

resumed, with a time limitation thereon of 40 minutes. A vote will occur on the bill at no later than 5 p.m. on Monday.

I now yield to the able Senator from Indiana.

Mr. BAYH. Mr. President, I would like to ask my good friend from West Virginia if it would be possible for the Senator from Indiana to have his name added to the pecking order the Senator has just stated, to call up an amendment which he has just introduced, with a 20-minute time limitation thereon.

Mr. ROBERT C. BYRD. Mr. President, the distinguished Senator from Arizona, one of the managers of the bill, may wish to speak to this request.

Mr. FANNIN. Is the Senator just requesting that his name be added as a cosponsor?

Mr. ROBERT C. BYRD. No, the Senator from Indiana is requesting that on Monday he be permitted to call up an amendment following the antitrust amendment, and that there be a time limitation thereon of 20 minutes.

Mr. FANNIN. If that is possible, we will certainly attempt to accommodate the distinguished Senator from Indiana. As the distinguished assistant majority leader knows, we do have a number of

amendments, with the time for the vote set. So as far as the time is concerned, I do not want to speak on that, but the Senator may certainly call up an amendment as far as the Senator from Arizona is concerned.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, on disposition of the antitrust amendment on Monday next, the distinguished Senator from Indiana (Mr. BAYH) be recognized to call up an amendment, which he has just discussed with the manager of the bill on the other side of the aisle, the Senator from Arizona (Mr. FANNIN), and that there be a time limitation thereon of 10 minutes, to be equally divided in accordance with the usual form.

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

Mr. ROBERT C. BYRD. Mr. President, in summation, there will be several yeas-and-nays votes on Monday. The Senate will complete action on the energy bill on Monday.

On Tuesday, the distinguished majority leader has already indicated that the military construction appropriation bill will be called up. Undoubtedly there will be a yeas-and-nays vote on the passage of that bill, with rollcall votes occurring on amendments thereto.

Conference reports, being privileged matters, may be called up at any time. Other measures on the calendar cleared for action may also be called up, and votes could occur thereon.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT TO 9 A.M. ON MONDAY

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 a.m. on Monday next.

The motion was agreed to, and, at 5:05 p.m., the Senate adjourned until Monday, November 19, 1973, at 9 a.m.

EXTENSIONS OF REMARKS

MOUNTAIN HOME POLICE COOPERATE

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, November 16, 1973

Mr. CHURCH. Mr. President, although we had known that we were facing an energy shortage this winter, we had little advance warning that events would make that shortage as severe as what we now face.

As Americans, we have had to look hastily toward emergency measures which conserve energy and might, in turn, help us through the winter. This Nation has seen other shortages and other crises. It is clear that America is again ready to meet the challenge—individually and collectively—of the energy crisis.

I know, through my mail and through phone calls and telegrams to my office, that the citizens of Idaho are willing to do our share in the conservation of scarce energy supplies.

While we in Congress are working on programs to reduce the Nation's energy demand, I think it is fitting to note that many Americans have already taken steps to conserve available supplies.

Mr. President, I recently received a letter from Mr. Nelson H. Olds, Jr., chief of police at Mountain Home, Idaho. In his letter, Chief Olds described a directive issued to all members of the Mountain Home Police Department which is aimed at meeting the energy challenge. That directive graphically illustrates what can be done by individuals and small groups to help conserve energy. The directive also addresses itself to the im-

portance of smaller groups in our total energy conservation plan.

Mr. President, I ask unanimous consent that Chief Olds' letter and a copy of his directive be inserted in the Extensions of Remarks.

There being no objection, the letter and directive were ordered to be printed in the RECORD, as follows:

MOUNTAIN HOME, IDAHO,
November 8, 1973.

FRANK CHURCH,
Senate Office Building,
Washington, D.C.

SIR: Enclosed is a copy of the directive issued in this Department in compliance with the energy cutback, requested by the President in his address to the Nation of November 7, 1973.

Although, as stated in the directive, we are but a small part of this Nation, we believe every little bit helps.

In support of the request we wish to take this opportunity to request your legislative support.

Very truly yours,

NELSON H. OLDS, JR.
Chief of Police.

MOUNTAIN HOME, IDAHO,
November 8, 1973.

To All Police Personnel.

From Chief of Police.

Re Cut back in energy.

Beginning today the Police Department will honor President Nixon's request for the reduction in the use of electric lights—heat and a reduction in speed in the use of city vehicles.

It is ordered that all areas not being used will have the lights turned off except for a minimum of lighting for travel throughout the building. All external doors are to be kept closed. When coming into and from the building the front main entrance or rear entrance will be used. No further travel will be permitted through the garage overhead door except in cases of transporting prisoners or vehicle maintenance.

When the need arises for a city vehicle to leave the city on approved transportation, the speed will not exceed fifty (50) miles per hour, other than in the cases of emergencies.

We are but a small part of this Nation, however we shall do our part. Your cooperation is necessary and greatly appreciated.

FUEL CONSERVATION POLICY

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. ASPIN. Mr. Speaker, as everyone is aware, all Americans have been asked to do their share to help alleviate our current energy crisis. A high school in my congressional district, Union High School, enacted their own fuel conservation policy even before the President requested the Nation to join in this effort. I think that they have drawn up a very practical and easily implemented plan. I would like to share this plan with my colleagues in the hope that it may serve as a model for schools all over the country:

FUEL CONSERVATION POLICY

Every responsible authority indicates that the shortage of heating oil during the 1973-74 heating season will reach crisis proportions. In order that available supplies of fuel may be conserved to provide adequate heat to fulfill the primary function of the school, the Union High School Board of Education considers the following steps essential:

(a) Immediately:

1. Reduce the average temperature in the building by 4°.

2. Eliminate as much nonschool and non-essential use of the building during the evening and weekend periods as possible.

3. Maintain and keep clean to the greatest

extent possible the heating and ventilating equipment.

4. Close and seal, wherever possible, windows, doors, ventilators, etc. which may be a source either of cold air entry or heat loss.

5. Have Johnson Control service and repair heat control units to assure maximum efficiency.

(b) Beginning January 1, 1974:

1. Reduce night and weekend temperatures by 5° to 8° when not being used for scheduled school activities.

2. Eliminate all nonschool and nonessential use of the building after 4:00 P.M. each school day.

3. Eliminate all nonschool and nonessential use of the building on weekends and during vacation periods. Use of the building may be permitted to nonschool groups during these times if they are willing to use it at the reduced temperatures prevailing.

4. Keep outside doors and windows closed as much as possible.

(c) Additional steps as may be dictated by the fuel supply situation:

1. Eliminate all use of the building after 6:00 P.M.

2. Eliminate all after school use of the building.

MAKE 911 NATIONAL EMERGENCY TELEPHONE NUMBER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, many of us under one form of duress or another have tried to dial a telephone number only to find that our fingers or our memory would not cooperate.

This affliction although momentary can be of critical importance if we are trying to summon a doctor or the police because of an emergency.

I have yet to find a convincing argument against making the No. 911 an emergency telephone number, throughout the Nation.

Many communities now use 911 as a central number for police, fire, and hospital calls.

It has the convenience of being only three digits instead of seven, easily remembered, and in the case of a blind person, easily dialed because of the digital placement on the dialing mechanism.

One of the very first bills I introduced this session was H.R. 1308, a bill to make 911 the central emergency dialing number for the entire country.

KDKA-TV in Pittsburgh recently editorialized about the virtue of creating such a system. I include that editorial in the RECORD at this time for the information of my colleagues.

The editorial follows:

BROADCAST

For many years agencies concerned with public safety in this country have seen the need for one single, common emergency phone number. Slightly over five years ago, local phone companies suggested that one, easy-to-remember number could be established throughout the country. All emergency calls for police, fire or ambulance service, it was then decided, would be reached by dialing nine-one-one.

Nine-one-one has been adopted in many regions of the nation. About one-eighth of our total population is now being served by

this emergency number. In Pittsburgh, we are not.

London, England, one of the world's largest cities has had such a three digit number for many, many years. It has worked very well. In this country, cities like New York, Boston and Washington, D.C., have adopted nine-one-one as their emergency number—and it has saved lives. The California state legislature has passed a law which requires all telephones in that state to be served with the emergency number by 1982.

The Allegheny County Commissioners have unanimously agreed to investigate the practicality of using nine-one-one here. It sometimes seems to take an incredibly long time in Pittsburgh to study things and get moving. We hope this will not be the case in this instance. Many people do not know it, but Tarentum, in the north-east corner of the county, and eight adjoining communities as well, already have the nine-one-one system. Butler to the north, is also using it.

We recognize that there may be equipment and cost problems, but the phone company assures us that these can be solved. The only major problem that may be time consuming is cooperation, getting the more than 100 separate municipalities in this area to work together. This should not be a problem; and it won't be if the public—meaning you—really sees the need for such an emergency number—and requests local officials to adopt nine-one-one.

JAMES J. ROWLEY RETIRES AFTER 35 YEARS OF SERVICE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. CONTE. Mr. Speaker, throughout my 15 years as a Member of Congress, I have met many capable and hard-working Federal officials. It is rare good fortune, however, when the Government secures the remarkable talents and outstanding ability of a man of as high a caliber as James J. Rowley, who has recently retired as Director of the U.S. Secret Service.

Jim Rowley, who carried his star-shaped badge for more than 35 years, possessed a matchless capacity for dynamic and creative leadership. He demonstrated a unique combination of professional excellence, selfless dedication, and overwhelming competence. His grasp of the complexities of the difficult tasks which confront and challenge the Secret Service on a daily basis was all-inclusive. His departure from Federal services leaves a void which will be hard to fill.

Jim joined the Secret Service in 1938, after serving as a special agent in the FBI for a year. After serving a year in the New York office, his skill and good judgment earned him a transfer to the most prestigious and most crucial duty performed by the Secret Service—the protection of the President.

Throughout World War II, Jim Rowley's responsibilities included not only the protection of President Roosevelt during his numerous trips in this country, but also involved the painstaking security precautions necessary for the President's trips to Casablanca, Tunis, Cairo, Tehran, and Yalta. These trips,

which were necessary for the safety of the world, were also fraught with danger for the President, whose life it was Jim Rowley's duty to protect.

Having fulfilled these responsibilities with such distinction for 8 years, Jim Rowley was named special agent in charge of the protection of the President in 1947. Under President Truman, Jim was in charge of the advance detail which made arrangements for the President's Potsdam Conference. He was also responsible for the President's life that day in 1950 when an assassination attempt was made at Blair House by a small group of Puerto Rican nationalists. In addition, Jim accompanied Dwight Eisenhower on his trip to Korea.

On September 1, 1961, Jim Rowley was named by President Kennedy to be Director of the Secret Service. Following the death of the President 2 years later, Jim initiated an extensive reorganization program and greatly expanded the role of the Secret Service. Now, in addition to protecting the President, Vice President, and their families, the Secret Service also protects foreign dignitaries and Presidential candidates as well as continuing to seek out counterfeiters of currency and forgers of Government securities. As Director, Jim was instrumental in the creation of a consolidated Federal Law Enforcement Training Center, and he established the Executive Protective Service.

In 1963, Jim was recognized by the National Civil Service League as the Outstanding Federal Government Employee, and in 1968, he received both the U.S. Treasury Exceptional Service Award and the Presidential Distinguished Federal Civilian Service Award. This recognition was greatly deserved.

In my years on the Treasury and Post Office Appropriations Subcommittee, I was privileged to work closely with Jim Rowley.

It is with deep regret that I see Jim Rowley step down as Director of the Secret Service. It was a post which he filled under six Presidents with distinction and honor. I wish him the best of luck as he leaves the service of our Government.

HOUSE RESOLUTION 11459

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. NIX. Mr. Speaker, I wish to have the RECORD show that I would not make a statement on the above-mentioned legislation in view of the statement that the Honorable ROBERT SIKES made during the debate. That statement in essence, assured the members of the Philadelphia delegation that he would recommend that a new look be given to the proposal to remove the installation from Philadelphia to Albany, Ga.

Because of my reliance on that statement, I refrained from making any remarks on that statement:

HOUSE OF REPRESENTATIVES,

Washington, D.C., November 15, 1973.

Re Hon. Barrett's amendment to H.R. 11459.

HON. ROBERT F. L. SIKES,

Chairman, Subcommittee on Military Construction, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, I supported and voted for the above mentioned Amendment offered by my colleague and friend Bill Barrett.

I would have taken the Floor in support of this Amendment but refrained from doing so after listening to your statement in answer to the initial presentation by Congressman Barrett in which you stated, among other things, that your Committee would take another look at the facts and figures offered in support of the proposed removal of the installation from Philadelphia to Albany, Georgia.

I have checked the CONGRESSIONAL RECORD and I find that the language to which I refer has been deleted, but I am confident that you will remember the statement referred to.

It would be very much appreciated if you would set a time and place so that Congressman Barrett and the other area Congressmen may have an opportunity to sit down and talk this matter over.

On this occasion, I will be particularly anxious to furnish actual proof that will controvert the assertions made by the Army.

Cordially yours,

ROBERT N. C. NIX,
Member of Congress.

U.S.S. "TICONDEROGA"

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

MR. BOB WILSON. Mr. Speaker, tomorrow the U.S.S. *Ticonderoga*, the anti-submarine warfare aircraft carrier, will be decommissioned in San Diego ending nearly 30 years of dedicated service. Her years of duty to America ranged from distinguished action in the Pacific theater of World War II to the recovery of Apollo 17 astronauts last December. Thousands of Americans have valiantly served aboard this proud aircraft carrier throughout her years and today I ask that all of us take a moment to recognize their service to country in this final tribute to a great ship.

Commanded by Capt. George W. Bruce, who began his naval career in San Diego in 1952, the *Ticonderoga* has carried on the finest traditions of the U.S. Navy. Its name is a richly historical one and I include the following history of *Ticonderoga* in the RECORD, which I know our colleagues will find of interest:

HISTORY OF TICONDEROGA

The name *Ticonderoga* is richly steeped in American history. Long before the American Revolutionary War, French and English pioneers penetrated the wilderness of what is now upper New York State. They discovered an excellent portage between Lake George and Lake Champlain. Iroquois Indians had named the spot *Ticonderoga*, which means "place where the lake shuts itself." French forces in 1757 built a fort there because it offered an ideal strategic spot from which to control the surrounding waterways. They called it Carillon.

In 1759, the British captured the fort from the French and renamed it *Ticonderoga*. In 1775, during the Revolutionary War, Ethan Allen, Benedict Arnold and 83 Green Mountain Boys surprised the defending British garrison and captured Fort *Ticonderoga* in

the name of the "Great Jehova and the Continental Congress." The guns, ammunition and heavy cannon which they captured assisted the American Army at the siege of Boston.

The first American ship to be named *Ticonderoga* was a 120-foot schooner built in 1814. Purchased for \$12,000 by the Navy for the War of 1812, the vessel participated in the Battle of Lake Champlain on September 11, 1814. With her guns and 100 officers and men she aided in the defeat of the British Sloop *Finch*.

The second *Ticonderoga* was a barkentine-rigged steam-powered sloop-of-war. She was commissioned on May 12, 1863 and served the Union during and after the war. Her contributions included the protection of commerce in the Caribbean Sea, the bombardment of Fort Fisher in North Carolina, and the protection of American fishing rights off the New England coast. After the war, *Ticonderoga* became the first American steam-powered warship to circumnavigate the globe. The voyage lasted from December 1878 to August 1881. Afterwards she was decommissioned and sold. The second *Ticonderoga* was 237 feet long and was armed with 14 various sized guns.

The third American ship to be named after the fort was the interned German freighter *SS Camilla Rickmers*. She was outfitted, manned by a Navy crew, renamed *Ticonderoga*, and on January 5, 1918, was commissioned. She was used in convoys running supplies to France for World War I troops. On her fourth crossing she was attacked by the German Submarine U-152. She finally succumbed to shelling and torpedoing on September 30, 1918. Only 16 persons survived. She was 401 feet long and had two medium sized guns for protection.

The aircraft carrier is the most recent in the *Ticonderoga* line. She was the tenth *Essex* Class Carrier built. Her keel was laid February 1, 1943, in Newport News, Va., and she was first commissioned on May 8, 1944.

Ticonderoga steamed into the Pacific Theater of World War II and for three months was highly active in the destruction of Japanese ships and airfields in and around the Philippines. Then on January 21, 1945, in the South China Sea, while enroute to attack Formosa, *Ticonderoga* was attacked without warning by a suicide plane that dove out of the sun and clouds. The kamikaze crashed into the ship's flight deck aft of her Number 1 elevator and the bomb it carried went off just above the hangar deck, setting fire to many planes as well as killing and wounding about 100 men. Though many were trapped and seriously burned in the galley deck spaces, all the pilots were safely evacuated without casualties.

Ticonderoga flaming and with smoke rising hundreds of feet high, was apparently considered an easy target as suicide planes attacked in succession. Three were downed by the carrier's gunners, but despite their defense, a second kamikaze, hit many times in the air, struck the carrier on the side of the island structure starting several fires. The second plane's bomb exploded just inboard of the island, fired planes, ripped holes in the flight deck and killed or wounded some 100 men. Captain Dixie Kiefer, though wounded, remained on the bridge until he was sure all injured men had been cared for. He would not be evacuated to sickbay until twelve hours after the attack.

After two months of extensive repairs, *Ticonderoga* was back in action for the remaining five months of the war. She was kept busy attacking Japanese held islands, supporting Allied forces ashore, and destroying enemy shipping.

The fighting "T" ended her Pacific campaigning in World War II with an outstanding array of awards. She received five Battle Stars for the Western Caroline Islands, Leyte, Luzon and Okinawa operations, and for the Third Fleet Operations against Japan.

In addition, she won the Navy Occupation Medal (Asia) and the Philippine Republic Presidential Unit Badge.

For five months after the war, *Ticonderoga* was one of the ships used to return veterans to the United States from Pacific battle-grounds as part of the transportation service known as the "Magic Carpet" Operation.

In January 1947, she was placed in the Bremerton Group of Inactive Reserve Ships. Brought out of the reserve in 1952, *Ticonderoga* was placed in reduced commission for conversion that included steam driven catapults to launch modern jet aircraft, a nylon barricade, a deck edge elevator, a streamline island, and the latest in electronic and fire control equipment.

After two years in the yards, *Ticonderoga* was recommissioned in 1954, and then participated in fleet exercises along the East Coast and in the Mediterranean. She returned from the Mediterranean in August 1956, and entered the Norfolk Naval Shipyard for conversion that included installation of an angled deck and enclosed hurricane bow. After her yard work was completed, *Ticonderoga* again headed for the Pacific.

