, the comparable percentages were 24 per cent, 61 per cent and 15 per cent undecided.

Republicans during the last five and one-half years have changed their views about U.S. involvement to almost the same extent as Democrats.

In the survey reported today, a total of 1,502 persons, 18 and older, was interviewed in person by Gallup interviewers in more than 300 scientifically selected localities across the nation. Interviewing was conducted May 7 through 10. This question was asked in the latest survey and in 21 previous surveys taken since August, 1965:

In view of the developments since we entered the fighting in Vietnam, do you think the U.S. made a mistake sending troops to fight in Vietnam?

The following table shows the dramatic change in the percentage of those who said "yes."

	August 1965	Lates
National	24	61
Republicans	28	58
Democrats	22	64
Independents	26	60
21 to 39 years	14	59
30 to 49 years	22	60
50 and over	29	63
College	24	61
High school	22	61
Grade school	28	63

Source: 1971, American Institute of Public Opinion.

REAGAN, NIXON RUN LOW IN TRUTH POLL

SAN FRANCISCO, June 5.—The public officials least trusted by California residents to tell the whole truth, are Gov. Ronald Reagan and President Nixon, the Mervin D. Field State Poll reported Friday.

Of a random sample of residents asked to rate various public officials on their honesty; 59 per cent felt Reagan "sometimes doesn't tell everything" or is "often untruthful," while 38 per cent answered he was "completely open and truthful" or "truthful considering his responsibilities."

The vote on Nixon was 58 per cent doubters and 41 per cent trusters—close to the 58 and 39 per cent figures for former President Lyndon Johnson.

Sens. Alan Cranston and John Tunney, both Democrats, inspired more trust than doubt—Cranston 40 and 31 per cent and Tunney 44 and 30.

TIDELANDS DISPUTE

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

Mr. HÉBERT. Mr. Speaker, on yesterday I inserted in the RECORD an article from the Times Picayune of New Orleans on the tidelands controversy. I have since discussed this matter with my friend and colleague, the distinguished majority leader, the gentleman from Louisiana (Mr. BOGGS), and today we join in inserting in the RECORD a timely and perceptive editorial which appeared in the Times Picayune of June 6, 1971.

Mr. BOGGS and I have had long experience with all phases of the tidelands controversy, a dispute over more than $1.7 billion in mineral royalties from contested sea bottoms and, in a larger sense, a dispute between the Federal Government and coastal States over the sharing of revenues from offshore mineral production.

In its editorial, the Times Picayune proposes that all phases of this controversy be resolved and that the time-honored formula by which the Federal Government shares the revenues from Federal lands within State boundaries be applied to the revenues from the tidelands.

This would be a just and equitable settlement of a controversy which has been permitted to continue too long.

Mr. BOGGS and I are inserting the editorial in the RECORD and commending it to the attention of our colleagues.

MEMBERS OF CONGRESS, PLEASE END TIDELANDS DISPUTE

Forty-three years ago The Times-Picayune directed an urgent appeal to the Congress of the United States. We asked that states be relieved of responsibility for controlling floods of the Mississippi river and its major tributaries.

The Congress responded magnificently. Since adoption of the Flood Control Act of May, 1928, there has been no major flood in the lower valley. Instead of relying solely on levees to contain streams within their beds, the United States has built floodways, spillways, reservoirs, cutoffs and other flood control works which could not have been built by the states, acting independently.

Louisiana, Mississippi, Tennessee, Arkansas and other states along banks of the Mississippi, Missouri, Ohio and other major rivers tried for years to carry the burden of controlling a gigantic volume of water that originated in 31 states. One of the nation's worst natural disasters, the catastrophic flood of 1927, demonstrated beyond question that the separate states could not control national streams effectively.

The federal government lifted from the states the burden of attempting to prevent major floods and has discharged its responsibility with amazing success.

Today The Times-Picayune makes another appeal to the Congress. It is for legislation which we believe is required in simple justice to 30 states whose shores touch the Atlantic and Pacific Oceans, the Gulf of Mexico and the Great Lakes. It is legislation which, in our opinion, will be a credit to all states.

This legislation would end inequities and bring to a happy conclusion generation-old differences between the federal government and states.

Just as the federal government is better able to control major floods than are the separate states, those states can better handle many local problems than can Washington.

Today Louisiana is bearing the burden of educating children of its residents who work on oil, gas, sulphur and salt rigs far out in the Gulf of Mexico. It pays the cost of building roads on which those workmen ride to boats or to helicopters which transport them to offshore platforms or drilling barges. It provides police and fire protection of them and their families. It performs health, library and countless other costly services for them.

Louisiana receives no revenue from minerals produced by most of the wells drilled under waters off its coast. Equipment used to drill these wells is not assessed for purposes of state ad valorem taxation. The state collects no sales taxes on supplies delivered to the drilling sites. Louisiana does not receive severance tax from minerals produced by these wells. This condition has encouraged exploitation of offshore oil and gas fields to the detriment of inshore fields, from which states receive substantial severance taxes.

Large royalties and bonuses from offshore production go to the federal treasury or to an escrow fund, ownership of which has long been in dispute. This fund totals more than $1.7 billion and is rising. The larger it becomes, the more serious become state-federal differences.

Before oil was discovered off the shores of California and Louisiana there were no serious differences between the federal government and the coastal states. There was considerable drilling for oil in shallow waters near the coasts of several states before World War II. The first well in the Gulf of Mexico off Louisiana was completed Sept. 9, 1947.

Federal interest, or lack thereof, in offshore drilling rights had been manifested on Dec. 22, 1933, when the late Secretary of the Interior Harold Ickes, in reply to applications to drill offshore wells, wrote, "I find no authority of law under which any right can be granted to you to establish your proposed structures in the ocean outside the 3-mile limit of the jurisdiction of the State of California, nor am I advised that any other branch of the Federal Government has such authority." Mr. Ickes conceded to the states title to lands within the 3-mile limit.