During five peace-time cruises to the Far East the ship earned the Battle Efficiency "E" for 1960, 1961, and 1962. She also received Efficiency Awards for her outstanding performance in the Communications, Operations, Weapons and Engineering Departments.

In August 1964, during her sixth Far East deployment, *Ticonderoga* sent air support to the USS *Maddox* and the USS *C. Turner Joy* which were under attack by North Vietnamese torpedo boats in the Gulf of Tonkin. Shortly afterwards, *Ticonderoga* began the first strikes against bases in North Vietnam. For fast action support of the *Maddox* and *C. Turner Joy*, *Ticonderoga* received the Navy Unit Commendation.

Ticonderoga finished her 1964 deployment and returned to San Francisco Naval Shipyard for repairs. In September 1965, she sailed for combat operations in the Tonkin Gulf. During five at-sea periods on the line in six months, she did not miss one day of scheduled operations. Her aircraft destroyed or severely damaged more than 2,000 military and logistic structures and 35 major bridges. She returned from the Western Pacific in May 1966.

Ticonderoga's next deployment lasted from October 1966 to May 1967. She won a second Navy Unit Commendation for the high performance of her crew under combat conditions. During four combat periods on the line in six months her pilots destroyed 1,300 strategic military targets in North Vietnam. These included major attacks on the Hai-phong thermal-power and cement plants. After she returned to San Diego, she received orders to Bremerton, Washington for yard work. *Ticonderoga* embarked hundreds of members of the crew's families for the "Tico Trek," a three-day trip to Bremerton.

When the yard work and refresher training were completed, *Ticonderoga* again deployed to the Far East in December 1967. During this deployment *Ticonderoga* and the embarked Carrier Air Wing achieved a number of firsts. She made more than 16,500 launches with her catapults in 120 days of action. This is a record for *Ticonderoga* performances. On two days she launched more than 170 aircraft with a record of 175. Once she hurled 20 A-4 attack jets from her deck in under eight minutes. This averages six seconds per shot faster than what is considered outstanding. Commander Samuel Chessman became the holder of the record of the most combat strikes flown over North Vietnam when he flew his 30th. Lieutenant Commander John Nichols became the first and only *Ticonderoga* pilot to shoot down an enemy MIG fighter plane.

Pilots of the Air Wing dropped 9,600 tons of ordnance which topped the previous deployment by 300 tons. The bombs destroyed

or damaged 119 bridges, 118 truck parks, 424 barges, 28 radar sites, and many other targets. For this fourth combat mission to Vietnam, *Ticonderoga* was awarded a third Naval Unit Commendation.

On August 17, 1968 *Ticonderoga* returned to her homeport of San Diego. One week later she sailed for Long Beach, California for two months of repairs and refurbishing before returning to San Diego for refresher training.

On February 1, 1969, *Ticonderoga* left San Diego for her tenth Western Pacific deployment. In early March her Air Wing pilots began flying strikes in support of friendly forces in the Republic of Vietnam. Prior to starting her third line period on Yankee Station the ship celebrated her 25th year with the fleet on May 8th while in Subic Bay, Republic of the Philippines. Upon her return to the U.S., the Secretary of the Navy awarded the veteran the Meritorious Unit Commendation.

In mid-October, the carrier shifted her homeport from San Diego to Long Beach. At the same time, *Ticonderoga* was designated an Anti-Submarine Warfare Support (ASW) carrier. Upon arrival in Long Beach she entered the Naval Shipyard there and began an eight-month yard period for regular overhaul and physical conversion to an ASW carrier.

On April 1, 1970 it was announced by the CNO that *Ticonderoga* would shift her homeport from Long Beach to San Diego in July 1970. After changing homeports in July, *Ticonderoga* began underway training in preparation for still another proposed WEST-PAC cruise for 1971. In January, *Ticonderoga* deployed for one month to Hawaii to participate in a Pacific training exercise.

In March 1971, she began a four-month deployment which would take her to the Indian Ocean, Tonkin Gulf, Philippine Sea and Sea of Japan to test anti-submarine warfare equipment and techniques. In the Sea of Japan, she participated in anti-submarine exercises with the Japanese Maritime Self Defense Force, then returned to San Diego in early July.

Ticonderoga then resumed training exercises in the Eastern and mid-Pacific areas which included a major ASW exercise with Canadian, Australian and New Zealand naval units in the Hawaiian area. This exercise was called RIMPAC 71.

On March 23, 1972 *Ticonderoga* sailed for the South Pacific as the Prime Recovery Ship for the Apollo 16 Lunar Landing Mission. Weeks of intensive preparation resulted in one of the most accurate and quickest recoveries in the history of the space program. On April 27, Astronaut John W. Young, Thomas K. Mattingly and Charles M. Duke, Jr. were brought safely aboard *Ticonderoga* after their historic 11 day journey to the moon.

Ticonderoga arrived back in San Diego on May 5. Twelve days later she was departing for another cruise—this time to the Western Pacific for anti-submarine warfare support operations in Southeast Asia. During her overseas deployment *Ticonderoga* made brief stops at Hawaii and Guam before visiting Subic Bay in the Philippines, Sasebo and Yokosuka, Japan.

On July 31, *Ticonderoga* pulled into San Diego harbor from her 2½ month WestPac deployment. One month later *Ticonderoga* again headed west for a unique trip to Hawaii. Exercise RIMPAC 72, an international anti-submarine warfare exercise with the Navies of Australia, Canada and New Zealand was conducted during September.

The cruise was unique in that guests of the ship's crew were allowed to make the journey to Hawaii. Fifty-five guests were instructed in shipboard routine and drills, and witnessed air operations, gunnery and replenishment evolutions.

Ticonderoga returned to her homeport on September 26th to spend a month in preparation for another ASW exercise, UPTIDE IIIB, and the recovery of the Apollo 17 Astronauts in December.

UPTIDE IIIB, a ten day ASW exercise with units of the Pacific Fleet was held in Southern California waters from October 30–November 8. On 24 November, *Ticonderoga* sailed for Hawaii and then the American Samoan recovery area of the Apollo 17 Lunar Mission. On December 19th, she added another page to her long history by recovering Astronauts Eugene V. Cernan, Ronald E. Evans, and Harrison H. Schmitt, Americans final scheduled mission to the moon.

The first three months of 1973 again found *TICO* providing the needed deck time for carrier qualifications. During the ten day at sea periods each month, *TICO* logged 3,985 arrested landings, while working with 397 pilots from over 23 squadrons with eight different types of aircraft. In March it was announced *Ticonderoga* had won the Battle "E" for the first time since converting to a CVS in 1969.

In early January 1973, the Chief of Naval Operations announced that *Ticonderoga* would be decommissioned. Before that fateful event however, she was tasked as the first Primary Recovery Ship of America's newest space exploration series . . . SKYLAB . . . which she accomplished by retrieving the SKYLAB II Astronauts Conrad, Kerwin, and Weitz from the Pacific Ocean on 22 June 1973, 750 miles Southwest of San Diego. Upon her return to San Diego on 24 June 1973, she began preparations for decommissioning; a major task with a reduced crew, which is finalized with this ceremony today.

A ship that has known the inflictions of war and the glory of victory is being laid to rest with the dignity and honor which she so justly deserves for her three decades of service. She was born of metal with the efforts and sweat of man but never knew defeat at the hands of man; only at the hands of time and strenuous service.

COMMUNITY MENTAL HEALTH AMENDMENTS OF 1973 INTRODUCED

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. HEINZ. Mr. Speaker, today, with my colleague and distinguished chairman of the House Public Health Subcommittee, Paul Rogers, I am sponsoring legislation to revise and extend a highly successful Federal program—the Community Mental Health Centers Act.

As my colleagues are of course aware, the administration is proposing to terminate the Federal CMHC program, as well as many other health care programs, on the assumption that the Federal Government can no longer afford to foot the bill. Last June the Congress extended the CMHC act for 1 year, along with many other health programs to give us time to examine these programs carefully and determine the best course of action. This bill is a result of a careful look at the CMHC program and I believe when the facts are examined closely my colleagues will agree with me that we cannot afford not to foot the bill for community mental health centers.

The CMHC program has resulted in the establishment of 392 fully operational community mental health centers which provide comprehensive mental health services to a specified geographic area, termed catchment area. Another 48 agen-

cies have received Federal grants under the program, but are not yet operational. Under the original CMHC act, seed money has been made available for a 8-year period to enable centers to get off the ground. Our experience with the program indicates that many centers can become fully self-supporting at the end of this 8-year period, but that many others cannot unless they were to cut back on services to their community.

Community care for the mentally ill has proved highly successful. The population in our large—often dingy and outdated—State mental hospitals has been cut in half since 1957, largely as a result of the Federal program. There is example after example that in an area served by a federally funded center operating for 3 or more years, the number of persons admitted to a State mental hospital is dramatically lower than in other areas. In those areas served by a Federal CMHC treatment is always readily available close to the patient's home. The great majority of CMHC patients can continue to work and be productive members of society while under care. This not only saves the tax payer money; but makes rehabilitation that much easier.

Indeed in proposing the termination of Federal support the administration has stressed the success of community care, and the need to continue community mental health centers. The administration views the CMHC program as a demonstration of the effectiveness and workability of community mental health care, yet now proposes to abandon the roughly 900 catchment areas in the country which have no federally funded CMHC. Administration officials have even called the program "inequitable" because "people served by the federally funded centers receive better care than the rest of the Nation."

At the very same time, however, the administration is proposing that we begin to initiate a system of national health insurance to provide every American with the resources to enable him to receive all necessary health care regardless of cost. Although there are many different proposals in the Congress on how to finance and operate such a system they all share one common problem—they will be highly inflationary if we do not build in assurances that the most economical and effective treatment is available. We are all too familiar with the problems which have arisen in the medicare program, where costs to the Federal Government have escalated, but older Americans still pay about the same percentage of their income for health care as they did prior to enactment of the program. In enacting national health insurance we must learn from this experience. We need a system of care before we invest more private and Federal dollars in health delivery services.

This bill is designed to do two things. First, it would improve the Federal CMHC program by making very specific requirements of all centers, which I will explain in more detail shortly. Second, it is designed specifically to insure that once a system of national health insurance is available, we will have in the mental health area a fully comprehensive system of care with built-in cost

and quality control mechanisms, with a full range of services readily accessible to all which is linked—to the maximum extent possible—with other health and social service agencies in the community, and which offers both active treatment and preventive services. In this way, I believe we can build a cost-efficient mental health care system, which is responsive to our needs and which provides the most effective treatment to all our citizens.

We have examined the operation of the CMHC program very closely. Although the system is, as the administration has stated, workable and effective, there are clearly some areas which need improvement. Some centers have been more innovative than others, some provide far more comprehensive services, some have made great efforts to integrate their program with the existing State mental hospital system and other health care agencies; some have not.

The bill we are introducing today, then, builds upon the experience gained in these centers over the last 10 years or so, to insure that centers funded from now on will be as good as we can make them.

First, the bill defines for the first time in very specific language what a community mental health center should be. It requires a program responsive to the community's needs, a system for peer review, coordination with the State mental hospital system, health maintenance organizations, the courts, the police department and other health and social services agencies and much more.

Second, to agencies which meet the required definitions in the bill short-term Federal operating support—5 years for most centers, and 8 years for centers serving poverty areas—that is initial operation grants, would be available. These grants are seed money, to assist the centers in their first years of operation, before they can generate significant revenue from other sources, particularly third party payments and fees. It is anticipated that many, perhaps most, of these centers could become fully self-supporting even without a system of national health insurance.

Third, Federal financial assistance would be available for acquisition and renovation of facilities. Previously, the law provided funds for construction of facilities, but we believe that most centers could make more use of existing facilities in their area.

Some centers have made a point of acquiring existing buildings in their community—store fronts and other highly visible facilities. This is both far less expensive, and often less forbidding to the patient than a large brand new building. This bill, based on the experience of these centers, requires all centers to acquire existing facilities, rather than build new facilities wherever feasible. In those areas where the Secretary determines there is no alternative, new construction would still be funded under this bill.

Fourth, the bill requires all CMHCs to provide specialized and comprehensive programs for children, the elderly, alcoholics and drug addicts in order to receive any support under the operational

grant program. Under the current law these programs are encouraged through special categorical grants. Once again, some centers have made great efforts to provide such services, but many are falling short in one or more of these areas. This bill could very significantly improve services to these groups and particularly to children and elderly persons, while reducing large amounts of costly red tape.

Fifth, a program of Federal capitation support and matching for fees received for consultation and education programs is included. Each CMHC which has received a Federal operating grant under this bill or staffing grant under the current law would be eligible beginning in the last year of their grant for a capitation payment for consultation and education services. In addition, an incentive grant would provide matching for revenue from consultation and education services which the center is able to generate by selling its C&E services to other agencies in the community. These programs reach into the school systems, the courts, the police departments and other agencies which have contact with members of the public in order to enable agency personnel to identify and better handle mental health problems themselves, and to educate them about the CMHC's services. These are a vital part of the CMHC program, and one which it is hard for the center to finance from non-Federal services.

Sixth, for already existing centers which are unable to continue to provide comprehensive services without Federal assistance, the bill provides for special financial distress grants. We feel that it is imperative to keep these centers operating, and providing all of the services needed by their community, until such time as a system of national health insurance becomes operational. There are a number of existing centers—most in poverty areas—which would not be able to continue were Federal support to be cut off completely. We cannot afford to be so shortsighted as to let this happen. Despite HEW assurances there is simply no evidence to support their contention that States and localities will provide the necessary funding in all the necessary instances.

In conclusion, I want to stress that this bill is not merely a continuation of an existing categorical grant program which has had limited success. The CMHC Act has been amazingly successful. It is encouraging a comprehensive system of care for the mentally ill—an essential first step before we provide national health insurance. It has resulted in highly innovative and very successful programs which, as can be clearly demonstrated, have saved the tax payer money. We simply cannot afford to toss the program aside and turn the clock back more than a decade in the hopes that states and localities will now support the development of CMHCs. The ten percent of our population estimated to be in need of mental health care in any one year deserve better than that. It is my hope that the bill we have introduced today will meet the aspirations of the American people for a responsible approach to public health, and that,

building upon the experience of the past, we can construct a sounder, better managed and superior community mental health program for all Americans.

ANOTHER VIEW ON METRIC CONVERSION

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. HANNA. Mr. Speaker, presently pending before the Rules Committee is a bill dealing with conversion to the metric system of measurement by the United States. Many voices have been raised in opposition to this measure because of the costs seen to be involved in conversion, especially for the laborer.

However, the thrust of the bill is to encourage on a voluntary basis what must ultimately happen if we are to move forcefully into the world market. As our participation in the world marketplace expands, the need for standardization of measurements will become more and more necessary. The early need for such a move on our part should not be underestimated.

Following is an article which appeared in the November/December issue of *Pacific Business* which indicates there are certain immediate economic benefits which may result from conversion that should be considered. I commend the article to my colleagues:

METRIC SYSTEM—MINIMIZING THE COST OF CONVERSION

(By John Nast)

A major problem confronting many American industries as the United States prepares to go metric is how can the cost of the metric conversion be minimized? British experience clearly indicates that more than enough dollars can be saved by taking full advantage of the opportunities of metrication to offset the direct cost of conversion.

The official policy of the British program on cost conversion was to "let costs lie where they fall." A most surprising fact is that most cost studies of company conversion programs demonstrated a significant savings within five to ten years of the changeover. The inherent opportunities of metric conversion were plainly set forth in a paper presented by L. Sumner to the American Ordnance Association, Engineering Data Management Section, May, 1971. Mr. Sumner was then Deputy Director of Standardization for the British Ministry of Defense. He cited examples where application of the principles of standardization and an industrial engineering approach known as Group Technology provided significant increases in productivity. In some cases, the increases were as much as 400 to 500%.

Many British advocate the philosophy that metrication offers the best opportunity since the industrial revolution to review industrial practices and standards and make a fresh start. The disruption caused by changing standards and introducing new products provides an opportunity to streamline procedures and implement cost savings throughout industry.

One area of greatest potential savings is standardization itself. This includes consideration of the application of standardization principles to product design and changes of engineering standards.

PRODUCT DESIGN STANDARDIZATION

Among the fundamental principles of standardization is variety reduction or rationalization. It is also known as the "mini-max" approach to product design, or the minimum number of variations to fulfill the maximum number of applications. The product should be designed and broken down into its elemental components or assemblies such that there is maximum possibility of multiple use of components and assemblies and maximum flexibility in meeting consumer requirements or future requirements.

Modular design, design for multiple applications, design of composite parts, and application of the Renard series of preferred numbers are some of the standardization techniques used by design to reduce the number of parts introduced into new designs.

In one company applying these principles, two series of diaphragm valves were designed with a 60% reduction of parts. Six cores and eleven bodies were used for one line of eleven sizes. By adding four extra bodies, the range of sizes was expanded to include valves able to compete in a totally different market. In a recent program to design new engines to power ships of the British Navy, it was determined that only three sizes of engines were necessary since they could be used in various combinations to power any type of ship in the fleet. Other studies have shown a reduction of 15 to 30% in the number of parts used in a product and a reduction of 40 to 75% in the number of different fasteners.

The effect of these economies is more far reaching than generally understood. A savings in the number of different parts reduces the cost of design, manufacturing planning, tool engineering, setup time, inventory control storage and maintenance. A greater quantity of each part required by multiple use establishes a larger number of parts to write off one-time engineering and tooling costs and often can establish a large enough quantity to justify the use of lower-cost, high production techniques. Fewer purchases of greater quantities of parts also adds to dollar savings.

CHANGE OF ENGINEERING STANDARDS

Metritation not only involves changing inches and pounds to millimeters and kilograms but also includes developing and adopting an entirely new system of engineering standards which should also be internationally-recognized standards. A company must know what standards are involved and what American policy is in regard to their adoption.

The main priority involving metritation on a national level is the revision of all measurement sensitive standards to use metric units. This is being accomplished now by many who are applying the most appropriate of four approaches to their operations. The approaches are: soft conversion (changing inch dimensions to millimeter equivalents or adding millimeter equivalents), adopting ISO (International Organization for Standardization) or IEC (International Electro-technical Commission) standards, modifying ISO or IEC standards (usually by deletion of non-preferred sizes), or generating totally new standards based on the most up-to-date technology.

Many inch-based designs in areas of technology dominated by Great Britain or the United States have been converted to metric units and adopted as international standards. Among these are standards for oil drilling and refining equipment, electronic design and components and automobile tires. Among the metric standards used in the United States are some which have been converted to inch dimensions, such as ball bearings, without many users being aware that they are metric designs. Standards with-

in these categories need only to be redimensioned for use in a Metric America.

One caution has been repeated throughout Great Britain during its metric conversion which American industry would be wise to remember. Avoid changing standards unless the new standard is technologically superior or unless it offers significant improvements in international acceptance and is at least technologically equivalent. This has been illustrated by the threaded-fastener controversy. The ISO Metric Thread is considered inferior by many to the Unified Inch Thread which is also an ISO standard. So rather than adopt an inferior standard, the Industrial Fastener Institute developed an Optimum Metric Thread.

U.S. PARTICIPATION ESSENTIAL

For some time, some industrialists in the United States have felt that the ISO and IEC do not reflect American practices. This feeling exists mainly because American industry has complacently ignored the need to take part in international standardization because of a superior attitude resulting from American domination of world trade. Recent losses in export markets, however, suggest that this domination is no longer true. Mr. Olle Sturen, Secretary General of ISO and several staff engineers of IEC have stated that American participation in the metric conversion is not only desired but essential to facilitating world trade.

FUEL/ENERGY CRISIS: THE IMPORTANCE OF THE NATION'S INLAND WATER TRANSPORT INDUSTRY

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mrs. SULLIVAN. Mr. Speaker, as chairman of the Merchant Marine and Fisheries Committee, I feel it is incumbent upon me to speak out on one aspect of the Nation's energy/fuel shortage, which I believe unfortunately has been too long ignored in the mounting dialog on this subject. We hear almost daily of the impact of the impending fuel shortages on various segments of the economy and various transportation modes. I believe, however, not enough has been said concerning the all-important role played in the fuel/energy crisis by our vital and growing inland water transport industry, which serves essentially the great heartland of the Nation, the Midwest.

Last winter inland water carrier companies operating in the Midwest began to experience ever increasing difficulties in securing adequate supplies of fuel. Principally they used No. 2 fuel oil; this is the very same middle distillate that is used to heat homes and is used by other vital public service institutions. As early as the spring of this year, water carrier industry spokesmen were urging the administration, and the Congress, to take more forceful action in this area. They contended that good public policy required that the decisionmaking in the important area of allocation not be left to the whims of the individual oil company suppliers, but the Government should play an appropriate role in the protection of the public interest. Con-

sistently, the inland water carriers urged a course of action which could have established a priority system or an allocation of production program for the various petroleum fuels.

As we begin the winter season this year, the situation has worsened considerably; prices for fuel have gone up weekly and suppliers, responding to the Government's belated action taken just 2 weeks ago, have advised carriers that they will now be limited to 60 to 70 percent of the supplies of fuel they received in calendar year 1972.

Little or no provision has been made for fuel oil users who were not in business in 1972. Additionally, there is a totally inadequate and highly questionable formula for those users who have new equipment to operate. This weak feature of the administration's program will work a particular hardship on the inland water carriers since they have experienced and are continuing to experience massive growth. New and important towing companies have been formed since 1972 and highly valued old line firms are monthly adding new and more efficient equipment. As an example, both the Valley Line Co. and Federal Barge Lines, Inc., of my city of St. Louis, will shortly add to their existing fleet brand new 10,000-horsepower towing vessels. There is absolutely no adequate provision in the administration's announced program for providing fuel for this valued new and more efficient equipment.

The shortages that occurred last year caused tie-ups in several of our major inland port cities and on the waterways vital to such important manufacturing centers as St. Louis, Chicago, Pittsburgh, and Detroit. It must be remembered that these towns are providing energy resources and their stoppage or delay in route further contributes to the shortages felt throughout all affected segments of the economy. Petroleum and its various derivatives, as well as coal, rank 1 and 3 respectively among the most significant bulk cargoes moved by water transport on the inland waterway system. Any curtailments in the full flow of these commodities result in a multiplier-like effect which can not only impair basic manufacturing and electric power generation, but also other essential modes of transportation which serve the Nation's needs. Thus, the availability of fuel to power vessels of our vital inland water transport industry is of paramount importance to the entire national transportation picture.

The water transportation industry presently carries some 16 percent of the Nation's freight expressed in terms of ton miles of cargo transported. It performs this feat at a cost of less than 2 percent of the Nation's freight bill. For this reason alone, it would appear imperative to maintain water transportation at its maximum output to sustain a healthy economy. Examination of the fuel usage of all transportation shows that the energy crisis will be magnified and intensified if water transportation suffers any loss of fuel needed to perform its task.

A recent study by the Rand Corp. clearly shows that water transportation

is the most efficient method for moving freight when conservation of energy is the prime consideration. The study shows that water transportation utilizes only two-thirds as much energy per ton mile as the next most efficient means, rail transportation. The following energy expenditures per ton mile are revealed: Water—500 Btu's; rail—750 Btu's; pipeline—1,850 Btu's; truck—2,400 Btu's; and air—6,300 Btu's.

About 96 percent of all transportation energy comes from petroleum products which are in critically short supply. If we apply the above figures to the Nation's freight movements, the importance of the water segment becomes apparent.

INTERCITY U.S. FREIGHT MOVEMENTS

	Per- cent of total freight moved	Ton miles, billions	Ton miles, per gallon	Gal- lons ¹ of fuel used, billions	Percent of total fuel
Water.....	15.9	302	274	1.10	6.07
Rail.....	41.0	780	183	4.26	23.48
Pipeline.....	21.6	411	74	5.55	30.60
Truck.....	21.3	404	57	7.09	39.05
Air.....	.2	3	22	.15	.80
Total.....	100.0	1,900	105	18.15	100.00

¹ Expressed as equivalent gallons of No. 2 diesel fuel.

The above comparisons show that water transportation moves its 16 percent of the Nation's freight while burning only 6 percent of the total fuel supply. The water mode is about three times as frugal in energy use as the rest of the freight transportation group combined. Significantly, it is interesting to note that a water shipment uses only 27 percent of the fuel per ton mile that a pipeline does. Clearly this kind of analysis is vital when considering the energy cost of transportation in the situation facing the Nation. Moreover, recognizing that over 60 percent of all movements on the inland waterway system are directly involved in the production of energy, it becomes even more shortsighted to hamper or restrict the water transport industry's fuel supply.

Of almost equal significance is the relationship of inland water transport's energy efficiency to the quality of our environment. The environmental/energy conservation implications of water transport are most interesting. By burning less fuel per ton mile in areas normally far removed from dense populations, air and noise pollution is virtually eliminated. Since water transportation consumes only one third as much energy per ton-mile as all other transport methods combined, it is logical to assume that it pollutes less. Actually, since most water freight is moved by vessels propelled by large diesel engines with low specific pollution levels, the picture is much better than would be expected and water transportation's emission total is far lower than one-third that of the rest of the transportation industry.

Summing up, Mr. Speaker, our towboats and ships must have the fuel needed to keep this most vital industry operating. The Nation will suffer with higher costs, more air pollution and a

greater fuel shortage if water transportation is curtailed in any way. The message is clearer; if we are to avoid higher transportation costs, greater air pollution and an intensified fuel crunch, the country will have to assure itself that its vessels keep operating. The only way this can be done is with an adequate supply of fuel.

NATION SAFEST WHEN MEDIA ON THE JOB

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, nothing is more disconcerting than to read the few letters which have arrived in my office claiming that all of the President's troubles can be attributed to the Nation's media.

This is a self-serving false accusation embellished by the President's own statements and those of his closest advisers.

Yet many Americans are willing to believe that there would be no Watergate, no ITT or milk dealers gifts, no impondements, "plumbers," and that we would still have Spiro Agnew in the White House if the Nation's electronic and writing news people would only shut up.

Any intelligent individual knows this is not the case and in fact the needs of our democracy are best served by an aggressive news media. It was no accident that the first amendment to the Constitution preserved the right of free speech. The Founding Fathers of our country knew the importance of this basic freedom to speak and write one's will.

In this regard, I would like to put into the RECORD at this time, a column by Henry J. Taylor which recently appeared in the Pittsburgh Press. I am sure my colleagues will agree with Mr. Taylor's sentiments concerning a free press.

The article follows:

WHEN PUBLIC INFORMED, NATION SAFE

(By Henry J. Taylor)

Countless millions agree with President Nixon's press conference criticism of television and the press. Obvious, many in the media are out to get him.

But a truism still applies:

If the media grow weak or soft, or supinely patronize any government in power, the public is imperiled.

Facts affecting the public interest seldom speak for themselves. They must be sought. Let the public know the truth and the country is safe.

The Behistun Rock on the road to Babylon carries an inscription: "The Reign of the Lie." It was inscribed by Darius the Great.

Darius asserted he had destroyed the lie. He hadn't and doing so remains the task of the media today.

But this is not easy. And it is certainly not a question of Democrats or Republicans.

Once the politician's cap fits a man in public office he usually wears it in his special way—never quite free, never entirely open, never quite what you expect him to be.

Most politicians know that, especially through the power of TV, people can hold a fantasy so stubbornly that it becomes a

reality. Many politicians pay more attention to their "image making" than to the realities.

With their intensified manipulation of TV they create their image and contrive the public's favor. Their actual lack of wisdom, substance and integrity hardly emerges.

They grow abstracted into some private world of their own where the end justifies the means and where the word "lie" stops being a lie.

Usually when a politician has something self-serving to say he will telephone newsmen even in the middle of the night—ready and eager to talk.

With this goes the newsman's acceptance of the "leak." It lays some unstated obligation on the reporter. It is, of course, never put in so many words. But there it is just the same.

But if that politician has something to hide the newsmen can't find him with a brace of bloodhounds.

The whole subject inevitably involves—or is made to involve—the right of privacy. And Richard M. Nixon himself had a ringside seat in a U.S. Supreme Court decision regarding it.

Mr. Nixon appeared before the Supreme Court only once. The case (Hills vs. Time, Inc.) dealt with what Justices Louis D. Brandeis and Samuel Warren called in 1890 the individual's "right to be let alone."

Mr. Nixon argued the case with great skill, but he lost the case. It was a benchmark decision.

The Supreme Court extended the power of the press, which absolved Time, Inc., and diminished the right of privacy.

Democracy is difficult to maintain because it requires the active participation—abundantly—of able and selfless public servants, and there are seldom enough for that.

Naturally there is a dark side to the American dream.

Millions despair of the Washington political scene because of the opportunism it entails, the hypocrisy it contains, the nonsense we have to absorb and attempt to decode, the imponderable question of real personalities as against the public "images," the mediocrity of the alternatives offered—the improbability of anything that could honestly be called inspiring coming to pass.

There may be ahead a period of enforced patience while the slow process of revival takes over its part in the transformation. We need a full amount of stoicism to meet today's general decays head-on.

It calls for creative rejuvenation.

But, happily, we can take heart. This has a long, inspiring history of occurring again and again in the United States.

OIL SHORTAGE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. MOAKLEY. Mr. Speaker, I am deeply disturbed by the peculiar route by which this Nation has been brought to the brink of disaster. The energy crisis, for most people, is a rather new thing. There had been little discussion of the problems facing us until this year, yet it is now clear that we have been moving steadily toward this day since the American oil industry decided 10 years ago to stop building refineries in the United States.

The American consumer has been told that he is the principal cause of the energy crisis. The President has told us

so; the oil companies are spending a fortune on an advertising program that tells us so. But the story simply does not wash. The individual consumer is directly responsible for a third of the Nation's energy consumption; even a massive 25 percent reduction in consumer consumption can have only an 8 percent impact on total national consumption.

Now certainly, in a crisis, this opportunity for savings cannot be overlooked, but much more must be done.

In recent days, Congress has taken important steps to deal with the crisis. The Emergency Petroleum Allocation Act of 1973, produced by the Subcommittee on Communications and Power, chaired by my distinguished colleague from Massachusetts, Mr. MACDONALD, is now on the President's desk.

The necessary legislation to enable construction to begin on the Alaskan pipeline is also on the President's desk. And now we are preparing legislation to meet his request for emergency powers to deal with the crisis.

Given that there is an energy crisis, none of the actions we have taken could be considered an inappropriate response, but I think fair questions could be made about the amount of coordination involved and grave questions exist in regards to the wholesale surrender of legislative responsibilities to a President who has failed to demonstrate the wisdom or sense of fairness to use these powers for the good of the Nation.

NATIONAL ENERGY POLICY

In order to control runaway inflation, this Congress gave to the President broad, comprehensive powers to impose economic controls. The President has used this power in a sporadic flurry of "on again-off again" controls which selectively ignored or treated more leniently the three most serious inflationary pressures: food, rents, and interest.

In this period, American industry has reaped record profits while the individual consumer still totters on the edge of bankruptcy.

There are already firm indications that the President will equally abuse the powers we are now considering. It is simply not consistent with the record to assume that allocations will be made until the dog-eared list of contributors to the Finance Committee to Re-Elect the President is carefully reread.

In the best of circumstances, under a President who enjoyed the confidence of Congress and voters alike, a wholesale unchecked transfer of legislative authority to the Executive would be constitutionally unsound. In the present circumstances, it would be a violation of the trust our constituents have placed in us.

This is not an objection to the legislation before us. I accept the energy crisis as an existing fact with which the Congress must deal promptly. And it is necessary in the current situation to afford the President a wide range of powers to implement a national energy policy. But it is Congress which must establish that policy. And this we have not yet done.

In this regard, I will soon introduce legislation to create a Select Committee on Energy Policy which would be charged

with thoroughly investigating the energy needs of this country and recommending to Congress a comprehensive policy. However, I would be pleased to defer this legislation if the Subcommittee on Communications and Power, which has already undertaken some work in this area, wishes to undertake hearings at which the opinions of the administration, the power industry, oil refiners, consumer groups, and environmentalists could be heard.

Regardless of who undertakes the investigation, such hearings could result in a clear statement of national policy which verifies and estimates the extent of the energy crisis and which proposes long-range solutions and interim priorities. Such a statement of policy would give proper balance to serious concerns regarding employment, the environment, and the energy needs of all segments of the society and the economy.

THE OIL INDUSTRY

An area of serious concern is the role this administration and the oil industry itself have played in the onset of this energy crisis. The crisis has been such a bonanza for industry that many of us are inclined to view the entire matter with some cynicism.

This crisis has proven to be the crowbar with which industry is attempting to dislodge a generation of consumer and environmental progress. The long fight for clean air is to be given up. Governor Love has indicated that the administration wishes to relax such long-standing safeguards as conflict of interest and antitrust laws. Oil prices have been allowed to increase without any proof of increasing costs. Suddenly, in a matter of weeks, industry and the oil companies in particular get everything they have clamored for without success for years.

We must face the serious possibility that this situation exists because of manipulation of supplies by the oil companies.

As a representative of hard-pressed New England, I am particularly grateful for recent legislation which will assure Massachusetts of equitable treatment in meeting its proportionally higher energy demands.

The President already has certain powers under the Economic Stabilization Act to allocate fuels and has simply not used those powers. Even new legislation will come to nothing unless Congress is prepared to force the President to act in the Nation's best interests.

Perhaps one of the most important steps we could take would be to provide for an open market system for the supply of crude oil. A group of oil companies have a virtual stranglehold on this Nation's energy supply. Twenty firms control 94 percent of our oil reserves, 86 percent of our refining capacity and 79 percent of all gasoline sales. I recently contacted every service station in my district and learned that, in the Boston area, major firms account for 97 percent of sales.

This control of a single important product through the entire marketing process is unparalleled. This cartel of oil companies controls our oil supply from

the well to your gas tanks and offers unique opportunities for ruthless manipulation of supplies. Many experts have pointed out that we may be dealing with a situation deliberately contrived by the major oil producers.

I am afraid that the only way to open up this market system is to require oil refiners to divest themselves of all oil extraction interests. I am today introducing legislation which requires all refiners to divest themselves of such interest over a 3-year period. This will require refiners to obtain crude oil on a free open market far less subject to manipulation. This is not a harsh law; most manufacturers buy their raw materials on a free market and this has worked to their benefit and the benefit of consumers. This bill will be referred to the Judiciary Committee for their consideration as an antitrust measure.

EMPLOYMENT

Along with other members of the New England Congressional Caucus, I have written to President Nixon asking that he direct the Council of Economic Advisers, the Treasury Department, and the Bureau of Labor Statistics to prepare a comprehensive report on the Nation's industrial energy needs and to submit this report to the Congress for legislative action.

In this trying period we must do all we can to insure that our fragile economy is not further harmed by administration mismanagement. To the extent we are unable to prevent economic dislocations, we must be prepared to offer legislative remedies to economic hardships resulting from the oil shortage.

We are awaiting a reply from the President and I urge other Members of Congress to join us in this request to provide information which will be needed to deal with the legislation that will come before Congress.

INTERNATIONAL TRADE

For many years, while the energy crisis continued to develop, this Nation maintained tight oil import quotas. In response to the danger of shortages, Mr. BURKE of Massachusetts and I introduced legislation to require suspension of oil import quotas. We acted at the opening of this session, but the President did not comply until the situation became critical.

If the President had responded faster, our present situation would be far less critical. But we are continuing to ship petroleum products overseas even while we reduce speed limits and discuss rationing. I am therefore introducing legislation to prohibit the export of petroleum products during the present crisis.

The Arab nations have seriously aggravated the present crisis worldwide by using their supplies as a form of blackmail. In May, I joined with Mr. YOUNG of Alaska in proposing that the President attempt to form an international bargaining conference of oil consuming nations to deal—through a united front—with the block of Arab oil producing nations. The economic survival of the Middle East is dependent on the sale of oil to an even greater extent than we are dependent on their supplies.

Yet this great Nation cowers before

their threats, as though we were in the weaker position, because the President puts more emphasis on détente than he does on heating Boston homes.

FUEL ECONOMIES

The central issue before us now is congressional response to the President's energy message. I think that Congress is going to have to exercise the leadership the President is unwilling or unable to provide.

When the Nation needs leadership on the entire energy question, the President goes on nationwide TV and offers a batch of remedies anyone of us could have sat down at the kitchen table and come up with a year ago. His message communicated none of the bold initiatives that the times demand.

Even while 50-mile-per-hour road signs go up on our Nation's highways, Detroit is continuing to build cars that can't go 10 miles on a gallon of gasoline. No proposal has been made to encourage the building of more economical cars.