By 1937, Mr. Ickes had changed his mind. His reversal of opinion precipitated a conflict of interests between individuals holding oil leases from the State of California and other individuals who wanted the federal government to grant them leases for the same property.

Legal battles which seemed interminable have been fought since that time. The United States Supreme Court in 1947 held that the central government had "paramount rights" to offshore lands of California even within the 3-mile limit. By June, 1950, similar decisions affected Texas and Louisiana.

The Congress in May, 1953, enacted legislation to confirm state control of lands within their "historic boundaries." The United States Supreme Court in May, 1960, decided that the historic boundaries of Florida and Texas extended three leagues, or 10½ miles, from their coasts and the historic boundaries of other coastal states three miles from their coasts.

This decision left unanswered many questions—among them: precisely where is the coast of Louisiana or the coast of California or the coast of Florida?

Countless hearings have been held by masters and commissions set up to settle differences between the state and federal governments.

Serious differences persist. In our opinion they will not be resolved by further litigation, by further hearings before masters or by other procedure than action by Congress.

The United States has a long-honored formula covering the sharing of revenues from federal lands within state boundaries. Since 1970 the states' percentage of revenues from oil and gas produced from federal lands within all but one state has been 37.5 per cent. The exception, Alaska, receives 90 per cent.

A division of 62.5 per cent to the federal government and 37.5 per cent to adjacent states of revenue from offshore lands claimed by the federal government, in our opinion, would be eminently fair settlement of the tidelands differences.

The national administration acknowledges that ability of the feredal government to collect revenues exceeds that of most of the local governments. There is feast in Washington; famine in Albany, Sacramento, Baton Rouge and other state capitals.

Congress can end a grievous inequity by sharing with coastal states revenues being obtained, and to be obtained, from offshore lands claimed by the federal government in the same manner that it shares with Montana, Utah, New Mexico and many other states revenues from federal lands within their borders.

We urge prompt enactment of legislation to achieve this worthy objective.

SERVICE ADDICTION CAUSES HEARTACHE

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

Mr. MONAGAN. Mr. Speaker, yesterday I received a letter from a mother whose 24-year-old son became a drug addict in service in Vietnam. Since his honorable discharge from the Army on March 7, the boy has not been successfully treated for his addiction, either in civilian or in VA facilities. The case of this young man, all too typical among recently released servicemen today, is a dramatic statement of the bankruptcy of current policy, the inadequacy of present facilities and the immediate need for an intelligent revamping of the present system for treating military drug addicts.

My approach toward the military drug problem, as presented in H.R. 8216, the Armed Forces Drug Abuse Control Act of 1971, which I refiled last week with 46 cosponsors, is to retain servicemen in the Armed Forces until they are free from addiction. If the Army had recognized its responsibility toward the particular young man discussed in the letter from his distressed mother, he would be actively engaged in an inservice treatment program and his family would feel confident that he was receiving intelligently administered care. He would not be free to refuse the rehabilitative care offered him and when he was discharged from the Army, he would not longer be addicted to drugs.

I would like to insert this very moving letter from a concerned mother in the RECORD at this point, along with a highly appropriate Memorial Day editorial:

DEAR SIR: My 24-year old son enlisted in the Regular Army at 18, and spent over three and one-half (3½) years, of his 2 enlistments, in Viet Nam as an Army medic. He returned to our home on March 8th after being processed through the above-named discharge center in 6 hours and was released with an honorable discharge and a certificate stating he was "physically qualified for separation or for reenlistment within 3 months, etc." However, he came home addicted to heroin and entered the country carrying almost pure heroin with him.

On April 1, 1971, three weeks after his return home, the local police picked him up on suspicion and persuaded him to admit himself to the Veterans Administration Hospital in East Orange, New Jersey, under threat of arrest if he didn't go through their prescribed treatment. The hospital released him on April 27th to a local Day Top center for drug rehabilitation. After three weeks there under a 10–4 daily program, while residing here at home, he has refused to return there. The VA told me they have no place to send him for the further rehabilitation he needs, since Congress has appropriated no funds necessary to set up badly needed drug rehabilitation centers.

This should have been an Army problem, since they knew in Viet Nam that he was on drugs. He spent 3 days in January in a hospital in Cam Ranh Bay and was told to return to his job and if he complained he would be arrested or could take a discharge. Now that he is out of service, the problem has been laid in the lap of the local civilian authorities and the VA, but first of all, me. As a lay person observing his actions, I'm convinced he needs further rehabilitation. I have two younger sons here at home for whom he is setting no example.

My son has been dehumanized and brutalized by what he has done and seen as an Army medic over three and one-half years in Viet Nam. He was not a drug addict when he enlisted in the Army at 18. I feel the Army released him illegally and should bear the responsibility for it. They have shifted the burden to me, primarily, the one who will be sought out as he continues his aimless wandering. Surely this is not an isolated case, but it did happen and can happen again to many more American families. In light of the above, and in the best interest of the United States, I feel funds should be appropriated immediately for an emergency program to rehabilitate "a new kind of war casualty, the dope addict."

I would be interested in an answer from you as to what help can be expected from the United States government and what course of action you would suggest, if this were your son.

[From the Trenton (N.J.) Sunday Times Advertiser, May 30, 1971]

NEW KIND OF WAR VICTIM

On this Memorial Day, the seventh of the Vietnam era, it is fitting to pause and think of the young Americans who have been the victims of that terrible war.

Let us mourn the 45,183 who have died in action there.

Let us reflect on the tens of thousands more who will carry the scars of the war to their graves—the blinded, the mutilated, the crippled, the brain-damaged.

And, on this Memorial Day, let us ponder the tragedy of a new kind of casualty—new to this war and to all U.S. wars.

This is the dope addict.

Thanks to rampant government corruption, to the easy availability of cheap and powerful heroin, and to maddening boredom among the troops, addiction is sweeping the U.S. Army in Southeast Asia like an epidemic.