TRANSPORTATION

Perhaps the most dramatic area for potential reductions in gasoline consumption is through mass transportation. The automobile is routinely used for travel when public transportation is available. This is true for commuting and for leisure travel.

It is in response to this wastefulness that the administration's record is most dismal. The President would be unable to point to a single important action his administration has taken to encourage Americans to use alternatives to the auto.

I am planning action on several fronts to deal with this problem.

We must stabilize and, in many cases, reduce the cost of mass transit and railroads to encourage rail commutation and intercity travel. We must expand and improve service to encourage people to use mass transportation facilities.

In this regard, we must be prepared to undertake a virtual Marshall plan to salvage public transportation which has been allowed to fall into utter neglect. Our grandparents had a wider choice of trains than we do. This trend must be arrested and reversed. It will be expensive but we cannot afford inaction.

I will also introduce legislation to provide tax incentives to offset additional costs that travelers and commuters incur as a result of leaving their car in the garage to take a train.

And, as a member of the Subcommittee on Urban Mass Transportation, I will support legislation to improve in-city transportation, and to freeze fares on urban mass transit systems and to provide any needed subsidies.

It is possible that all of us in Congress have faced no greater challenge than that now before us. The wisdom and fairness with which we accept that responsibility will pay an important role in determining the quality of the life we make for our children.

ENERGY—WHITHER GOEST US?

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Ms. ABZUG. Mr. Speaker, it now appears that the Congress and the public have begun to accept the idea that the quantities of energy apparently going to be available over the next few years will be insufficient. It will take more than this perception, however, and more than the current flurry of emergency legislation now before us, if we are going to have ecologically sound and inexpensive sources of energy. It will also take more than the present rather limited dialogue, involving little more than the Nixon administration, the oil companies, and certain other vested interests like the Atomic Energy Commission.

Energy is an extremely complex subject spilling across a wide variety of disciplines in the physical, natural and social sciences. It is also an extremely political subject in which many conflicting interests are at stake. Despite these problems both the Congress and the public must address this issue forthwith, for we are rushing toward long term choices which are socially and economically dangerous if not disastrous. Evident at the onset is that we simply do not have enough concrete information. Evident also is that there is only beginning to be serious analysis and articulation of what really constitutes the public interest.

Typical of our present dialog is the current state of our thinking about the future benefits and costs of nuclear energy. The GAO has just come out with a study quietly suggesting a major dilemma we will soon face: "Improvements Needed in The Program for the Protection of Special Nuclear Material" (B164105)—the Ford Foundation's Washington-based energy policy project will soon come out with a far longer, more definitive study. Its conclusions, as suggested in an article by Roger Rapoport in the New Times, November 16, 1973, are appealing. Consider "The Deadliest Heist," which is printed at this point:

THE DEADLIEST HEIST

(By Roger Rapoport)

The 87,000 men and women who work in America's burgeoning nuclear-energy empire are expected to live by one dominant rule: don't trust a soul. They are repeatedly warned there is no way to be completely sure of anyone. This message was clearly emphasized during the summer of 1972 when the Atomic Energy Commission (AEC) was suddenly forced to retire its 52-year-old security director, William T. Riley. It seems that during his five years as chief of security for the super-secret agency, Mr. Riley managed to borrow \$239,000 from 59 employees of the AEC and its contractors. Of that amount \$161,104 had not been repaid. An investigation subsequently revealed that the security chief had spent a substantial portion of the money gambling at Washington-area racetracks.

Although Mr. Riley's departure has attracted little attention in the national media, it does raise an important question among those familiar with the incredible theft and

sabotage dangers associated with nuclear weapons, power plants and processing facilities: Just who is protecting the nation's immense plutonium/uranium inventory from atomic-age terrorists, saboteurs and black marketers?

The answer, in many crucial instances, is no one, according to a frightening new report by the Ford Foundation's Washington-based Energy Policy Project. The 550-page study, *Nuclear Diversion: Risks and Safeguards*, which will doubtless make headlines upon official publication next January, warns: "It seems only a question of time before some terrorist group exploits the possibilities for coercion which are latent in nuclear fuel."

Although the Ford study will not be officially released until 1974, New Times has obtained a draft version independently. The document shows how conspirators could easily steal fissionable material sufficient to produce nuclear devices capable of killing hundreds of thousands of people and causing billions in property damage.

"It is all too easy to imagine innumerable possibilities for nuclear diversion—a parade of horrors," write Mason Willrich and Theodore B. Taylor, co-authors of the Ford report. One of their many scenarios tells how an atom bomb planted beneath an office complex could lethally irradiate 50,000 people. Another scenario does in 100,000 football fans with a midfield detonation at halftime. A third converts a commercial airliner into a nuclear bomber suitable for attacking an entire city. Among the protagonists in these well-documented diversion scenarios are truck drivers, airline pilots, soldiers, guards, guerrillas, scientists and industrialists, as well as managers of nuclear-power plants, fuel-fabrication facilities, reprocessing plants and research reactors.

For years, would-be terrorists familiar with the relatively simple process of manufacturing a nuclear bomb have been thwarted by the unavailability of requisite fissionable material. But there has been a proliferation of nuclear installations in recent years, and with lax security or no security at many key points in the nuclear-fuel cycle, terrorists suddenly find themselves blessed with numerous opportunities to divert fissionable material suitable for building their own nuclear arsenals. Non-nuclear powers now have access to raw materials and relatively inexpensive assembly techniques that can give them atomic might. Uranium and plutonium, nicknamed "nuke," seem destined to take their place alongside coke, smack and speed in the pusher's inventory. With just a little help from black-market friends and access to an encyclopedia, maniacs could join the United States, Russia, Britain, France and China as nuclear powers.

The complete document is so unnerving that top AEC officials who've had an advance look would like to burn it. Because it is written by two of the nation's leading experts in nuclear weaponry and disarmament, the Ford analysis is hard to refute. Willrich, now director of the University of Virginia's Center for the Study of Science, Technology and Public Policy, has served as assistant general counsel of the U.S. Arms Control and Disarmament Agency. He is presently a consultant to that organization and has also been a delegate to the Geneva disarmament conference. Taylor, now president of the Washington-based International Research and Technology Corporation, has dealt with nuclear weapons in various AEC and Pentagon positions for nearly 25 years. From 1964 to 1967 he was deputy director of the Pentagon's Defense Atomic Support Agency (now the Defense Nuclear Agency), which manages America's nuclear-weapons stockpile.

In their Ford study Willrich and Taylor find present AEC safeguards protecting nuclear weapons materials about as tight as security at the 1972 Munich Olympics. Among the gaping loopholes are:

No "specific physical protection requirements for less than two kilograms of plutonium, even though a small fraction of that amount . . . is enough to make a radiation weapon capable of mass destruction."

"No specific U.S. safeguard requirements . . ." for "physical protection of nuclear-weapon material at nuclear-power plants."

"No specific physical protection requirements for shipment of low-enriched uranium (fuel for most of America's 30 reactors) regardless of the amount shipped."

No night-security guards watching the enormous uranium/plutonium inventory at the nation's sole nuclear fuel-reprocessing plant in West Valley, New York.

No "requirement for the presence of armed guards" during highly vulnerable inter-vehicle transfers or temporary storage of nuclear-weapon materials. Also "armed guards are not necessarily required as part of the (nuclear) plant-security force."

No physical protection standards for "nuclear-weapon materials exported from the U.S. to foreign countries."

The Ford analysis suggests this kind of laxity is an AEC tradition. Through the early '60s this agency erroneously assumed that Plutonium 240, an isotope typically produced in nuclear-power operations, could not be used for explosives. It also mistakenly believed a nuclear-weapons program was beyond the capability of all but the major industrially advanced countries. Soon materials-accountancy regulations began proving inadequate. In 1965 a private fuel-fabricating plant operator reported unaccountable losses of 100 kilograms of over-90-percent-enriched uranium—enough to make five Hiroshima-size atom bombs. And beginning in 1969 the potential diversion of nuclear materials during transit became clear when several shipments were lost due to misrouting.

Mismanagement of this kind makes it easy for Willrich and Taylor to suggest dozens of credible diversion scenarios in their new report. For example a devious nuclear-power-plant employee could easily "fake an accident . . . which requires immediate evacuation of all persons from the facility . . . (This) thief might then be able to make off with a significant quantity of (nuclear) material through the emergency-safety exits."

Truck drivers who do not have to pass any specific security-clearance procedures to handle atomic fuel pose another threat. A profit-oriented criminal group might also hijack shipments and manufacture weapons for extortion plots or self-protection.

Black-market potential seems limitless. A loosely affiliated international ring of thieves could target vulnerable nuclear-fuel supplies throughout the world. Do-it-yourself customers would purchase raw nuclear material and the rest would pay a premium for fabricated weapons.

The Ford study is confident that "An initial sale or two of nuclear weapons to petty dictators with dreams of glory might enable" black-market operators "to play on the fears of more responsible leaders." Not knowing which nations have secret nuclear-weapons stockpiles, these leaders would be compelled to buy in self-defense.

Nations that refused to acquire atomic weapons could be in trouble. By 1980, 24 countries presently lacking nuclear bombs will have atomic-power stations. An insurgent political faction might be able to talk a sympathetic nuclear-plant owner or manager into slipping them fissionable bomb material. Alternatively, they might persuade a rebel army unit to help them seize the necessary uranium or plutonium.

Obviously many governments lacking atomic weapons could fight back by diverting nuclear materials from their own atomic-power plants. Cooperative plant managers

"might be rewarded by the assurance of favorable future treatment with respect to their business operations." In a pinch they might even be able to borrow a little plutonium from friendly plant managers in other countries.

Another source of weapons fuel is the research reactor found at universities and technical centers throughout the world. Typical models operating in Israel and India produce enough plutonium for at least one nuclear weapon per year. Countries like Argentina and Italy could divert plutonium from pilot nuclear-fuel reprocessing plants. Spain could divert low-enriched reactor fuel into a small gascentrifuge plant capable of producing high-enriched uranium for weapons. Japan and Germany can acquire bomb fuel from their extensive civilian nuclear industry in numerous ways.

Such prospects lead Ford to conclude that nuclear diversion is now a major worldwide peril: "The widespread use of nuclear energy seems to necessitate the rapid development of near-perfect social institutions. If we fail in this regard, the societies that are now the most advanced may well disintegrate."

Certainly the greatest risk is here in America where more than 800 nuclear plants are expected to be in operation by the year 2000. By 1980 tens of thousands of kilograms of nuclear weapon materials will be part of the U.S. atomic-power industry. Just one reprocessing plant set to open in 1975 at Barnwell, S.C. will handle 8,100 kilograms of plutonium annually. Roughly 129 shipments will move in and out of the facility each year. Terrorists seizing just one container will have enough plutonium to make nine Nagasaki-size atom bombs.

IN DEFENSE OF THE PRESIDENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. DERWINSKI. Mr. Speaker, the treatment of the President by the media has, in itself, been a source of great controversy. When the President criticized certain members of the media in his press conference, it stirred up a hornet's nest of commentary from all segments of the media. Therefore, I found it of special significance that the outstanding Polish-American publication, the Polish Daily Zagoda of Chicago, published an extraordinary front page editorial in its Saturday, November 10, edition, in defense of the President.

The Polish Daily Zagoda is published by a subsidiary of the Polish National Alliance of America. I believe the editorial commentary of this publication in defense of the President to be an accurate reflection of the Polish-American community throughout this country.

The editorial follows:

IN DEFENSE OF THE PRESIDENT

(A translation of the Polish editorial in today's issue)

The word "impeachment," like a course, has been viewed with apprehension by citizens conscious of their responsibilities. Historians are agreed that the one vote in the Senate, cast over one hundred years ago to save the presidency of Andrew Johnson was, in fact, a blessing as it sustained the balance between three branches of the government, thus saving American Democracy from degradation and collapse.

When several years ago the extreme right John Birch Society vociferously demanded removal of the Chief Justice of the Supreme Court, Earl Warren, the meaning of the word "impeachment" was brought to low levels. It was then held up to ridicule and mass communications media concluded that the demands that the Chief Justice be removed were a vicious joke perpetrated by the extremist of the right who demonstrated the lack of clear thinking.

Those very same mass communications media are reacting in an entirely different manner now, when radical and leftist-liberal elements, claiming monopoly of ideological purity, demand that hated by them Nixon be impeached or forced to resignation. They were successful in political assassination of President Johnson, but they failed in their campaign against Nixon, who through landslide victory frustrated the plans of rabid leftist doctrinaires and many dictators of the press and television. Therefore, a decision was made to ruin him even at the cost of the fundamental interests of the land.

No crime was proved against President Nixon. In accordance with the law and American tradition, he is innocent until proven otherwise by the court. Mass communications media are very diligent in proclaiming that the doctrine "innocent until proven guilty" is applied to even most inhuman murderers, but they deny the same doctrine to the President elected by a decisive majority of the nation, because they hate Nixon. What is more, many television and press commentators who do not have any authority derived from the fundamentals of our political system, arrogate to themselves the power of an investigative body, prosecution and a court pronouncing sentences on the basis of unproved testimonies, insinuations and gossip.

Vociferous demands for "impeachment" of President Nixon rose almost five years ago, shortly after he took office. The list of "crimes" supposedly justifying his removal from the White House is growing longer almost every day, which includes amongst others the bombardment of North Viet Nam, the "invasion" of Cambodia, aid for South Viet Nam, appointment of judges not approved by the liberal-leftist coterie, and, lastly, removal of the Special Prosecutor Archibald Cox. These certainly are not justifications for their cry of impeachment.

If the President entrusted Cox with a position, he had the right to dismiss him. This logical principle, however, is denied Mr. Nixon. He should be forbidden to remove the "saint" of the liberals, a Professor of the University of Harvard, no less.

Shortly after the removal of Cox, it became evident that he was not entirely "saintly", as he disclosed certain secrets of the investigation to the Senators most strongly opposed to Mr. Nixon. Mr. Cox was given immediate absolution for this "ordinary human error" and the "confessors" from mass media did not even assign any penance to him.

However, Mr. Nixon is not allowed to make any "ordinary human errors". According to the views of many leftist-liberal media, everything that he does is a premeditated transgression.

Hatred is blinding. Those who demand that Mr. Nixon be removed from the White House do not realize (or do not want to realize) the catastrophic consequences it would bring upon the nation to satisfy their hatred. The United States would be deprived of the Chief Executive elected by the people and the free world would be deprived of a leader who knows the imperialistic designs of Communism, who effectively work for peace, can make unpopular decision and execute excellent moves in international politics.

The fact that we do not have a Vice President, adds to the critical situation. The position of Mr. Nixon would be taken over by

House Speaker Carl Albert, a Democrat from Oklahoma, who does not have administrative or diplomatic experience. Even his political friends do not hesitate to state that he is not of the caliber to be the head of the state and the chief of the government of the most powerful nation in the world, facing extremely critical situation.

Therefore, we most emphatically reject the irresponsible propaganda campaign directed not only against the President, but also against the Presidency itself.

Radio publicist, Maria Gifford, broadcasting from stations KEEL and KMBQ in Louisiana, rightly describes the anti-Nixon campaign as designs for "the killing of the Presidency". It is an exceptionally accurate evaluation which forebodes ill for the well being of the Republic and for the future of our land.

This publicist does not hesitate to state that the campaign of humiliation and slander against the office of the Presidency is nothing other than "killing the Presidency just as bullets killed John F. Kennedy".

Therefore, it is high time to protest with determination and rectitude against almost criminal machinations of a few who constitute a minute minority in our society, but who have influences at their disposal and are able to manipulate them dishonorably. Everything that we presently witness in this area is undoubtedly a kangaroo court against Mr. Nixon, who devastated them in last year's election. It is at the same time, a classical example "of the killing of the Presidency".

American political system place in the Presidency most enduring and most solid principles. If they are to be destroyed, our glorious Republic born of freedom, will be destroyed. We cannot let freedom be transformed into an anarchy, which would undercut the stability of the state and its capacity to govern the land in justice and order.

Should the Presidency be destroyed, all other institutions of the American political system which not only safeguard our internal life but guarantee for the United States the position of world leadership, would disintegrate. Is this what is wanted by the vociferous minority blinded by the hatred toward President Nixon?

It is not an exaggeration to state the current crisis in our political life is a terrible threat for the Republic. The entire nation must cooperate in overcoming this crisis by firm declarations against the designs and manipulations of those who seek revenge for the defeat in the 1972 election.

Since they are hiding behind the mask of idealism, assuring us that they are motivated by desire for justice and clean politics, not only many of the more naive, but some patriots as well are caught in the trap. The patriots, absorbed by every day problems, do not have time to delve into complicated legal and political problems, and some Congressmen and Senators seem unable to oppose the pressures of the mass communications media.

When Mr. Nixon's enemies found out that there were no reasons for impeachment, they changed tactics and now they are importunately demanding his resignation. It remains to be stated unequivocally that as there are no reasons for impeachment, there are also no reasons for resignation. In both instances the outcome would be the same:—America's inertia at the time dangerous for the world and for freedom.

Therefore, citizens who were not misled by the anti-President propaganda, and who want to secure a better future for the Republic, based on truly American ideological and political principles, are obligated to close ranks behind the President.

We have to destroy the misconception that a propaganda-created uproar represents the true attitudes of the society.

The time has come to courageously support the President, who in his address to the

nation last week firmly and justly stated that he "will not walk away from the job to which he was elected".

EXPORTS OF IRON AND STEEL SCRAP

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. ASHLEY. Mr. Speaker, among the industries that are basic to the domestic economy of the United States are the foundry industry and the steel industry. This is self-evident when we consider how many iron and steel castings are integral parts of the machines that we use on farms, in industry, in transportation, and in the home, as well as the steel plate, sheet, and bar shapes that are used in the same machinery. Other steel products that are essential in virtually every construction job are reinforcing bars.

Almost all of our ferrous foundry industry and a significant part of the domestic steel industry use scrap iron and steel as their primary raw material. Those steel works that use scrap rather than iron ore as a raw material are referred to as "cold metal shops." These cold metal shops produce approximately 20 percent of the raw steel that is made in the United States and include the so-called mini-mills, the medium-sized steel companies, and various operations of some of our largest steel corporations. Obviously, the availability of scrap iron and steel is vital to the foundry industry and to these steel producers.