A Congressional investigating team has estimated that from 30,000 to 40,000 servicemen in Vietnam are heroin addicts. This is an astounding 10 to 15 percent of all the GI's in that country.

The dead of Vietnam cannot be brought back. They can only be given the same profound honor and respect due the American dead in other, more "popular" wars. They, like their predecessors at Iwo Jima and Belleau Wood and Missionary Ridge, did all their country asked of them—to the last full measure of devotion.

The wounded are, we must assume, getting the best available medical and rehabilitative care, to salvage what can be salvaged of their lives. They must continue to get it.

But the nation has not yet come to grips with the new and staggering revelations about dope addiction—a tragedy that will reach into every corner of the land for years and years to come if these young addicts come home and turn to crime, as they invariably will to sustain their agonizing habit.

The House investigators have urged that the Army be required to identify, through urinalysis, the heroin addicts among the Vietnam veterans and keep them in the Army until cured. Those who could not be cured in the Army would be certified to VA hospitals for three years of treatment and rehabilitation.

The team also called on President Nixon to take personal charge of the U.S. effort to bring an end to the illegal international traffic in narcotics "and commit the full resources of the country to that battle."

These things constitute the very least that a nation alert to the imperatives of simple humanity—and of its own self-interest—should do. But beyond that, the words of Stewart Alsop, long-time hawk on Vietnam, writing in Newsweek, should be heeded:

"The bulk of (the U.S.) army must be withdrawn from Vietnam quickly and urgently, for the same reason that people in a burning house have to be gotten out quickly and urgently."

PENTAGON DRAGS ITS FEET ON DRUG STATISTICS

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

Mr. MONAGAN. Mr. Speaker, I am happy to refile H.R. 8216, the Armed Forces Drug Abuse Control Act of 1971, with the cosponsorship of the gentleman from Massachusetts (Mr. MACDONALD) and the gentleman from Pennsylvania (Mr. DENT). Last week, I was pleased to include as cosponsors the gentleman from Illinois (Mr. MURPHY), a principal author of an important study entitled "The World Heroin Problem," recently presented to the House Foreign Affairs Committee. The addition of these three colleagues brings the total number of cosponsors of my bill to 49. A number of other Members have also filed the bill separately. I wish to thank my colleagues for their enthusiastic support of a bill which makes a serious effort to deal with the escalating drug abuse problem within the Armed Forces.

As a part of my effort to acquire statistical information from the Pentagon regarding the extent of this epidemic in the Armed Forces, I have requested from the Secretary of Defense, Melvin Laird, copies of hospital utilization reports which are compiled in the field every month and contain information on the number of drug addicts in the services in Vietnam. On May 21, Mr. Everett G. Hopson, special assistant on drug abuse control in the Office of the Assistant Secretary of Defense, responded to my request and stated that since the information had to be obtained from the field, I could expect an answer in "approximately 14 days." That 14 days has now come and gone, and no information is forthcoming.

On June 4, I wrote again to Mr. Laird, expressing my dissatisfaction with the communications system within the Department of Defense. In the letter I stated:

If the difficulty encountered in obtaining this information from DOD is any criterion, it is no wonder that the drug problem has reached crisis proportions within the Armed Services. The reports I requested were first required in a MACV Directive dated December 10, 1970, and now, six months later, there is still no information available. This is highly unsatisfactory and shows a failure to follow the prescribed collection of reports. I strongly recommend that vigorous action be taken to bring up to date this statistical information concerning the exceeding serious problem of military drug abuse. Without such statistics, the actual facts cannot be determined and the necessary reforms undertaken.

My latest conversation with Mr. Hopson's office on June 7 revealed that there will be still further delay before the information can be obtained. Daily, I receive letters from parents concerned because their sons became addicted to heroin in Vietnam and have returned home to roam the streets, interested only in finding their next "fix." These men, who because of their addiction are physically and psychologically ill, are desperately in need of help.

For me and my cosponsors, that help should logically come from the Armed

Forces, in whose service our disillusioned men discovered heroin and other habit-forming drugs. If these men were intelligently rehabilitated before they were discharged, they, their families, and society as a whole would be the benefactors. Immediate action is necessary to correct this dire situation. Let us rouse the armed services to action, provide the means, and encourage them to accept their inevitable responsibility to rehabilitate these addicted men. Only then will they be able to reenter civilian society as citizens ready for and capable of a productive contribution to themselves and to the community.

I wish to include an excellent editorial from the Bridgeport Post in support of my position:

MILITARY ADDICTS

The new stance taken by President Nixon on drugs gives every indication that a crackdown is coming. His pledge to give the highest priority to attacking the narcotics epidemic in both military and civilian life must be followed up with the firmest of action. Nothing less will suffice.

Members of a congressional fact-finding team have made the sordid observation that more American servicemen in Vietnam are falling victim to heroin than to enemy hostilities. Thousands of soldiers—as many as one in six—are addicted to narcotics.

The tragedy and heartbreak which this could spell for the individuals involved and the society they will re-enter as civilians is almost beyond comprehension. Obviously action must be taken which is commensurate with the problem.

Representative Robert H. Steele of Vernon was a leading participant in the study which revealed the extent of drug use by American soldiers in the war zone. He is convinced that the victims must be rehabilitated in Veteran Administration centers after they are released from the services. While the intention is good, the attack must be even stronger.

The other members of Connecticut's delegation in the House are backing a plan formulated by Representative John S. Monagan of Waterbury. He would have military personnel addicted to drugs retained in the service until they are cured. The Pentagon would be required to set up centers where the treatment will be provided.

The difference in the two approaches is significant. A person in the Armed Forces comes under military law and discipline. A civilian does not. Judging by the high rate of premature departure at most drug rehabilitation centers, Mr. Monagan's thinking makes sense.

And while Congress deliberates on ways to cure the victims of dope, a highpower effort must be undertaken to protect the healthy combatants in Vietnam. Ugly accusations have been made against top South Vietnamese officials who allegedly profit from the drug traffic. At the very least, the Saigon government has made little effort to stop the flow of narcotics. This attitude must be changed.

Clearly, Washington must be the command post for a multi-pronged assault against the evils of drugs. Now that the Nixon Administration has vowed to meet the challenge head on, there should be no holds barred in getting the job done.

CHILDHOOD LEAD POISONING

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

Mr. RYAN. Mr. Speaker, following passage of the Lead-Based Paint Poisoning Prevention Act, Public Law 91-695, there was very real question whether the President would sign the legislation into law. The Department of Health, Education, and Welfare—which is given the chief authority under the act to mount the Federal assault on this man-made, yet preventable, disease—recommended that he veto it. Fortunately, public pressure was brought to bear by a massive campaign of letters and telegrams, and the President signed the bill on January 13, 1971.

Since then, the silence on the part of the administration has been deafening. But for the determined concern of individuals and groups throughout the Nation, this new law might well have sunk into immediate senescence. Fortunately, we have been able to prevent its untimely death.

Last February, 48 Members of the House joined me in introducing legislation appropriating funds for fiscal year 1971 for the Lead-Based Paint Poisoning Prevention Act. Despite this, no action resulted on the part of the administration: no request was made for funds for that fiscal year. In April, 47 Members joined me in writing to Secretary Elliot L. Richardson, of the Department of Health, Education, and Welfare, urging that his Department request funds. Still no action.

The Congress did act. The Senate provided $5 million for fiscal year 1971 in the Second Supplemental Appropriation bill. Unfortunately, this money was deleted in conference. However, while funding for fiscal year 1971 is thus now a lost cause, there are two factors which have provided me with particular encouragement that there will be funding—in an ample amount—for fiscal year 1972. First, the distinguished chairman of the Labor-HEW Subcommittee of the House Appropriations Committee has graciously assured me "there will be ample funds, I believe, and I am sure of it, in the 1972 appropriations bill for this very, very, very bad problem."

Second, the national attention which has mounted concerning funding convinces me that the administration cannot stand aloof much longer. Indicative of this is the fact that Secretary Richardson, by letter of May 28, has informed me that the President intends to transmit an amendment to the 1972 budget requesting $2 million for the Lead-Based Paint Poisoning Prevention Act. The administration finally has at least acknowledged the existence of the law on the books.

Of course, the meager sum of $2 million is ridiculous. The preliminary requests which Secretary Richardson's Department has already received for funding alone exceed the $25 million which his Department is authorized to dispense in grants. And more requests will be forthcoming.

I do want to clear up some misapprehensions which Secretary Richardson's letter may have conveyed to some of my colleagues, who received copies of the same May 28 letter. Secretary Richardson states that:

The $2 million to be requested would be used to make a more concerted effort to define the extent of the problem and support model demonstration projects in three communities.

The time is long past for "defining problems" and for "demonstration projects." We know what the problem is. So, too, should the Secretary. Within his own Department, the Secretary has one of the leading experts in the country on childhood lead poisoning—Dr. Jane S. Lin-Fu. One of her articles was reprinted by the Secretary's own Department for public distribution. So let me quote this HEW publication, a reprint of "Childhood Lead Poisoning—An Eradicable Disease":

In the history of modern medicine, few childhood diseases occupy a position as unique as lead poisoning. It is a preventable disease. The etiology, pathogenesis, epidemiology, and symptomatology have all been well defined. Methods for screening, diagnosis, and treatment have long been available.

I would also call Secretary Richardson's attention to the work of another member of his Department staff—Surg. Gen. Dr. Jesse Steinfeld. The Department of Health, Education, and Welfare's Public Health Service, which Dr. Steinfeld heads, issued a report, approved October 12, 1970, by the Surgeon General, entitled "Medical Aspects of Lead Poisoning." I believe that report amply demonstrates that the problem has been identified, and that the action to be taken is known.

Yes, it is long past time for "identifying problems" and conducting "demonstration projects."

I would also call attention to another component of Secretary Richardson's staff—the Bureau of Community Environmental Management. The Bureau was delegated the responsibility to implement the Lead-Based Paint Poisoning Prevention Act on March 5 by Secretary Richardson's Assistant Secretary of Health, Education, and Welfare. The Bureau prepared an implementation plan, dated March 18, 1971, which lays out the entire structure of implementation of the act.

Insofar as Secretary Richardson is concerned with identifying the problem, I would direct his attention to page 1 of his division's implementation plan. This states:

Lead-based Paint poisoning is one of the more serious and critical health problems affecting urban core children today. Lead-based paint poisoning affects 400,000 children annually, causing 200 deaths and leaving many thousands permanently retarded. It is estimated that of the 400,000 children with elevated blood lead levels, annually 16,000 require treatment for lead poisoning and of the number 3,200 incur moderate to severe brain damage (requiring special care), and 800 children receive brain damage severe enough to require care for the remainder of their lives. Expert testimony presented in Congressional hearings has indicated that the lead paint poisoning is more prevalent than the polio problem before the advent of the Salk vaccine and that lead paint poisoning leaves more children permanently impaired than did German measles prior to the extensive measle vaccination programs. The urgency of the problem has not been questioned by any group. Rather, representation from universities, State and city health departments or community action groups and the National Association of Paint and Varnish Manufacturers have urged that strong immediate ac-

tion to be taken to control the lead poisoning problem.

Secretary Richardson contemplates three demonstration projects as the administration's response to childhood lead poisoning. Again, I would direct his attention to the implementation plan prepared by his own employees within the Bureau of Coummunity Environmental Management, pages 3 and 4:

The problem of lead poisoning is completely controllable with existing technology. Techniques for the control of the problem are developed and tested. Program activities have generated a widespread awareness of the problem and an eagerness to initiate or expand local lead control efforts with minimum "seed money" from Federal sources.