The scrap iron and steel industry consists of many scrap dealers who gather, sort and prepare scrap into numerous grades that differ either by chemistry or physical size. Scrap brokers work with many scrap dealers and usually with several scrap buyers. There are some scrap dealers who are also brokers. The scrap gathered by the dealers and brokers each year is either sold to domestic consumers or exported. In the last 5 years the average total of exports and domestic consumption has been 43 million tons. Twice during this period we have experienced sharp price increases which reflected supply-demand imbalances. These imbalances occurred whenever the annual total of exports and domestic purchases exceeded 45 million tons. During the past 5 years, on the basis of Department of Commerce calculations, this total has not exceeded 46 million tons in any one year.

In the latter part of 1972, scrap exports and domestic purchases climbed to a point where the supply-demand relationship was again strained. In late December the price of No. 1 heavy melting scrap increased sharply. By March the situation was such that the Subcommittee on International Trade of the Committee on Banking and Currency held public hearings on the short supply of scrap iron and steel, as it related to the Export Administration Act of 1969, and my proposed amendments to that act. By June the short supply of scrap iron and steel had become more acute. In our supplemental views accompanying

the report of the Committee on Banking and Currency on H.R. 8547 Congresswoman SULLIVAN and I concluded our joint statement with the following:

It is our view that the situation in recent months with respect to the uncontrolled export of ferrous scrap and the prospective imposition of export controls is one in which the policy criteria set forth in the 1969 Act are met, and that the imposition of export constraints in recent months has been warranted.

Naturally I was pleased to read the statement of the Secretary of Commerce of July 2 in which he stated, regarding scrap exports and domestic supply, that:

I have determined that the criteria set forth in the Export Administration Act have been met for this commodity.

I know that I was not alone in the expectation then that effective scrap export restrictions would be forthcoming. Unfortunately, such has not been the case. In the months that have followed, scrap exports continued almost unrestricted. The third quarter of 1973 was the first time in many years that scrap exports had been controlled. The third quarter of 1973 also established a new alltime quarterly record for the greatest amount of scrap iron and steel to go into export.

In 1973 the domestic foundry and steel industries have been consuming scrap at a rate well in excess of anything this Nation has ever experienced. Simultaneously, we have been exporting scrap at record levels that are 50 percent higher than the average of the last 5 years. Our current rate of domestic consumption and our rate of scrap exports, if continued for the last 2 months of this year, will produce an annual total of approximately 56 million tons. This would be 10 million tons, or about 22 percent, more than this Nation has ever produced even under the stimulus of the high prices of 1969 and 1970. Late in September the price of No. 1 heavy melting scrap increased by \$13 per ton. It appears that we have been consuming inventories for months, and are now getting perilously close to the crisis point. On Monday, November 12, the Wall Street Journal reported that No. 1 grades of scrap were selling for \$86 per ton, in comparison with \$38 per ton a year ago. Some scrap is currently moving at prices well above the \$86 figure.

So now we are faced with the very real possibility of production curtailments in these two basic industries. Alarm is now being sounded in the construction industry about shortages of steel reinforcing bars, traceable to the scrap metal problem. A principal producer of silos for the storage of agricultural products advised me on November 7 that under existing conditions the silo industry will only be able to construct 5,000 silos during 1974, in contrast to the industry's capacity of 13,000 units, due to a shortage of scrap for the manufacture of nine-sixteenth-inch round steel for the construction of domestic silos. This could not come at a less fortunate time, when substantial new acreage is being planted to help restore a world supply demand balance for feed grains and other commodities.

Last week a steel castings company in Detroit, Mich., wired the Department of

Commerce that it was down to its last 3 days of supply of scrap metal, could obtain no more scrap metal, and if something was not done, would shut down. The administration reportedly contacted the Institute of Scrap Iron and Steel, which in turn contacted the original dealer who then offered only 25 tons of ferrous scrap to the castings firm at a price of \$115 per ton. Hence, newspaper quotations of composite steel scrap prices of \$86 per ton would even appear to understate the current situation in certain cases.

One foundry in Indiana reports that it has been forced to shut down two full scheduled days due to a lack of cast metal scrap. They are apparently operating on a day-to-day basis.

Another firm in Illinois telegraphs, "Presently unable to procure ferrous scrap at any price for our foundry consumption. Have curtailed operations. Shutdown is imminent if no scrap is received." I have not yet been advised whether scrap dealers, acting at the urging of the administration, have moved to cover this foundry's needs.

Still another midwestern foundry reports a 16-percent reduction in operations due to inability to purchase ferrous scrap, and with an inventory of only a few days, shutdown may be imminent.

A Texas firm reports imminent shutdown of two of its foundries employing 400 people in Pennsylvania and New Jersey because no adequate scrap is available at any price.

If these basic industries, iron and steel, reduce schedules because of raw material shortages, the ripple effect into other industries will quickly follow.

This happens to be just the type of situation that the Export Administration Act of 1969 was designed to prevent. That act reads in part as follows:

SEC. 3 (2) It is the policy of the United States to use export controls . . . to the extent necessary to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand. . . .

On July 2, the Secretary of Commerce recognized that—

The criteria set forth in the Export Administration Act have been met for this commodity.

Why, then, has action to control scrap iron and steel exports been ineffective? Why in light of the July 2 finding, have scrap exports in the third quarter of 1973 been permitted to exceed those for any quarter in our history?

Price increases for ferrous scrap of the magnitude we are witnessing have been increasing by about \$1 billion the cost of operations of foundries and cold metal shops which, I should add, use only one-fifth as much of our scarce energy supply to produce a ton of steel as do ore users. Ultimately, the American consumer pays for these increases.

The Constitution of the United States gives the Congress the authority to regulate foreign commerce. All of us know that the Congress can do this only in a broad way and is in no position to regulate all detailed aspects of our foreign commerce. This approach to policymaking is reflected in the legislation of which

I was a principal author, the Export Administration Act of 1969. It was not the intent of Congress to prescribe in the law what commodities would receive export controls, how stringent the controls would be, or the exact time at which they would be applied. The language indicated clearly, however, that should a situation develop, such as we now find in scrap iron and steel, effective export controls should be promptly invoked. As this has not been done, and as the potential adverse economic consequences grow more severe with each passing week, it has now become evident that the Congress should take corrective action immediately.

Mr. Speaker, to ease the present critical short supply problem, I am introducing legislation today to limit exports of iron and steel scrap to 600,000 net tons per month for the remainder of fiscal year 1974.

COLLAPSE OF HIGHRISE CONDOMINIUM UNDER CONSTRUCTION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, one of the worst disasters ever to occur in northern Virginia, the collapse of a highrise condominium under construction at Bailey's Crossroads, Va., resulted in the untimely death of a truly outstanding young man, Michael James Frye of Arlington, Va.

Michael's father, Mr. James H. Frye has written a statement concerning the tragedy and its aftermath which he would like to have known to our colleagues and all who are concerned with occupational safety. As I believe many points made by Mr. Frye deserve attention, I insert his statement at this point in the RECORD:

STATEMENT FOR THE CONGRESSIONAL RECORD PART 1. MICHAEL JAMES FRYE

I wish that all the Members of Congress and others could know and feel the great loss suffered by me, my family, Michael's many friends (young and old), the faculty and students at Madison College, and all the future children and young people that would have been touched and guided by his greatness. Michael had completed his student teaching in early December 1972 and was looking forward to teaching elementary school in September 1973 and he was an excellent teacher. He had worked beginning in High School whenever he had the opportunity to help me with the support of a large wonderful family (seven sisters and one brother). This is why he went to work in early December as soon as he had completed his college program. The statements below are a tribute and attest to the great character and integrity of Michael James Frye.

APRIL 3, 1973.

DEAR MR. AND MRS. FRYE: All of us at Madison College were shocked and saddened at the loss of our dear friend and fellow student, Mike. He had the respect of his fellow students, his teachers and the administration. I met Mike when I first came to Madison, saw him develop into an extremely sensitive, fine young man, and knew that he was looking forward to a career of teaching. So all of us feel a deep, personal loss, but we also feel

that the teaching profession lost a young man who was genuinely interested in other young people as human beings.

Mike was to receive his diploma on May 12, and we would like very much to present that diploma to you. If it is possible for you to be with us on graduation day, I would like to give you the diploma which Mike so richly deserved.

I know that words are inadequate to replace a son, but for whatever consolation it may be, Mike was a very fine young man and we are proud to have had him as one of our students.

My thoughts and prayers are extended to you during this time of sorrow.

With warmest regards,

Sincerely Yours,

RONALD E. CARRIER,
President, Madison College.

STATEMENT FOR MIKE'S GRADUATION MAY 12, 1973

Mr. President, Members of the Faculty, Graduates and Friends—I feel mighty proud with a deep personal obligation to receive this diploma for my son, Michael. Mike was one of the greatest individuals that I have ever known. His integrity and respect for the feeling and rights of others was truly outstanding. This integrity and respect was equally the same for all ages (young and old). Everyone who knew him should be inspired and guided by the principles and moral code of values that Mike so sincerely practiced every day of his life.

I can truly say that Mike never disappointed me with his decisions or actions. I am so very very proud to be his father. Thank You.

JAMES H. FRYE.
MAY 28, 1973.

DEAR MR. FRYE: I know your sorrow is deep from the loss of Mike. I hope you realize the great respect Mike's classmates had for him.

Your statement about Mike was certainly an accurate reflection of his integrity and respect for others.

My God bless you and your family.

With warm regards,

RON CARRIER.
MARCH 23, 1973.

DEAR MR. AND MRS. FRYE: Mike participated in some of my sociology classes. It was a pleasure to know and learn from a young man such as he.

Sincerely,

DR. BARBARA N. STONE,
Chairman, Department of Sociology,
Madison College.

APRIL 2, 1973.

DEAR MR. AND MRS. FRYE: I would like to express my sympathy in your great loss. Mike was always a source of encouragement and inspiration to me.

Through the urging of my sister, Fran, and with the cheerful guidance of Mike, I was introduced to the sport of soccer. Soccer has been a great source of pleasure for me. It is an activity through which I have been able to meet many new friends and to experience the joy of competition and accomplishment. I owe so much to Mike for his interest in helping me begin. Above this, Mike was a good friend. I will always remember his warm gregarious nature, the gratifying friendship for everyone who knew him.

Again, I wish to convey my sympathy for your great loss.

Sincerely,

JOHN OLSEN,
William and Mary College.

[Soccer Newsletter Edition No. 4—Page 2]
OCTOBER 22, 1972.

... We expect a big boost in the game as our "old pro" Senior Lineman Mike Frye is expected to be ready to play following two weeks' layoff due to a leg injury . . .

Sincerely,

Coach VANDERWARKER.

[Hand written note]

We need big Red in there for us. He's a great player and a fine young man. More important, he does a fantastic job in his student teaching... Best Regards.

[Soccer Newsletter No. 6—Page 2]

NOVEMBER 8, 1972.

... Then, as if written by Hollywood, our "old man", Mike Frye playing in his final regular season game, scored on a fine head ball off Fedorowicz's cross...

Very Sincerely,

Coach BOB VANDERWARKER.

[Hand written note]

Mike is just a fantastic person. I'm so glad he has been able to enjoy being with us in soccer along with all his other responsibilities this fall. He sure was a happy guy when he scored that goal and we were indeed happy for him.

PART 2. SKYLINE COLLAPSE, RESCUE AND COVERUP

The Skyline collapsed at approximately 2:15 p.m. March 2, 1973. Mike's body was reported found (not rescued) on March 15, 1973. Since my efforts to obtain information and facts were futile, I am including below, information as reported in the newspapers—that I believe to be basically correct.

[Editorial—from The Globe, Mar. 8, 1973; entitled "Tamper, Indeed"]

Fairfax County officials were indignant this week at the suggestion that local, state, and federal government investigators should not have exclusive right to public records relating to the collapsed high rise at Skyline Center. Fairfax County Attorney M. Langhorne Keith took what perhaps was the most supercilious position when he said the impounded inspection records was necessary to prevent their being "tampered with". Possibly, what he was trying to convey was the fact that when the county, as well as the builder, might be found negligent the government rightly perceives that the press becomes dangerous—for the government. Hence, lock up the records, point to that slice of Swiss cheese called the Virginia Freedom of Information Act for your justification, and say "trust us". We would be happy to, except that a 24-story building collapsed practically under the noses of county inspectors, and one is loathe to place trust in any organization with a track record like that. Regardless, of the circumstances, why is the government asking us to trust it? Why does the government suddenly lose its belief in open inquiry? In effect, the provisions of the Freedom of Information Act give the government a crucial degree of latitude in defining when a document is a matter of public record. Let's assume that the county inspectors dept., ever vigilant, had found persistent widespread violations in the construction of the Skyline Center prior to the disaster, had shut down the job, and instituted criminal proceedings against the builder. Would the county then embargo the records? Naturally not. They would have nothing to fear. Multiple copies of inspection records are filed. Additional copies could be made. County personnel were doing their job, following the rules, and would have nothing to lose from public scrutiny of their work as they prepared to go into court fighting the good fight. The county government is concerned with tampering of the records in this case, and naturally we are, too. The best way to keep every one honest is to keep public record public.

[Editorial—The Globe Mar. 15, 1973; entitled "Keeping it Muddled"]

While the Skyline Center Disaster throws into question the adequacy of county building inspection procedures and codes, it also highlights a lack of agreement over what agencies have overall authority to supervise rescue and investigation. The U.S. Dept. of

Labor's Occupational Health and Safety Administration has denied it has authority to investigate safety compliance. Instead, there seems to have arisen a vague coalition of state and local authorities plus private construction and demolition companies, supposedly being coordinated by Acting Fairfax County Executive Robert W. Wilson, to handle the delicate and crucial question of cause. To allow so many interests, often competing ones, to take an active role in deciding life and death questions—such as, should the building be searched for survivors before being demolished—as well as questions of fact and procedures on how to investigate such an incident is irresponsible. Furthermore, if federal authorities are taking a back seat on the safety procedures at the disaster site, are they doing the same at other buildings currently under construction? Acting County Executive Wilson says he is pursuing the difficult job of coordinating often "overlapping" jurisdictions in investigating Skyline. Yet, state officials pass the buck concerning jurisdiction to the federal level; and federal officials pass it right back again. It seems to us that, under the circumstances Wilson is somewhat exaggerating, if not misrepresenting, the nature of his role. On the other hand, Wilson is the employee of the board of supervisors which itself has shown seriously bad judgment in this affair through such tactics as calling for an in-house investigation of the county inspections department. At this point, we can only conclude that officials have agreed the best approach is to keep things muddled. Only the dead are beyond confusion.

[Editorial—The Globe Mar. 22, 1973 "The Ripples Are Spreading"]

Particles of the rubble which flew from the collapsed Skyline Plaza highrise at Bailey's Crossroads are continuing to land in many heretofore placid pools of institutional indifference and irresponsibility, and the ripples are providing a good indication that the problem of the collapsed building is more than one of "finding the culprits". One question that must be raised is the genuineness of the Fairfax County Supervisors' avowed commitment to represent and defend the public interest. The disclosure that Supervisor Moore's request for an investigation conducted independently of the government was met with vociferous opposition by her colleagues behind closed doors is important, but the consternation created by that request in the public session beforehand was plain to everyone. The speed with which they retreated to a bogus session was indication enough of their position that the best thing to do is to do nothing at all. Now that Commonwealth Attorney Robert F. Horan, Jr. has made a preliminary presentation to the supervisors on the results of his investigation, it is practically a sure bet that the supervisors will try to keep the inspections records under wraps as long as possible. For surely they now know, as virtually every homeowner and aware citizen already knows, that the county building inspections department is a mere shell.

After trying to get information and waiting six months for some of the government officials or businesses involved to come forward without any results, I made inquiries of several government officials and agencies, still, without any results. Some of my inquiries were as follows:

AUGUST, 31, 1973.

Mr. ALEXANDER G. GILLIAM,
Special Assistant to Governor.

DEAR Mr. GILLIAM: Is there no human decency left in the Commonwealth of Virginia? My son Michael James Frye was killed in the Skyline building collapse at Bailey's Crossroads, Va. on Mar. 2, 1973. Mike's body was found (not rescued) on March 15, 1973. To this date, none of the government or com-

pany officials involved in this outrageous tragedy have offered any condolence or expressed any sorrow to myself or my wife. As a matter of fact, in our inquiries for facts and information we have been treated terrible.

The builder was not issued a "stop work order"; I was forbidden to search for my son; and government officials did little or nothing to direct and supervise a disaster rescue operation. It was reported that the builder voluntarily stopped work on the site 17 days after the collapse.

Several weeks later, the builder was allowed to meet secretly with the Fairfax Bd. of Supervisors and was given permission to resume work at the site of the collapse, yet at the same time I am forbidden to see the police file on the finding (not rescue) of my son's body.

It was reported that the builder was given permission to resume work because he was losing money. My son had just completed college and was assisting me with the support of a large wonderful family. The government has not shown any interest in my financial loss.

The state of Virginia and America does not need more luxury condominium apartments but they are in need of young men such as MICHAEL JAMES FRYE. The moral decay and lack of integrity is running rampant through America and only young men and women such as Mike can reverse the trend.

It is respectfully requested that this letter be given to the Governor and someone contact me, because in desperation, I need answers to the following questions. 1. What does the state of Virginia intend to do about this terrible tragedy? 2. Does the state of Virginia intend to meet its obligations to the families involved? 3. Does the state of Virginia intend to search, find and punish those responsible for this great tragic loss of human life? 4. Does the state of Virginia intend to do anything about the conduct and behavior of government officials concerning the collapse and rescue?

JAMES H. FRYE.

SEPTEMBER 24, 1973.

DEAR GOVERNOR HOLTON: On September the 5, 1973, I mailed a package of material to Mr. Gilliam. At the same time I mailed copies to Congressman Broyhill and Senator Byrd. I have had two responders from Congressman Broyhill and one from Senator Byrd. To this date I have not had any response from Mr. Gilliam or anyone in your office. Am I to assume that no response is forthcoming?

Very truly yours,

JAMES H. FRYE.

OCTOBER 6, 1973.

DEAR Mr. GILLIAM, Jr.: Enclosed you will find a copy of a letter I sent you over a month ago. I also sent a copy to Governor Holton September 24, 1973. I sent copies to several other people and some of these people have responded two or three times. I assume after 30 days that you and the state of Va. have no intentions of responding to my letter and other material. Therefore, I am returning Michael's refund check for 1972 and the company's withholding for 1973 state income taxes withheld in Jan. and Feb. 1973. The state of Virginia can just keep the money. Sincerely,

JAMES H. FRYE.