The Public Health Service through the Bureau of Community Environmental Management had done much to define the problem, bring the problem to professional and public attention, and to facilitate and encourage local control programs. An intradepartmental committee prepared an HEW policy statement defining levels of lead poisoning and recommending treatment and control techniques. On October 12, 1970, the Surgeon General issued his policy statement on "The Control of Lead Poisoning in Children." Procedural guidelines for assisting communities in carrying out lead control programs have been developed by BCEM and distributed widely. The application and effectiveness of these guidelines have been demonstrated in Norfolk, Virginia.

Simple inexpensive and rapid methodologies for the determination of blood lead levels have been developed and are being tested by BCEM in the cities of New Orleans and New York. These micro-techniques require only one one-hundredth the amount of blood, and cost one-fourth as much as former methods. Thus, it is now practical and economically feasible for communities to carry out the massive screening programs recommended by the Surgeon General. There is a minimal need for further research.

The necessary information to eliminate the problem is known. The time for action is now and now is the time for effective action programs at the community level.

This is not political rhetoric; these are the words of the trained professionals who work for the Secretary of the Department of Health, Education, and Welfare. Let me repeat them for emphasis:

There is a minimal need for further research. The necessary information to eliminate the problem is known. The time for action is now and now is the time for effective action programs at the community level.

The time for action is now. How much simpler it would be to make that action possible if the administration would come over to the side of the little children who so desperately need help.

The children are waiting.

REINHOLD NIEBUHR

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

Mr. RYAN. Mr. Speaker, it is with great personal sadness that I rise today to pay tribute to the late Reinhold Niebuhr, who died on June 1.

Reinhold Niebuhr was one of the intellectual giants of this century. Although he shunned the titles of philosopher and theologian, he was both of these and more. Not content to be a theorist only, he tested his ideas in the arena of electoral politics. In 1930, he was the Socialist candidate for Congress; he was among the founders of New York's Liberal Party. He was an architect of Americans for Democratic Action. Few men have so thoroughly combined an active life with solid and unrelenting intellectual achievement. As the Washington Post noted:

He was one of those rare church leaders who spoke with power not only to the church on churchly matters but to the world on worldly matters.

Dr. Niebuhr's principal pulpit during his long public career was at the Union Theological Seminary in my congressional district. For 40 years, he served on the faculty of this outstanding institution; but even as he taught new generations of ministers, he maintained his deep involvement in political affairs.

He developed a complex philosophy based on the fallibility of man and the absurdity of human pretensions, as well as on the Biblical precepts that man should love God and his neighbor. His Protestant theology was called neo-orthodoxy. It stressed original sin, which he defined as pride. It rejected utopianism, the belief that "increasing reason, increasing education, increasing technical conquests of nature make moral progress, that historical development means moral progress."

Educator, philosopher, theologian, critic, politician, he left his imprint on countless thousands. His efforts helped make our political process more vital. In the words of the New York Times:

In a time of moral confusion and rapid political change, he was a frequent source of political wisdom and an illuminating spokesman for the moral values that sustain human freedom.

A giant is gone. We will sorely miss him.

I extend my deepest sympathy to Mrs. Niebuhr, to his son, Christopher, and to his daughter, Mrs. Elizabeth Sifton.

At this point in the RECORD I include tributes to Reinhold Niebuhr—the New York Times editorial of June 3, the New York Post editorial of June 3, the Washington Post editorial of June 3, and an article by Michael Novak from the New York Times' "Week in Review" of June 6:

[From the New York Times, June 3, 1971]

REINHOLD NIEBUHR

Reinhold Niebuhr blended theology and practical politics as articulator of the concept of "liberal realism." His writings provided the intellectual underpinning for much of what was most constructive in the antitotalitarian left.

Beginning in the late 1930's, Dr. Niebuhr was profoundly influential in moving American Protestantism away from pacifism and a utopian view of politics toward a more complex, more tragic and politically more realistic view of man and society. In his masterpiece "The Nature and Destiny of Man" and in his lesser books, he brought to bear old Christian insights into man's fallibility and pride and made them relevant and convincing in this secular age. Because of his great gifts as public speaker and lucid, forceful writer, there were few within the Protestant community who did not feel his influence, while many who shared other beliefs or rejected religion also responded to his arguments.

Not one to be a theorist only, Dr. Niebuhr tested his concepts in the arena of electoral politics. He was among the founders of New York's Liberal party in 1944 and an architect of Americans for Democratic Action. In the years following World War II his influence on the thinking of many key Government policymakers was so profound that George F. Kennan saw him as "the father of us all"—the "all" being the liberal trendsetters of the fifties and sixties.

Dr. Niebuhr's ideas were not, of course, always accepted with the grace and facility with which he propounded them. But even his adversaries of the right and the left cheerfully conceded the effervescence of his mind and the humanitarianism of his philosophy. Dr. Niebuhr helped infuse vigor into the American democratic process. In a time of moral confusion and rapid political change, he was a frequent source of political wisdom and an illuminating spokesman for the moral values that sustain human freedom.

[From the New York Post, June 3, 1971]

REINHOLD NIEBUHR

In the obituaries Reinhold Niebuhr was described as a "noted Protestant theologian" but the roster of his disciples transcended all sectarian boundaries of belief and disbelief. The central article of his faith, it might be said, was a rejection of dogma in either religious or secular affairs. Yet a stoic skepticism never became a rationalization for aloofness from the great issues of his time. In fact his extraordinary achievement was that, even as he challenged the illusion of man's perfectibility, he was exhorting and inspiring so many to overcome their limitations of spirit.

He detested arrogance, vanity and self-righteousness—in men or nations, including his own—and he was scornful of those, whether politicians or clergymen, who offered salvation at bargain prices. But few men dedicated themselves more steadfastly to the quest for social justice, human freedom and a glimpse of peace on earth. Always conscious of the complexity of the human condition and the ironies of history, he insisted that "life has no meaning except in terms of responsibility." For him "responsibility" meant a constant endeavor to stir man's more generous, compassionate and tolerant instincts in his eternal combat with his darker impulses.

Teacher, philosopher, crusader, critic, he left his imprint on a vast, ecumenical flock, while spurning the tawdry show-biz of evangelism. Many will remember not only his wisdom but his personal warmth, grace and humility. In the deepest sense he was a man for all seasons.

[From the Washington Post, June 3, 1971]

REINHOLD NIEBUHR

Large numbers owe large debts to the teaching of Reinhold Niebuhr. For secularists who sought to make sense out of the mysterious ways of politics—never mind the mysteries of religious faith—he was a careful explainer of the creative role that law can play in causing positive social change. For believers, whether in God, Christianity or some form of metaphysical truth, he insisted that the religious experience should be less a form of parochial loyalty than a commitment to values that help men to overcome hate, injustice, ignorance. For pragmatists who wanted here-and-now results, he was the pastor of a Detroit church who, more than 50 years ago, daringly spoke out against what he considered the callous management practices of Henry Ford.

All these different roles might suggest a man on the run, a part-time specialist touching many bases but never fully covering any. Yet diversity was a main reason for Mr. Niebuhr's excellence, because essential to any-

thing he did or thought was a tie-in to Christian realism. He wrote:

"The finest task of achieving justice will be done neither by the Utopians who dream dreams of perfect brotherhood nor yet by the cynics who believe that the self-interest of nations cannot be overcome. It must be done by the realists who understand that nations are selfish and will be so till the end of history, but that none of us, no matter how selfish we may be, can be only selfish."

Because his writing and preaching on religion had little or none of the revival tent to it, Mr. Niebuhr attracted a wide following in those seminaries where students demand that the church help solve the problems of war, racism and poverty. More than a few of the clergymen jailed in recent years for civil disobediance, or those who work to organize the poor or the ethnic communities, were first nudged that way by Niebuhr. He disdained what he called "a simple pietistic version of the Protestant faith" by which celebrity-preachers try to prove "that prayer can harness divine power to human ends, particularly to the ends of business success and happiness."

Although he could be as abstruse as the next theologian when the moment was right, Mr. Niebuhr's writing and speaking style generally remained simple. A tribute many will pay him is not only to go back and re-read his better-known works, but make the effort to go forward and apply them to one's daily life. His notions of Christian realism apply so well, perhaps because they are needed so much.

[From the New York Times, June 6, 1971]

NIEBUHR: "WHERE MEN OF COURAGE MIGHT STAND"

(By Michael Novak)

(NOTE.—Mr. Novak teaches political theology at the State University of New York in Old Westbury, L. I.)

A giant is gone. Reinhold Niebuhr, the American theologican, died last Tuesday after more than a decade of serious illness.

Several qualities in Mr. Niebuhr's life (1892–1971) might commend it as a model for young people today. To begin with, and despite his intellectual pre-eminence, he never earned an academic doctorate.

"I cut my eye teeth fighting Ford," Mr. Niebuhr once said of his years (1915–1928) as a young pastor in a workingman's parish in Detroit. He marched with the unionists, wrote biting articles and visited labor trouble spots in West Virginia and elsewhere.

Mr. Niebuhr was next called to teach at Union Theological Seminary, where he spent the rest of his life. He was the Socialist candidate for Congress in 1930, and in 1935 he started a journal, Radical Religion. He wrote thousands of articles, columns and book reviews.

Few Americans in this century have so thoroughly combined an active, radical life with solid and unrelenting intellectual achievement. European scholars observe that Mr. Niebuhr stood "head and shoulders" above other American theologians. But in matters of social and political theology, he had no peer on either continent.

FOUNDER OF MOVEMENT

Mr. Niebuhr's books, particularly "Moral Man and Immoral Society" (1932) and "The Nature and Destiny of Man" (the Gifford Lectures of 1939), established the terms of theological discussion for more than 30 years. Mr. Niebuhr was among the founders of Americans for Democratic Action. To combat the flaccid pacifism of the 1930's, he founded the small but influential journal, Christianity and Crisis.

Millions in Europe were dying, he argued, and it would be immoral to buy one's own pacifism at the price of their torment. Mr. Niebuhr was the chief architect of an intellectual and politically effective movement known as "Christian realism." Among those deeply influenced by it were George F. Kennan, Arthur Schlesinger Jr., Hans J. Morgenthau and McGeorge Bundy.

Christian or liberal "realism" was important for two reasons.

First, it successfully opposed the excessive moralism long characteristic of American politics. Americans love to talk about beautiful ideals, and Mr. Niebuhr advised his students to be suspicious. They should sort out all the motives of power and reasons of interest in political situations, he said, and they should not accept moral words at face value. Behind moral language there often lies, he taught, self-aggrandizement.

Second, "realism" stressed the differences between the behavior of individuals and the behavior of social groups. The man who is a good husband, kind father and law-abiding citizen may, nevertheless, share with more or less uneasy conscience in the patterns of an immoral society. He may, in examining his life in individualistic terms, think of himself as a reasonably moral man. More dispassionate judges, examining the impact of the social institutions to which he gives support, might consider the net weight of his action immoral.

Christian realism tended to differ from liberal realism in its sense of the brokenness of things. Where his more secular friends-opponents saw history as a more or less benign path of scientific and democratic progress, Mr. Niebuhr saw absurd elements, tragedy and irony.

Moreover, Mr. Niebuhr was also a foe of merely "objective" analyses of human affairs. He held that human reason is always in part a servant of passion and interests of the self. He taught that action and agency are prior to reason. The self is first an actor and doer, and a knower only in the perspective of its own dramatic choices.

RADICALISM FORESHADOWED

Thus, Mr. Niebuhr anticipated themes that were to become prominent in radical circles in the late nineteen-sixties. By that time, however, the effects of a stroke were keeping him from sustained and regular writing.

Mr. Niebuhr's later work seemed to move in a more pragmatic and secular direction. For many, his earlier attacks on the biases involved in appeals to reason became a justification for a new and powerful form of reason: close, hard, technical, "operational" analysis.