The above type of information has been requested from the following without any meaningful results to date. 1. OSHA; 2. Federal Safety Council; 3. The Arlington County Board, in regards to collapse at Crystal City (same builder as skyline), and others. I have not received any answer at all from the Governor of Virginia's Office.

At Skyline Mike was operating a concrete grinding machine that stirs up a lot of concrete dust and also makes a lot of noise. He was one of a few that was trusted to work alone without any supervision and as work-

ing alone on the 14th floor when the collapse occurred. To my knowledge no attempt was made to warn him of the danger. This was his reward for being an excellent and trustful worker. Is this a true example of the rewards for honesty and integrity in the American system? Do truly great people such as Michael go unrecognized and doomed?

It is immoral, wrong and sometimes illegal for individuals and small business men to do certain things but moral, right and legal for government officials and big business men to do the same things—a conflicting core of values—A system such as this is destined to destroy itself. Skyline construction could only begin with the permission of the government, it would only continue with inspection approval and permission of the government, a builder could only continue with the permission of the government to work at a site with human beings buried under tons of concrete and steel. These are the facts dictated by the nature of government we have. *I sincerely hope that each member of Congress will take a stand against this enslavement by government, corruption in government, deficit spending and the general decay in the morals of our society that led to the collapse of skyline and will lead to many other disasters that will come in many different ways.*

I have had chronic osteomyelitis since I was fifteen years old and go to Richmond every four weeks for medical care. Michael drove me when he could and had driven each month since he had completed his college program—this trip, every four weeks, for the past seven months has been torture for me and now no one in the Governor's office will even acknowledge my letters to them. My Doctor in Richmond has been quite upset over this terrible tragedy, also—he was 81 years old in September 1973 (Dr. Thomas F. Wheeldon, 114 North Mulberry St., Richmond, Va. 23220—A truly Great Man).

An engineering study to determine the strength of A-5 was performed prior to an August 6, 1973 secret executive session of the Fairfax Board. As a result of this study, the Supervisors approved completion of the building. The partially-built A-5 is located next to highrise, A-4 that collapsed March 2, 1973. Consulting engineers retained by both Skyline developers and Fairfax County to perform the study failed to uncover the fact that a structural column was 12 inches off the center of the concrete pier beneath it. The technical report did recommend he repair of this column and others which were found weak after sonic test. The error was found when workmen accidentally broke through the concrete slab which separates the column and the pier, only to find the column was off center. The builder elected to raze the building, rather than wait for the extensive structural analysis needed to correct the error.

And so the tragedy of errors and coverup goes on.

PART 3. A LACK OF PROTECTION OF WORKMEN AND THEIR FAMILIES UNDER THE DOCTRINE OF SOVEREIGN OR GOVERNMENTAL IMMUNITY AND THE WORKMENS COMPENSATION LAWS OF VIRGINIA

The doctrine of sovereign immunity as it presently exists in the Commonwealth of Virginia has been derived solely from judicial interpretation of obsolescent English law. Where sovereign immunity is allowed to stand, we have a conflicting code of values. Therefore, a man injured or killed through wrongful acts or negligence of a state or its damages while a man injured or killed by a private party may recover compensation. If, in fact a culpable injury has been done and goes unchastised by the law because of the doctrine of sovereign immunity, that doc-

trine protects injustice for no better reason than its source is the state. And the concept becomes this: "The king can do no wrong." In the first suit concerning the Skyline collapse, the Judge dismissed Fairfax County. The Board of Supervisors and The State of Virginia based on "The king can do no wrong".

The Virginia Workmen's Compensation Act, denies an employee the right to recover damages which he may have "against any other party" unless the latter is not "employed in the work" in which the employer of the injured employee is engaged. Additionally, if the work being performed by the injured employee's employer is part of the trade, business or occupation of an owner, that owner is likewise immune from common law negligence claim. Therefore, the Virginia Workmen's Compensation Act is unjust, unfair, and deprives citizens of due process and the right to file suit under common law. Therefore, the Act protects government officials and businessmen against any acts of negligence, intentional or not, from liability and discriminates against the individual workman to the extent of encroachment upon any civil rights and, in effect, enslaves him. This inequitable situation is in contradiction with the standard of equal protection of the laws enunciated in the Fourteenth Amendment to the Constitution of the United States.

I would like to know, why Fairfax City Government employees are apparently covered by the D.C. Workmen's Compensation Act (underwritten by the Hartford Co.)? Why aren't other companies employees working in Fairfax City, Virginia covered by the D.C. Act? The benefits are much greater in the District of Columbia (which is governed by the Longshoreman and Harbor Workers Compensation Act) vs. the State of Virginia.

Public Law 91-596, 91st Congress, S. 2193, December 29, 1970; Sec. 27—Provided for a "National Commission on State Workmen's Compensation Laws." This Commission was to study and make recommendations to correct inequities in the laws. What has happened concerning this provision of this Public Law?

PART 4. REQUEST FOR CONGRESSIONAL INVESTIGATION

It is respectfully requested that the Congress investigate the Tragic Skyline collapse and the lack of protection under current laws (State and Federal) afforded workmen and their families who are injured or killed in such a careless and useless tragic event such as the Skyline collapse.

The Watergate investigation and political contributions and payoffs by builders and developers are of prime interest to the Congress and the public at the present time. Therefore, the Congress should investigate for itself, the Skyline collapse, the rescue and the lockup of vital important records and facts, to determine the following:

(1) Did political contributions or payoffs influence the start of construction, the continuation of construction and the eventual collapse?

(2) Are building standards and codes, at the Federal and State levels, adequate and safe and are Federal and State Agencies capable of policing and enforcing the standards and codes?

(3) What was the responsibility of OSHA in the establishment of safety procedures and inspection of the construction at the Skyline complex? And how did they satisfy these responsibilities?

(4) Did improper collusion between Representatives of liability insurance carriers and government officials take place after the collapse?

I ask one question—If a builder, a con-

struction Company and other related firms can "cut corners", utilize inferior materials and violate safety and building codes, which result in huge profits, and only be fined a few hundred or thousand dollars—Then where is the force to correct this terrible situation which lead to this terrible tragedy?

In addition, Congress should investigate, for itself, the inequities against the workmen that have been highlighted by the Skyline collapse, and take action, as soon as possible, to correct any inequities that currently exist.

In conclusion, I ask all those involved in the Skyline collapse to come and tell us who and what they are.

(1) Are they politicians asking what their country can do for them, or (2) zealous ones promoting good will and integrity among men.

If they are the first, then they are parasites; if the second, then they are like an oasis in the desert.

(3) Are they Business men utilizing the need of society for a place to shelter itself, for coercive monopoly (collusion with government officials) and exorbitant profit?, or (4) sincere, hardworking and diligent men facilitating the exchange between the supplier and the consumer and charging a reasonable profit as middlemen between supply and demand?

If they are the third, then they are criminals whether they live in a palace or a prison. If they are the fourth, then they are men of integrity whether they are thanked or denounced by the people.

I sincerely request that the Congress make every effort to determine—who and what they are?

MORE MEDICAL TREATMENT FACILITIES NEEDED

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. ASPIN. Mr. Speaker, Mr. John J. Byrnes, an attorney from Elkhorn, Wis., has brought to my attention a disturbing fact which I would like to share with my colleagues. Mr. Byrnes' letter follows:

ELKHORN, WIS.,
November 2, 1973.

HON. LES ASPIN,
U.S. House of Representatives,
Washington, D.C.

DEAR LES: I wrote recently to Mayo Clinic for a routine examination in response to which I received a post card giving me an appointment for December 10, 1974. Copy of the card is enclosed herewith.

This points up the disturbing shortage of medical treatment facilities we seem to have in the country—at least good medical treatment facilities—and particularly, doctors.

It would seem that through the help of the federal government we should be able to set up more training and treatment facilities. Anything you can do along that line would be appreciated by the folks in this area, I am sure.

Best wishes,

JOHN J. BYRNES.

Upon reading this letter, I think we all are aware of the conclusion to be drawn. National priorities should reflect a concern for the health and welfare of every American citizen and I feel Mr. Byrnes' letter clearly illustrates an area urgently in need of reform.

INEQUITY OF TITLE I ESEA PROVISION REQUIRED RECOMMITTAL OF H.R. 8877

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. EILBERG, Mr. Speaker, on Tuesday of this week I voted with 271 of our colleagues to recommit the report on H.R. 8877, the Labor-HEW appropriations bill for fiscal year 1974, to the Committee on Conference. I did this because the formula according to which title I—ESEA money was to be distributed was clearly inequitable. I had hoped to have the opportunity to specifically instruct the conferees that the language in amendment 32 of the conference report be deleted and that a revised report be returned to the House giving local school districts 90 percent of the amount they received in 1973 and permitting local agencies to receive as much funding as they are entitled to, providing that States, in the aggregate, not receive more than 120 percent of the amounts they received in 1973.

The proposed change in the formula of distribution would have permitted shifts in population which have occurred since 1960 to be more accurately reflected both between and within States. Simply put, the revised formula, providing for use of the latest census data available to us, would have been more equitable. The result of the inequity in the conference committee report would have been felt most severely in those States and cities where the need for assistance is greatest. In my own State of Pennsylvania adoption of Congressman QUINN's "revision" formula would mean \$77,997,749.78 during the present fiscal year, whereas retention of the existing distribution plan would provide \$74,747,843.47.

The disparity is even more striking in the case of my constituency of Philadelphia which has been so heavily burdened in recent years with the most difficult of financial problems in keeping its schools open. Enactment of the conference report for H.R. 8877, as presented, would have provided the city of brotherly love with \$23,865,296.98 whereas the QUINN formula would provide \$31,375,928.09 in sorely needed money.

Now I want it clearly understood that I make no apology for presenting Philadelphia's brief in this matter. As I see it, that is what I am here for. But, I want it understood that the point before us is chiefly one of equity. With the needs of constituencies such as my own being so manifest, how can this House seriously entertain the idea of basing the distribution of almost \$2 billion in Federal money on patently outdated census figures?

Regrettably, the Chair did not consider the motion, with instructions, offered by the gentleman from Minnesota, Mr. QUINN, to be in order. However, an overwhelming majority of this body—272-139—then voted to recommit without instructions. Thus, I call upon my good friends who will be this House's Representatives to the conference committee to work expeditiously in making the appropriate

changes in amendment No. 32 so that fairness may be done for the children of this land.

PITTSBURGH LABOR LEADERS LEAVE CITY: ONE RETIRES; ONE PROMOTED

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, two of my very best friends in the Pittsburgh labor movement will leave our city soon, for different reasons.

Joe Sabel, former president of Food Employees Local 590, has retired and will move to Florida.

I have known Joe Sabel for years. He has merged his strain of strong trade unionism with an equal quantity of community spirit to give the Pittsburgh area, not to mention the men he lead, one of the most politically and civically active men our area ever has known.

Another union man, just as devoted to the public will as well as the interests of the union movement, is Anthony "Bud" Luty.

Bud Luty will go onto St. Louis to become director of the Amalgamated Meatcutters Union, whose Pittsburgh Local 590 he headed after succeeding Joe Sabel.

My sincere best wishes go to both these men and while I hope their respective days are nothing but productive happy ones, I cannot help but wish they could stay on in Pittsburgh and continue their exemplary service in the Steel City.

Ed Verlich, labor editor of the Pittsburgh Press, has written an article on the careers of Joe Sabel and Bud Luty. I would like to put that article in the RECORD at this time:

LABOR REPORT: SABEL RETIRING, LUTY MOVES; IT IS A LOSS OF TOP-NOTCHERS

(By Edward Verlich)

One of the Pittsburgh area's outstanding labor leaders, Joseph H. Sabel, will be leaving the district soon for a deserved Florida retirement.

Mr. Sabel, former president of Food Employees Local 590, is proof that nice guys don't finish last, because a nicer guy you just can't find.

His credits over a 30-year labor career are varied and many, from state deputy labor secretary to one of the Top 10 Press Old Newsboys who carried the ball for Children's Hospital.

There are a lot of solid points to talk about in reviewing his performance.

Mr. Sabel, first of all, was a strong local union president who dealt from a position of strength and not weakness. He knew his union and its industry of chain food stores. His members fared well under his guiding hand.

Among his proudest accomplishments were the pension and health and welfare funds for the 10,000-member local union that grew under his guidance.

Conscious of the community, he always helped in labor disputes whenever he could—whether or not his own union was involved.

Deeply involved in politics in a period running from Gov. George M. Leader to Sen. Edmund S. Muskie, "Joe" served as director of the Allegheny County Labor Council's Committee on Political Education.

While there may have been later misgiv-

ings, he also was the labor chairman for the initial election of Mayor Pete Flaherty.

Another loss on the labor scene here is the departure of a close associate of Mr. Sabel, Anthony "Bud" Luty, who went to St. Louis last week to become director there for their parent union, the Amalgamated Meatcutters.

Mr. Luty leaves here at a time when, as president of the Allegheny County Labor Council, he had the labor movement on the way back into the mainstream of the community.

While in a position of leadership, Mr. Luty started some positive efforts, such as the Greater Pittsburgh Labor-Management Advisory Council. His efforts should be continued by his successors.

To Mr. Sabel, a well deserved retirement, and to Mr. Luty, keep up the good work. You two gentlemen are what the labor movement is all about.

PROTECTING THE SPECIAL PROSECUTOR

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. HOGAN. Mr. Speaker, there is unanimity among the American people that everyone engaged in wrongdoing in connection with Watergate and its fallout extensions should be brought to justice. There is also agreement that there should be a special prosecutor to pursue these matters without interference.

There has been controversy on whether or not the special prosecutor should be appointed by the judicial or executive branch. An editorial appeared in today's Washington Post which I would like to insert in the RECORD at this point for the benefit of my colleagues.

In addition to its views on the administration-appointed special prosecutor, the Post "argues forcefully against legislation now pending that would authorize the appointment of a special prosecutor by the U.S. District Court."

There are constitutional risks inherent in the bill reported out by the House Judiciary Committee. We should, therefore, avoid the possibility of a court battle as it would only prolong the continuation of the Watergate investigation.

The editorial follows:

PROTECTING THE SPECIAL PROSECUTOR

("Although these are times of stress, they call for caution as well as decisive action. The suggestion that the Judiciary be given responsibility for the appointment and supervision of a new Watergate Special Prosecutor, for example, is most unfortunate. Congress has it within its own power to enact appropriate and legally enforceable protections against any effort to thwart the Watergate inquiry. The Courts must remain neutral. Their duties are not prosecutorial. If Congress feels that laws should be enacted to prevent Executive interference with the Watergate Special Prosecutor, the solution lies in legislation enhancing and protecting that office as it is now established and not by following a course that places incompatible duties upon this particular Court.")

The quotation comes from U.S. District Judge Gerhard A. Gesell's memorandum explaining his decision in an important Watergate-related case the other day. Judge Gesell made his observation in the course of de-

claring that Acting Attorney General Robert H. Bork had acted illegally in firing Special Watergate Prosecutor Archibald Cox on October 20. Taken together, Judge Gesell's admonitions concerning the proper role of the courts and his interpretation of the law as it concerns the Special Prosecutor's tenure seem to us to argue forcefully against legislation now pending that would authorize the appointment of a Special Prosecutor by the U.S. District Court. The question is whether such legislation is either necessary or desirable, and we believe the answer on each count is, no.

The purpose of the congressmen and senators who are supporting the creation of a court-appointed prosecutor is admirable: it is to guarantee an independent, impartial, pressure-free prosecutor's office, one that is not subject to the will, whim or threat of those under investigation. And, not incidentally, it is to assure that the appearance of all this will be equal to the reality, so that people will be able to have confidence in the integrity of the prosecutor's office. However, we believe that this purpose would best be satisfied by other means—specifically by the enactment of legislation requiring Senate confirmation of the administration-appointed Special Prosecutor and also giving even firmer statutory basis to the office of the Special Prosecutor.

Judge Gesell's reading of the law is relevant here. He did not find that Acting Attorney General Bork had acted illegally in firing Mr. Cox by reason of any breach of the commitments given the Senate by Elliot Richardson concerning Mr. Cox's position. Those commitments, Judge Gesell said—whatever the "moral of political" implications of abandoning them—"had no legal effect." Rather, he found the illegality to reside in Mr. Bork's violation of a Justice Department regulation authorized by statute and setting forth the conditions governing the Special Prosecutor's job. Those conditions, as Judge Gesell observed, included the following: "He was to remain in office until a date mutually agreed upon between the Attorney General and himself, and it was provided that 'The Special Prosecutor will not be removed from his duties except for extraordinary improprieties on his part.'"

What is particularly interesting and apt about this judgment is that the Justice Department regulation, which Judge Gesell sees as having had "the force and effect of law" and which he also sees as preventing the President himself from dismissing a Special Prosecutor, is back in effect. In other words, its terms extend to and protect Leon Jaworski, the new Special Prosecutor who has just been named to the job by Acting Attorney General Bork. It seems to us that an administration-appointed Special Prosecutor whose views and purposes had been examined by the Senate in confirmation hearings, whose subsequent confirmation made him in some appreciable degree answerable to Congress and whose job security had been enhanced by strengthening of the statutory basis of his office would be as free of administration pressure and dictation as could be guaranteed by any process—including the process of having him appointed by and answerable to the U.S. District Court.

We would argue that such a prosecutor would have another special advantage: it is the likelihood that any findings he made or charges he brought against the President of the United States would be credited by the public. Here we find ourselves taking an entirely opposite view from those who hold that a court-appointed prosecutor would enjoy more public confidence than anyone—Mr. Jaworski included—who owed his appointment to the Nixon administration. On the contrary, it seems to us that his appointment by the administration would at once oblige him to demonstrate his prosecutorial independence and give particular force to his position, especially as he pursued investi-

gations of those intimately connected with the administration. It is important now that people believe in the integrity of the Special Prosecutor. But it is not nearly as important as it will be if and when the Prosecutor comes into direct conflict with Mr. Nixon, as Mr. Cox did, or actually implicates him in criminal activities.

These are essentially political considerations, and it seems to us that they weigh equally in the scale when you are thinking about the Special Prosecutor's freedom to pursue the work Mr. Cox began. High among those considerations we would list a new political restraint on Mr. Nixon's: at what cost could he repeat his performance of the weekend of October 20? The President is only now recovering—and just barely—from the repercussions of that event and to the extent that he is recovering at all, he owes everything to a hasty retreat from his position on releasing the subpoenaed tapes and on abolishing Mr. Cox's office along with Mr. Cox's appointment.

What with the Ervin Committee, the House Judiciary Committee and the Special Prosecutor's office already in existence, it seems to us that the addition of a court-appointed prosecutor would only dissipate energy and promote confusion in the task of bringing the Watergate offenses to light and the Watergate offenders to justice. There is, in fact, too much confusion, distraction and overlap now. We think the center of action should be the Special Prosecutor's office. And we think the tools are at hand for Congress to guarantee that this is so.

YEAR-ROUND DAYLIGHT SAVING TIME

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. COLLIER. Mr. Speaker, as a sponsor of H.R. 11233, I commend the Interstate and Foreign Commerce Committee for taking prompt action this week in reporting legislation providing for daylight saving time on a year-round basis. I do so because it is of vital importance to assist in easing the severe energy crisis facing our country.

The extra hour of sunlight each day that would result from passage of this bill would make a substantial contribution toward reducing our consumption of electrical energy.

According to the Department of Transportation, year-round daylight saving time would result in a net savings of between 1 and 2 percent of our nationwide demand for electrical power. While the 1 to 2 percent savings might sound small, we have reached the point where small economies must be added together to make a large difference—the difference between minor inconvenience and major disruption of our economy and standard of living.

Based on figures in the 24th annual electric industrial forecast, a 2 percent net saving on the estimated total electrical output of the United States this year would have amounted to about 40 billion kilowatts.

Because the concept of year-round daylight saving time has been proposed in the past—before the energy crunch developed to its present emergency level—several Federal agencies have

commented on other pros and cons of the idea. In my opinion, the favorable aspects of their reports far outweigh the inconveniences mentioned.

For example, according to the Department of Agriculture, there would be no significant effect on farm production from a scientific standpoint. There might be varying effects in individual cases, according to the Department, but one shift to year-round daylight time would put an end to the problems caused by the twice-yearly change which occurs with our present April to October system.

No hard statistics are available on the effect of daylight time on the incidence of crime, according to the Justice Department. However, estimates are that the change would greatly reduce the number of murders and muggings which occur during the hours from 5 p.m. to nightfall.

In the area of traffic safety, the Department of Transportation does not have conclusive statistics relating the frequency of automobile accidents during daylight and standard time. Available information indicates that with year-round daylight time, evening rush hour accidents would decline, but this reduction would be partially offset by an increase in morning accidents.

Another frequently mentioned potential problem concerns schoolchildren traveling to classes in early morning darkness during the winter months. The Department of Health, Education and Welfare suggests that in areas where this would be a definite problem, perhaps school starting times could be postponed to overcome the difficulty.

I feel it is indeed reassuring that these Federal agencies indicate many possible benefits from year-round daylight saving time, but the overriding concern facing us now is to conserve energy so we can avoid major disruption of our economy and way of life.

As a sponsor of legislation to institute year-round daylight saving time as one way of easing our energy crisis, I respectfully urge my colleagues to give prompt and favorable consideration to the Interstate and Foreign Commerce Committee's bill when it reaches the floor for action.

THE FATHER OF THE BLUES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 16, 1973

Mr. RANGEL. Mr. Speaker, today is the 100th anniversary of the birth of William Christopher Handy the "Father of the Blues." Throughout America cities, universities, community groups, periodicals, and individual citizens are honoring W. C. Handy for creating a brilliant and poetic musical idiom. An idiom that Handy wanted to convey the bitter impact of slavery on black America. It was created to express his feelings about growing up in America in the late 19th century, but it still expresses the lingering impact of slavery in the late 20th century.

Mr. Speaker, I think it is quite fitting

that Congress honor W. C. Handy today. To that end I place in the CONGRESSIONAL RECORD articles on Mr. Handy from three newspapers: the New York Amsterdam News November 17, 1973, the Christian Science Monitor November 15, 1973, the Washington Post November 16, 1973.

[From the New York Amsterdam News, Nov. 17, 1973]

A DEVOTED FAMILY OF BLUES LOVERS—HONORS ITS REVERED "FATHER"

Few American musicians have become more famous than William Christopher Handy, the "Father of the Blues."

He made Memphis famous, put St. Louis in song and gave the whole world a new form of music, but he belongs to Florence, Alabama.

On Sunday, November 18, Florence will honor its most famous native son with the second W. C. Handy Music Festival. The Sunday Night concert will conclude a week-long celebration featuring open house at Handy's restored, log-cabin birthplace and the W. C. Handy Museum, a festive parade through downtown Florence, a special jazz fest at halftime of the Florence State-Jacksonville football game and a reception for members of the late composer's family.

Born to former slaves on November 16, 1873 in Florence, Handy achieved worldwide fame as a composer, bandmaster, cornetist and music publisher before his death in New York City on March 28, 1958.

As a struggling, young musician, Handy traveled throughout the nation with a minstrel band playing for dances and parades. He was often abused by whites and condemned by many blacks who claimed, "show folks ain't nothing but dirt," and his minister father who called Handy's first horn "the devil's plaything."

But during his lifetime, he would be recognized as a true American musical genius and winned and dined by the cream of American society. "I have always felt that the miseries of my early life bore fruit in song—Yes, music cheered me on and played an accompaniment to my hard knocks," Handy said.

On his way to being rightfully acclaimed "Father of the Blues," Handy composed some of the greatest blues works, including "St. Louis Blues," "Beale Street Blues" and "Memphis Blues."

"Handy did more to bring the blues into the mainstream of world music than any other man," says the biographical dictionary of the American Society of Composers, Authors and Publishers.

The American Record Guide says, "W. C. Handy was responsible for the popularization of the blues and for giving the blues real status as a recognized music form." Handy's influence left its mark on the world of both popular and serious music, starting with its influence on George Gershwin and going back to William Grant Still, considered America's first black composer of serious music.

The "Father of the Blues" not only composed some of the world's greatest blues work, he was the first to put blues on paper and he preserved for America's musical heritage the "blues folk songs" of countless, unknown originators who preceded him.

The song often referred to as Handy's masterpiece "St. Louis Blues" is an enduring classic of American popular music and has been performed in an endless variety of arrangements and on every conceivable musical instrument.

The U.S. Postal Service honored him with a six-cent stamp, his life was brought to the screen in "St. Louis Blues" in which the late, great Nat King Cole played the role of Handy. Called "The Dean of American Music," and "Tin Pan Alley's Grand Old Man," Handy's fame spread in his latter years.

Vincent Lopez performed his "Evolution of the Blues" at the Metropolitan Opera House. He twice led his own band at Carnegie Hall, Memphis dedicated a park to him and re-named Beale Street to Handy Street.

Florence named a school, a housing project, a recreation center and more recently an American Legion post to him in addition to restoring his home and building a museum to house his famous golden trumpet, piano and hundreds of other personal articles.

But perhaps the greatest of all tributes to Handy is the annual W. C. Handy Music Festival staged each year in the town of his birth and sponsored by the Florence Chamber of Commerce. The first festival was held in 1970 when the Handy Home and Museum were dedicated and Florence Chamber of Commerce has decided to make it an annual affair beginning this year.

Some of the nation's top entertainers in the blues and jazz field will perform during this year's festival. The world-famous Olympia Brass Band, just back from a tour of Europe; The Ronnie Kole Trio; Blanche Thomas, "Queen of the Blues," who has starred at New Orleans' Heritage Hall for almost 50 years; Louis Cottrell and his All-Stars from New Orleans; Eubie Blake, Handy's contemporary composer who recently appeared on "Evening at Pops"; Maxine Sullivan, film and singing star who sang "St. Louis Blues" in the movie version, and others.

Many of the musicians from New Orleans and New York will participate in a parade Saturday, November 17 at 10:00 a.m. and at halftime of the Florence State-Jacksonville game that afternoon. The reception for the Handy Family will be held Sunday Afternoon.

"I don't know how we're going to top the first festival, but now that we have his home restored and the museum open, we also want to have a commemorative celebration that will do justice to the memory of W. C. Handy and all he meant to the world of music," said Jim Odum, Executive Director of the Florence Chamber of Commerce.

Reports pouring in from across the country confirm that the centennial of the birth of W. C. Handy is being honored in ceremonies, festivals, concerts and exhibits in at least six states and the District of Columbia. Handy, internationally hailed as Father of the Blues and a distinguished member of the American Society of Composers, Authors and Publishers since 1924, was born in a Florence, Alabama log cabin on November 16, 1873. Son of former slaves, he died in New York City on March 29, 1958.

The governor of Alabama is designating November 16th W. C. Handy Day, and so are the mayors of St. Louis, Memphis, New Orleans and Florence. This is hardly surprising for Handy's most successful song was the "St. Louis Blues" and his other big hits include "Memphis Blues" and "Beale Street Blues"—the latter celebrating a street in Memphis, New Orleans Mayor Moon Landrieu is recognizing Handy's lasting contribution to the blues-jazz heritage which still thrives, and Florence is honoring its most famous native son.

Memphis and Florence will have week-long celebrations, including street parades and concerts by nationally known musicians and singers. Florence's galaxy will include Eubie Blake, Maxine Sullivan and the Olympia Jazz Band of New Orleans. The Yale University School of Music has scheduled a concert of Handy's spirituals and hymns, and Howard University in the District of Columbia is planning a two-day concert program honoring Handy and the Blues. Rutgers University's Institute of Jazz Studies in Newark has announced a Handy exhibit, and the Music Division of the Library of the Performing Arts at Lincoln Center is collecting memorabilia for a Handy show set for January.

The Voice of America is going to tape the Memphis and Florence festivals for overseas

broadcast, and the news departments of two major TV networks are planning video reports on the centennial. Many colleges and two professional football teams will feature Handy medlies in their half-time entertainment on Nov. 17th and 18th.

It isn't surprising that Bill Handy should have such a big birthday party," said ASCAP President Stanley Adams who knew Handy for many years. "He was a big talent and a big man, and he has left a big mark. All of his 21,000 colleagues in ASCAP join in this celebration, proud that he lives on in his music"

[From the Christian Science Monitor, Nov. 15, 1973]

W. C. HANDY'S AMERICA: LAND OF THE RED, WHITE, AND BLUES

(By Amy Lee)

"I hate to see de evenin' sun go down. . . ." Does anyone need to be told who wrote that American classic?

Tomorrow is the 100th anniversary of the birth of "St. Louis Blues"—composer William Christopher Handy, and his birthplace, Florence, Ala., will be celebrating. So will other cities—Memphis, New Orleans, Washington among them—in kickoff events for ongoing observances throughout this Handy 100th Anniversary Year.

Florence has declared Nov. 16 as W. C. Handy Day and has scheduled three major events for this weekend: a parade through downtown Florence on Saturday afternoon, Nov. 17, and in the evening a special half-time show at the football game between Florence State University and Jacksonville State at Braly Stadium. On Sunday, Nov. 18, there will be a W. C. Handy Music Festival Concert at Florence State's Norton Auditorium.

According to Wyer Owens Handy, of Handy Brothers Music Company in New York, who is W. C. Handy's only living son, the festival concert will feature "some of the finest talent from New Orleans," such as the Olympia Brass Band and other groups who took part in dedicating the restoration of the Handy Home (the original log cabin where the composer was born) and Museum. Ragtime pianist Eubie Blake and singer Maxine Sullivan have been invited to perform.

BIG EVENTS

"We are confident that this 1973 Handy Music Festival will be America's greatest jazz and blues event," said Jim Odum, of the Florence Chamber of Commerce. Proceeds from the festival will be used to perpetuate the memory of W. C. Handy.

On and on the blues will roll in every possible interpretation! Arthur Fiedler will feature a performance of "St. Louis Blues March" Nov. 24 in Baltimore. And in New York on Nov. 26 at the Overseas Press Club, Gregg Buchanan of the United States Navy Band will play "St. Louis Blues" on the harp.

During December and January, the New York Public Library at Lincoln Center will feature an exhibit of Handy's music and memorabilia, and slated for release this month is a special album of W. C. Handy's music by Earl "Fatha" Hines on Audiophile Records called "Hines Comes in Handy."

SACRED MUSIC

But overshadowed by his vast reputation as "Father of the Blues" is the fact that W. C. Handy had a deep interest in sacred music, particularly his beloved Negro spirituals. In his Author's Note in W. C. Handy's Second Collection of 37 Spirituals he wrote: "Masterful choral or symphonic arrangements [of the spirituals] may probe deep into my emotions, but none can supersede that happy feeling of possession which is mine when, closing my eyes, I can become transplanted once again to my own native Florence, Alabama, and the African Methodist Episcopal Church, first to be built by my grandfather [William Wise Handy, first ordained minis-

ter of the first black church in North Alabama and from whose pulpit my father [Charles Bernard Handy] preached many a sermon . . . Florence's First Baptist Church . . . taught me many of the Spirituals I have learned. . . . Handy arranged nearly 40 spirituals for mixed voices, male voices, and vocal solos with piano accompaniment.

Recently, Wyer Handy and his sister, Katherine Handy Lewis (only living daughter of W. C. Handy), and her son Homer D. Lewis, Jr., recalled their father's love of hymns:

"He was prolific in the field of sacred music," they noted. "He wrote the anthem 'They That Sow in Tears' [based on Psalm 126, verses 5-6, 1-2] and hundreds of other sacred compositions."

Wyer has sent letters to over 1,000 churches throughout the country, reminding them of his father's roots in the church and the spirituals, and inviting their participation in the anniversary celebration. Several colleges and universities, he said, are planning band concerts and classroom study programs of W. C. Handy's music, and tributes during televised valuations of football games. Copies of Handy band music have gone out to 300 colleges and universities.

CITIES SALUTE HANDY

As the city memorialized in two Handy classics—"Memphis Blues" and "Beale Street Blues"—Memphis has special reason to salute the memory of the composer-band-leader-trumpet player who spent some of his most fruitful years there. It started its Handy celebrations on Nov. 12 with a program of band arrangements of Handy compositions by the Memphis State University Band, and through the week is staging parades, performances by high school bands, and football half-time programs featuring Handy's blues.

In Washington, D.C., the Department of Afro-American Studies and the Institute of Arts and Humanities of Howard University have planned a two-day festival: "Homage to Handy and the Blues," to be held at Howard Nov. 16 and 17. It will include music and drama from Howard, and bands and music from other universities and high schools in the Washington area. Plans also include performances by Washington church choirs of spirituals and gospel hymns, which have contributed so much to the rich variety of blues and jazz music. Scholars of the blues will be invited to read from their works and discuss the role W. C. Handy played as source for today's proliferating rural and urban blues.

Dr. Stephen Henderson of the Howard faculty is organizer of the festival and is himself completing a book on the blues. It is expected that Walter Washington, mayor of the nation's capital, will issue a proclamation to honor the memory of W. C. Handy and his contribution to blues and the world music.

New Haven, Conn., jumps on the Handy anniversary bandwagon with a special concert event, Professor Willie Ruff of Yale, bassist member of the former Willie Ruff-Dwike Mitchell Duo that made history as the first modern jazzman to play in the Soviet Union (1959), has transcribed 12 of W. C. Handy's choral arrangements of spirituals for symphony orchestra and chorus and several of his blues for performance Nov. 17 by the Yale University Orchestra, featuring Marian Williams, gospel singer, with the 75-voice Gibson Choral.

[From the Washington Post, Nov. 16, 1973]

THE MAN WHO MADE THE BLUES

(By Joel Dreyfuss)

W. C. Handy, who was born 100 years ago today, listened to music in his father's church, to the work songs in Alabama fields and the lament of black singers, and made

the "blues" a part of the American vocabulary.

Best-known as the composer of "St. Louis Blues," he is the subject of a two-day tribute which begins today at Howard University and will retrace his contributions as a band-leader, arranger and popularizer of the blues.

"A Tribute to W. C. Handy and the Blues Tradition" is sponsored by the university's Institute for the Arts and the Humanities and will feature workshops, concerts and a film biography of Handy, who died in 1958.

"A Howard alumnus came to us with the idea," said Jeanne-Marie Miller, assistant director of the Institute "and we took it from there."

George Starkes, Howard's ethnomusicologist in residence, helped plan the festival.

"His 'Memphis Blues' was the first published blues that gained any degree of popularity," said Starkes. "Up until Handy's time, the blues had primarily been the province of black people. Handy made whites aware of that tradition."

"He did the same thing with blues that Scott Joplin did with ragtime."

While Handy has been called the "father of the blues," he also had a deep interest in church music and arranged nearly 40 spirituals for a variety of voices and musical instruments.

Born in Florence, Ala., in 1873, Handy left home at 18 because his father, a minister, objected to a musical career. One day Handy had brought a guitar home and was ordered by his father to exchange the "devilish instrument" for his dictionary.

He eventually obtained a battered cornet and began his career in music by playing in a minstrel show at the 1896 Chicago World's Fair. For seven years he was a wandering musician.

"In the days when I had to sleep on the levees and cobblestones I heard the roustabouts singing on the steamboats and it hung in my ears," he once recalled.

"Memphis Blues," which raised him to prominence, was originally written as a campaign song for E. H. Crump, who was running for mayor of Memphis in 1909. Among his other successful songs were "Beale Street Blues" and "Yellow Dog Blues."

Some musicologists have dismissed Handy as a commercializer who contributed to the dilution of the blues but Starkes does not agree.

"This was music that had never been notated until his time," said Starkes. "When music is put down on paper, something is invariably lost. One important thing was that Handy drew upon his heritage."

Handy went to New York in 1918 and formed a music company, Handy Bros. Music Co., still operated by his children, who recall both good and bad times, according to Starkes.

Other festivals are scheduled in his hometown this weekend, in Memphis, New Orleans and other cities.

The Howard programs begin at 10 a.m. today with tributes by poet Sterling Brown, author John O. Killens, playwright Clay Goss and others.

Jazz trumpeter Clark Terry will lead a workshop on jazz improvisation at 1:30 p.m. and will participate in an evening concert featuring traditional singer Mabel Hillery, bluesman Eugene "Buddy" Moss, the Billy Roberts Big Band and the Howard University Jazz Orchestra.

The 1958 Paramount biography of Handy, "St. Louis Blues," starring Nat King Cole, will be shown on Saturday afternoon and the program will conclude with another concert on Saturday night featuring Flora Moulton, Louise Robinson, Greg Buchanan and the Howard Choral.

ENERGY CRISIS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. ROSENTHAL. Mr. Speaker, I am pleased to learn the President has finally recognized that we are in the midst of an energy crisis. The cutoff of oil by the Arab States came as no surprise and has only hastened the shortage that had been forecast years ago. We must, of course, take decisive steps to conserve fuel to the maximum feasible extent, and we must do everything possible to keep the price of energy low and prevent windfall profits to the oil companies. We must also begin a crash research program to develop alternative sources of energy.