"Christian realism" hardened into an ideology at a second point, too. The decades of Mr. Neibuhr's productive years included the Depression, the relentless rise of fascism in Europe, the possibility of nuclear destruction. Not much room was left for hope, optimism or radical visions. The mood was one of crisis. The imperative was survival, not Utopia. The bias was in this sense conservative.

The end of the nineteen-sixties saw a second burst of radical political emotion, analysis and energy. The new radicals attacked the Christian realists' seeming commitment to reason, analysis and objectivity, just as Mr. Niebuhr himself had attacked the partisans of a different form of reason in the nineteen thirties.

Still, nothing in our experience these last five years suggests that a sense of the absurd, of tragedy, of irony does not apply to politics. It was one of Mr. Niebuhr's firmest convictions that the field of social and political analysis is constantly in flux, irreducibly concrete, irrefragably a-logical and ironic.

Mr. Niebuhr never expected his own work to last as a dike. He expected it, at best, to stand as an example of how to "discern the times"—to detect in shifting and baffling events the places where men of courage might stand and give some little shape to some little part of history. Such responsibility is man's nature and his destiny. The end of it is almost always not what we intended, not what we meant at all.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Mr. SCHMITZ) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. PRICE of Texas, for 30 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. HOSMER, for 10 minutes today.

(The following Members (at the request of Mrs. GRASSO) and to revise and extend their remarks and include extraneous matter:)

Mr. ASPIN, for 30 minutes, today.

Mr. ROSENTHAL, for 10 minutes, today.

Mr HÉBERT, for 10 minutes today

Mr. RYAN, for 20 minutes, on June 9.

EXTENSION OF REMARKS

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

Mr. BROOKS, to include a table with his remarks made today in the Committee of the Whole on H.R. 8311.

Mr. MILLS of Arkansas, Mr. SCHMITZ and Mr. GROSS and to include extraneous matter on H.R. 8313.

(The following Members (at the request of Mr. SCHMITZ) and to include extraneous matter:)

Mr. CONTE in four instances.
Mr. DUNCAN.
Mr. DEVINE.
Mr. COLLIER in five instances.
Mr. DELLENBACK in two instances.
Mr. CHAMBERLAIN.
Mr. MARTIN.
Mr. FREY in two instances.
Mr. MCDONALD of Michigan.
Mr. ZWACH.
Mr. BROTZMAN.
Mr. SCHWENGEL in two instances.
Mr. BROWN of Michigan.
Mr. SHRIVER.
Mr. MILLER of Ohio.
Mr. ESCH.

(The following Members (at the request of Mrs. GRASSO) and to include extraneous matter:)

Mr. DE LA GARZA in 10 instances.
Mr. DRINAN in two instances.
Mr. MONTGOMERY.
Mr. SCHEUER in two instances.
Mr. BADILLO in three instances.
Mr. ASPIN in two instances.
Mr. WILLIAM D. FORD in two instances.
Mr. RYAN in three instances.
Mr. JACOBS.
Mr. PICKLE in two instances.
Mr. CULVER.
Mr. BRASCO.
Mr. O'NEILL in two instances.
Mr. MONAGAN in five instances.
Mr. BOLLING in two instances.
Mr. KYROS.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6359. An act to amend the Water Resources Planning Act to authorize increased appropriations.

ADJOURNMENT

Mrs. GRASSO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 9, 1971, at 12 o'clock noon.

OATH OF OFFICE OF MEMBER

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

> "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 92d Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C. title 2, sec. 25), approved February 18, 1948:

WILLIAM O. MILLS, First District of Maryland.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

818. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for fiscal year 1972 for the Department of the Interior and the American Revolution Bicentennial Commission (H. Doc. No. 92–119); to the Committee on Appropriations and ordered to be printed.

819. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for fiscal year 1972 for the legislative branch (H. Doc. No. 92–120); to the Committee on Appropriations and ordered to be printed.

820. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated November 6, 1970, submitting a report, together with accompanying papers and illustrations, on Galveston Harbor and Channel, Tex. (Galveston Channel 40-foot project), requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 21, 1950 (H. Doc. No. 92–121); to the Committee on Public Works and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KASTENMEIER: Committee on the Judiciary. S. 645. An act to provide relief in patent and trademark cases affected by the emergency situation in the U.S. Postal Service which began on March 18, 1970; with amendment (Rept. No. 92–255). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 5237. A bill to carry into effect a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden, July 14, 1967; with amendment (Rept. No. 92–256). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DANIELSON: Committee on the Judiciary. H.R. 1762. A bill for the relief of the West Fargo Pioneer; with amendments (Rept. 92–250). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 2408. A bill for the relief of Louis A. Gerbert (Rept. No. 92–251). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 3041. A bill for the relief of John Harwin Parrish, postmaster at Gladewater, Tex., and for Mary James Kates, owner of the Gladewater Daily Mirror; with amendments (Rept. 92–252). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary. H.R. 4310. A bill for the relief of Charles Colbath (Rept. No. 92–253). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 7871. A bill for the relief of Robert J. Beas; with amendment (Rept. No. 92–254). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred follows:

By Mr. BARING:

H.R. 8972. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 8973. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

H.R. 8974. A bill to amend the Internal Revenue Code of 1954 to increase the present dollar limits on the amount allowable as a child-care deduction, to eliminate all income limits on eligibility for such deduction, and to increase the maximum age of a dependent child with respect to whom such deduction may be allowed; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 8975. A bill to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 8976. A bill to provide for termination of the authorization for certain rivers and harbors and flood control projects; to the Committee on Public Works.

By Mr. COLLIER:

H.R. 8977. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. DICKINSON:

H.R. 8978. A bill to amend title 10 of the United States Code to provide for the awarding of lapel buttons indicating that an individual was a prisoner of war at one time or that a family member is currently held as a prisoner of war; to the Committee on Armed Services.

By Mr. DULSKI:

H.R. 8979. A bill to name the Federal office building in Buffalo, N.Y., the John F. Kennedy Federal Office Building; to the Committee on Public Works.

By Mr. EDWARDS of Alabama (for himself, Mr. RUPPE, Mr. BURKE of Massachusetts, Mr. FLOWERS, Mr. HALPERN, Mr. HARRINGTON, Mrs. HICKS of Massachusetts, Mr. MATSUNAGA, Mr. MONTGOMERY, Mr. NICHOLS, and Mr. STEIGER of Wisconsin):

H.R. 8980. A bill to provide reimbursement for losses incurred by commercial fishermen, as well as allied sport fishing camps, as a result of restrictions imposed by a State or the Federal Government; to the Committee on Merchant Marine and Fisheries.

By Mr. FISHER:

H.R. 8981. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. GUBSER (for himself and Mr. EDWARDS of California):

H.R. 8982. A bill to amend section 344(c) of the Immigration and Nationality Act to permit certain naturalization courts to retain additional naturalization fees; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 8983. A bill to amend title 5, United States Code, with respect to overtime pay for travel time of Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KOCH:

H.R. 8984. A bill to amend the National Environmental Policy Act of 1969; to the Committee on Merchant Marine and Fisheries.

By Mr. KOCH (for himself, Mr. CLARK, and Mr. HALPERN):

H.R. 8985. A bill to provide for the treatment of members of the Armed Forces who are narcotics addicts; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mr. CLARK, Mr. MIKVA, Mr. HALPERN, and Mr. ROE):

H.R. 8986. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the development and operation of treatment programs for certain drug abusers who are confined to or released from

correctional institutions and facilities; to the Committee on the Judiciary.

By Mr. KOCH (for himself, Mr. CLARK, Mr. MIKVA, and Mr. ROE):

H.R. 8987. A bill to amend the Social Security Act to provide that Federal welfare payments may be made with respect to an individual who qualifies therefor on the basis of drug-caused disability or incapacity only if such individual is undergoing appropriate treatment; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 8988. A bill to change the name of the Nebraska National Forest to the Samuel R. McKelvie National Forest; to the Committee on Agriculture.

By Mr. MONAGAN (for himself and Mr. MACDONALD of Massachusetts):

H.R. 8989. A bill to establish drug abuse control organizations in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. PRICE of Texas (for himself, Mr. ASPIN, Mr. BURLESON of Texas, Mr. CAMP, Mr. DOWDY, Mr. FISHER, Mr. MCCORMACK, Mr. MELCHER, Mr. QUIE, Mr. ROY, Mr. SEBELIUS, Mr. SHRIVER, and Mr. WINN):

H.R. 8990. A bill to amend part II of the Interstate Commerce Act to eliminate the authority to prescribe driver qualifications with respect to certain motor vehicles engaged in farm operations; to the Committee on Interstate and Foreign Commerce.

By Mr. REES:

H.R. 8991. A bill to amend the Tariff Act of 1930 with respect to the licensing of customs brokers; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 8992. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 8993. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8994. A bill to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States, Canada, and Mexico at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.J. Res. 690. Joint resolution designating the American rose as the national floral emblem of the United States; to the Committee on the Judiciary.

By Mr. FAUNTROY:

H.J. Res. 691. Joint resolution establishing the birthplace of the Reverend Dr. Martin Luther King, Jr., in Atlanta, Ga., as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. MARTIN:

H.J. Res. 692. Joint resolution: Stable purchasing power resolution of 1971; to the Committee on Government Operations.

By Mr. STEELE (for himself, Mr. ANDERSON of Illinois, Mr. BOLAND, Mr. BRASCO, Mr. BRINKLEY, Mr. FRENZEL, Mr. HALPERN, Mr. JOHNSON of Pennsylvania, Mr. MCCORMACK, Mr. MIKVA, Mr. PETTIS, Mr. PODELL, Mr. RHODES, Mr. SCHWENGEL, Mr. WARE, and Mr. ZABLOCKI):

H.J. Res. 693. Joint resolution to designate the month of October of each year as Drug Awareness Month; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 694. Joint resolution; Stable Purchasing Power resolution of 1971; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H.R. 8995. A bill for the relief of Jaime Fuente and his wife, Blanca Bagana Fuente; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 8996. A bill for the relief of Marjorie M. Routt; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.R. 8997. A bill for the relief of Dr. Gernot M. R. Winkler; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 8998. A bill for the relief of Moin Iqbal; to the Committee on the Judiciary.

H.R. 8999. A bill for the relief of Jagdish Kapoor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

80. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to a postage stamp commemorating Abraham Lincoln; to the Committee on Post Office and Civil Service.

SENATE—*Tuesday, June 8, 1971*

The Senate met at 9 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, our Father, who hast brought us to the beginning of a new day, enable us so to live that we may bring help to others, credit to ourselves, and honor to Thy holy name. Though the day be long and wearisome, the hours tedious and fatiguing, grant that we may be cheerful when things go wrong, persevering when things are difficult, serene when things are irritating. Grant that nothing may take away our joy, ruffle our peace, or make us bitter towards any man.

Work in and through us the plan Thou hast for this Nation. Be with our fellow workmen, the President, all who are in the executive, the judicial, the diplomatic and military services. Grant that all through this day, all with whom we work, and all whom we meet may find in us the reflection of the Master of Life, in whose name we pray. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 8, 1971.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 7, 1971, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE TOMORROW, THURSDAY, AND FRIDAY OF THIS WEEK

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Wednesday, Thursday, and Friday of this week, at the close of the period for the transaction of routine morning business each day, the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the executive calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nomination on the executive calendar will be stated.

CIVIL SERVICE COMMISSION

The legislative clerk read the nomination of Jayne Baker Spain, of Ohio, to be Civil Service Commissioner for the term of 6 years expiring March 1, 1977.

The ACTING PRESIDENT pro