The President complained in his November 7 television speech that the Congress has done little about the energy crisis. The record shows just the opposite—the Congress has done more about energy than the administration and has been calling on the President for more than 2 years to show some leadership in solving the problem.

But throughout the developing energy crisis Mr. Nixon has shown more concern for the profits and prerogatives of the giant oil companies than for the energy needs of the American people. All the energy-conserving measures asked for by the President should have been requested a year ago when the shortages were already a palpable threat. In fact, many of his latest proposals could have been implemented as much as 2 years ago by the simple stroke of the Presidential pen.

The President has had authority since 1969 to restrict oil exports, but he is permitting three times as much fuel to be sent out of the United States this year as was exported in 1972. He did not even ask the oil companies voluntarily to stop exports of precious crude oil. The President has constantly opposed abolition of the oil import quota law even though such a move would have permitted the United States to increase its supply of oil prior to the Arab oil embargo.

Congress recognized the impending crisis by authorizing the President last April to institute mandatory fuel allocations. He not only opted for a voluntary program that quickly failed, his spokesmen deliberately stalled legislation requiring a mandatory program. This week the Congress passed and sent to the President legislation requiring him to allocate crude oil and refined petroleum products, including gasoline, in an effort to distribute equitably all fuels in short supply.

Last July 10, when service stations all over the Nation had begun to close, the administration said it was prepared to announce a comprehensive energy plan within a week. No such plan was ever forthcoming.

Even to this day the administration does not have a basic energy policy nor does it have the basic decisionmaking machinery necessary to deal with the en-

ergy crisis—all it really has is a public relations operation.

The Congress will act on the President's proposals where we agree that the power is necessary and will be used wisely, but we will not be rushed into precipitous action simply because the President claims he needs special authority in order to act.

There is no evidence that any of the seven pieces of legislation which he recommended in April would have better enabled the Nation to survive the shortages which are undoubtedly in store for us this winter. For example, he asked for deregulation of the price of natural gas at the wellhead. This would not produce any more energy for this Nation, in my opinion, but it would send prices for consumers soaring. The President also has asked the Congress to roll back a decade of environmental protection legislation.

The Congress has acted decisively on the energy issue independent of the White House. It is nearing completion on legislation to establish year-round daylight savings time; this was begun long before the President endorsed the move. The Congress also has voted operating subsidies for mass transit systems in an effort to get people out of their cars and into public facilities in an effort to cut pollution and save gas. The President has threatened to veto this legislation. Oil prices are soaring and so are the profits of the oil producers, but the President continues to oppose an excess profits tax. He has failed to confront the problem of continued production by Detroit of high-horsepower gas-guzzling cars.

Cutting speed limits to conserve gasoline will be helpful, but it appears we are heading for rationing of higher gasoline taxes in order to cut fuel consumption significantly. Higher gasoline prices alone are, in my opinion, inequitable and constitute a regressive tax that most directly hurts working people because so many depend on their cars for their livelihood. A slight increase in the Federal gasoline tax, however, when tied to an excess profits tax on the oil companies would be helpful in financing the Government's cost of development of new energy resources, new technologies and mass transit. In place of the higher gasoline tax, however, I would favor tying the excess profits tax to rationing in an effort to be sure that consumers who need gas the most can get it, and those who do not need it, regardless of their wealth, would have to do without.

I regret that the President has done what he always has—come down hard on the common man, the average hard-working consumer and allowed the rich corporations to escape their responsibilities in this grave crisis. The Congress and the American people must not tolerate such an approach.

IN MEMORIAM: BRIG. GEN. BONNER FRANK FELLERS, 1896-1973

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. DORN. Mr. Speaker, our dear and respected friend, Brig. Gen. Bonner Frank Fellers, who passed away on October 7, 1973, will long be remembered by many of us here in the Congress. General Fellers served our Nation with a sense of loyalty and dedication rarely seen. General Fellers had an outstanding loyalty to General MacArthur, whom he served, and General Fellers was right about the Far East. He shared friendships with many of us here in the Congress. It is my honor to say I knew and worked with this fine gentleman and his devotion and service to our Nation, to the world community, and his lifelong desire and efforts for world peace will be a lasting tribute to his memory.

Mr. Speaker, I extend my deepest sympathy to General Fellers' family. To his widow, Dorothy; his daughter, Nancy; and the four grandchildren, Amy, Mary, Georgianna, and Dorothy Lear. We all share in their loss.

Mr. Speaker, I commend to the attention of my colleagues and to the American people the official Army biography of the late Gen. Bonner Frank Fellers:

AS OF NOVEMBER 12, 1973: RÉSUMÉ OF SERVICE CAREER OF BONNER FRANK FELLERS, BRIGADIER GENERAL, XXX-XX-XXXX

Date and place of birth: 7 February 1896, Ridgefarm, Illinois.

Years of active service: Over 28.

Present assignment: Retired 30 November 1946. Died 7 October 1973.

Military schools attended: United States Military Academy, Army War College, Command and General Staff School, Artillery School, Basic Course, and Chemical Warfare School, Field Officers Course.

Educational degrees: United States Military Academy—BS Degree.

Major permanent duty assignments (last 10 years):

Assistant Military Advisor, Commonwealth of Philippine Islands, Manila, Philippine Islands, from February 1936 to December 1937.

Liaison Officer to Commonwealth Government of Philippine Islands, Manila, Philippine Islands, from January 1938 to May 1938.

Student, Army War College, Fort Humphreys, D.C. from July 1938 to June 1939.

Assistant Professor, United States Military Academy, West Point, New York, from July 1939 to August 1940.

Assistant Military Attache, Defense Attache Office, Madrid, Spain later Cairo, Egypt, from September 1940 to June 1942.

Assigned Military Intelligence Department, War Department General Staff, Washington, D.C., from July 1942 to October 1942.

Junior Army Member, Planning Group, Office of Strategic Services, Washington, D.C., from January 1943 to October 1943.

Chief, G-3 Planning Section later Assistant Chief, G-1, Headquarters Southwest Pacific Area, from October 1943 to November 1944.

Military Secretary to the Commander-in-Chief, General Headquarters, Southwest Pacific Area later United States Army Forces, Pacific, from November 1944 to December 1945.

Secretary General, Allied Council, General

Headquarters, United States Army Forces, Pacific, from February 1946 to June 1946.

Assigned Separation Center, Fort George G. Meade, Maryland (for record purposes only), from August 1946 to November 1946.

Retired in grade of Colonel 30 November 1946; Advanced to grade of Brigadier General on the USA Retired List, 16 August 1948.

DATES OF APPOINTMENTS

Promotions, temporary, and permanent

Second Lieutenant, 1 November 1918.

First Lieutenant, 1 October 1919.

Captain, 3 December 1934.

Major, 1 July 1940.

Lieutenant Colonel, 15 September 1941, 11 December 1942.

Colonel, 15 October 1941.

Brigadier General, 11 December 1942 (terminated 31 January 1946).

Lieutenant Colonel, 1 February 1946.

Colonel, 1 February 1946.

Brigadier General, 29 June 1948 (advanced on USA Retired List).

Medals and awards: Distinguished Service Medal (with Oak Leaf Cluster) and Legion of Merit.

Source of commission: USMA.

TRIBUTE TO DR. VINCENT FONTANA

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. BIAGGI. Mr. Speaker, today it is my distinct honor to pay tribute to Dr. Vincent Fontana, a man who has been the leader in the fight to rid this country of the evil scourge known as child abuse and neglect. In the words of Dr. Milton Halpern, Chief Medical Examiner of the city of New York—

Dr. Fontana is without doubt the most knowledgeable, articulate, and effective spokesman on the shocking subject of child abuse, neglect, and maltreatment.

Dr. Fontana and I share one fundamental thing in common. We both recognized the need for strong Federal legislation to deal with this problem long before it became fashionable. While I am proud to be known as the father of child abuse prevention legislation in the Congress, I remain appalled that no legislation including my own Child Abuse Act—H.R. 10968—has yet to be acted upon by the Congress.

Dr. Fontana has dedicated his career toward eliminating the problem of child maltreatment in our society. He published the first major work in this field in 1964, and since that time has served in various capacities all aimed at providing research into and solutions to child abuse.

Some of his more prestigious positions include chairman of the mayor's task force on child abuse and neglect for the city of New York, director of pediatrics at St. Vincent's Hospital in New York as well as professor of clinical pediatrics at New York University Medical Center. I am also happy to report that effective January 1, 1974, Dr. Fontana will assume the full time medical directorship of New York Foundling

Hospital as well as a special assistant for medical affairs to the Foundling Hospital's executive director Sister Marion Cecilia Schneider.

I have had the pleasure of working closely with Dr. Fontana for many years, and can assure you of his intense interest in this area. During the 5 years in Congress when I have been working with the issue, I owe Vincent Fontana a tremendous amount of gratitude and thanks for the inspiration he has provided in the formulation of my Child Abuse Prevention Act. His expertise in the field is unquestioned and can best be illustrated in his newest book, "Somewhere a Child Is Crying" a gripping exposé which discusses some of the more blatant cases of child abuse in this country.

What is central to both Dr. Fontana's and my thinking is the overwhelming need for Federal intervention in the area of child abuse prevention. Yet, there are still those on the State and Federal level who insist on playing politics in the formulation of effective legislation to curb this problem; yet while they play politics, more and more children are being maimed and killed daily by depraved parents.

As Dr. Fontana so eloquently observed in his testimony given during the recent hearings on my child abuse prevention bill:

It is time for us to pour some of the natural outrage we seem to have reserved for such questions as Watergate, into a crusade for the rights of children to live and be cared for. I find it very strange that we continue to virtually ignore the greatcrippler and killer of children, child abuse and neglect.

It is time for the long and tedious efforts undertaken by Dr. Fontana to be translated into meaningful and effective legislation to curb this outrage of child abuse. The passage of H.R. 10968 would represent an important first step, and above all would be a fitting tribute to this great man, humanitarian, and friend, Dr. Vincent Fontana.

PSRO BLASTED BY MEDICAL DOCTORS AS AN UNWORKABLE SYSTEM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. RARICK. Mr. Speaker, as the January 1, 1974, implementation date of professional standards review organizations draws closer, many medical doctors are expressing their concern over the "deep repercussions" that will occur if this radical procedure goes into operation.

Medical people, as well as a growing number of patients, see an inherent danger in PSRO in that the quality of medical care will actually suffer as a result of this new level of bureaucratic intervention in medical practice.

PSRO will result in higher medical costs to those paying patients not covered by the various Government-sponsored health programs. Patient treatment will suffer, because doctors will become encumbered by additional, time-consuming Government redtape. Unfortunately, PSRO will limit the medical activity of qualified personnel, rather than combat quackery or lower the cost of medical care to the average American consumer.

My bill H.R. 9375 has gathered additional House support from across the country. This bill will simply repeal the PSRO section of Public Law 92-603, a section of the Social Security Act that was added by the other body.

In order that our colleagues can better understand the objections voiced by many doctors in this country to PSRO, I insert the related letters at this point:

UNIVERSITY OF MINNESOTA,

Minneapolis, Minn., October 22, 1973.

HON. JOHN RARICK,
House of Representatives,
Washington, D.C.

DEAR MR. RARICK: In the October issue of *Physician's Management*, I noticed a statement that you are seeking support for a proposal which might strike out the P.S.R.O. requirements from SSA Title XI.

As Chief of Staff of a large University Hospital, I would like to pass along to you several opinions since we have been working hard to obey the provisions of the law. The purpose of P.S.R.O. is, of course, cost containment of hospitalization costs. As we have been tooling up to implement P.S.R.O. provisions, I am afraid it is going to add to hospital costs, not reduce them. First of all, from a personal standpoint: the amount of committee work, consulting with others and the like has seen my time cut in half and I have had to give up the acceptance of any new patients. This is costing me circa \$10-15,000 per year and at age 63, it simply is not prudent for me to continue as Chief of Staff for the sake of my family and retirement. Last week I formally requested that (1) my salary be augmented accordingly and, (2) that I be furnished with a secretary, file cabinets, etc. and, (3) a modest support budget. Lacking this type of support, I simply cannot continue as Chief of Staff. However, the point of this is that these requests will result in increased costs and they can only come from hospital charges to patients. In addition, members of the medical staff and others are spending literally hundreds of hours in committee meetings to plan and implement the P.S.R.O. requirements. I cannot estimate the dollars cost of this but it is substantial. In addition, committee work takes time from patient care and the teaching of medical students.

If I was convinced that P.S.R.O. represents a likely way of reducing hospital costs (and without reducing quality of care) I would support it, but I am deeply concerned that it will have the opposite effect. I am also very much concerned that P.S.R.O. implementation may adversely affect patient care by locking physicians into an unworkable system.

In short, I would vote strongly to rescind P.S.R.O. requirements. Since no one can state with certainty that P.S.R.O. will reduce or raise hospital costs, the obvious approach would be to obtain some hard data by several well-planned pilot projects financed by HEW (so that sick people would not have to pay for it). It seems to me fool-hardy to launch an essentially untried scheme upon the country without having some firm data that

the scheme has within it the elements of success; i.e., to reduce hospital costs without sacrificing quality of medical care.

Most sincerely,

DONALD W. HASTINGS, M.D.

OHIO STATE UNIVERSITY HOSPITALS,

Columbus, Ohio, September 28, 1973

OPHTHALMOLOGY STAFF MEETING

Present: James Andrew, M.D.; Morris Battles, M.D.; William Biersdorf, Ph.D.; Mr. Joe Bitonte; Elson Craig, M.D.; William Havener, M.D.; Fred Kapetansky, M.D.; Robert Magnuson, M.D.; T. A. Makley, Jr., M.D.; Robert O'Dair, M.D.; Richard Olson, M.D.; Ted Suile, Ph.D.; and Joel Wachtel, M.D.

Professional standards review was the subject of the September meeting of the Department of Ophthalmology. This subject is of enormous importance to every physician, legislator, sick person, potentially sick person, and taxpayer in the U.S.A. In short, PSR is enormously important to everyone.

As a starting point, we discussed frankly the question of the quality of eye care rendered within our own hospital. We consider this care to approximate the best currently achievable. It isn't perfect. Dozens of minor mistakes occur in the hospital daily—late medicine, misplaced paper work, even wrong drops. Most of these minor errors do not matter for the simple reason that the procedure itself has little if any correlation with the final outcome of the eye problem. For example, cryoextraction of cataract works just as well whether or not preoperative atropine is used. (We do not want to encourage a cavalier attitude towards the carrying out of medical orders—while an occasional error may not really count, the sum total of many errors is uniformly disastrous and an occasional critical error may be overwhelming by itself).

Large mistakes rarely occur, but they do happen. They are as easy to recognize afterwards as is the error of an intercepted pass leading to a critical touchdown. Unfortunately, the medical judgment or the quarterback decision is not quite so obvious at the instant of necessity. The conditioned responses of long training and anticipation of possible choices under various circumstances usually enable us to perform reliably, but cannot meet all contingencies.

We considered the factors responsible for good care to be the environment and the individual. Our environment is the togetherness of enough capable ophthalmologists to permit easy exchange of information. Both Staff and residents participate in this exchange. The individual is a rigidly selected, supertrained, and highly motivated physician. By normal standards, he could only be described as compulsive and obsessed by a need for perfection in his own performance standards.

Does formal internal review of performance contribute to better medical care in such a group of physicians? Would check-off criteria lists or regulations improve the health outcome of our patients? It is quite apparent to us that spontaneous and voluntary group interactions constantly update and improve our performance. It is equally apparent that a group-developed protocol on cataract extraction, for instance, would not improve our patient care. That a Washington-originated protocol would do so is even more unlikely.

As presently proposed, the PSRO concept assumes that computer evaluation of some type of data would improve our medical performance. This hypothesis is inherently attractive and plausible. However, critical consideration of the preceding paragraphs will reveal that we concluded the PSRO approach will be of no value in improving pa-

tient care and will actually be counter productive because of the inherent wastefulness of a regulatory system. This conclusion was not emotional or intuitive, but represented the unanimous reasoned judgment of a group of mature individuals with a combined experience of several hundreds of years of delivery of medical care.

We know that our expression of doubt as to the wisdom of PSRO mechanisms will generate more heat than light and will be discounted as invalid. Since the published word enjoys more credibility, we cite *The New England Journal of Medicine* 288: 1323, June 21, 1973, "Quality-of-Care Assessment: Choosing a Method for Peer Review", by Robert H. Brook and Francis A. Appel and also the editorial on p. 1352, "Evaluating the Quality of Medical Care".

Originating from the Johns Hopkins University (certainly a center that should receive credit for delivering acceptable care) this paper studied the care delivered to 296 patients, making the evaluations by 5 different methods of peer review criteria.

One method of evaluation established by group agreement was a list of predetermined criteria that were considered essential to the delivery of care of acceptable quality. This method was used twice, different sets of criteria being generated by different physician groups. Incidentally, this is the approach generally considered by computer-oriented people and by the Medical Advances Institute here in Ohio. Judged by these criteria, 4 of the 296 patients (1.4%) received acceptable care when evaluated by one list of criteria and 6 of the 296 (2%) received acceptable care when evaluated by the other list.

Another method of evaluation relied upon the subjective opinion of an expert physician reading the case summary—no predetermined criteria were used. By this method only 23% of patients were judged to have received adequate management.

The outcome of a case, rather than the documented management, might be considered a better criterion of adequacy of care. Expert judgment of the outcome indicated this to be of acceptable quality in only 63% of patients. Evaluation of outcome by predetermined criteria indicated acceptable care in only 40% of patients.

What does this mean? Critics of our health care system will infer these statistics condemn the system, just as they have said. A more valid conclusion would be that none of the evaluation systems (or at least most of them) are of any accuracy. A student whose examination paper received grades ranging from 1.4% to 63% when scored by different professors would understand and sympathize with this point of view.

The authors emphasized that the patient records subjected to this study originated from a teaching center observing the highest standards of care and completeness of evaluation and recording. They predicted that successful compliance with the method of evaluation requiring predetermined criteria would have required tripling the amount of physician and laboratory effort.

What would be the effect upon our medical care system of requiring nationwide a work-up three times as complete as the Johns Hopkins current methods? We don't think anyone would benefit from such a computerized disaster. The quality of documentation is not the same as the quality of care.

In Ophthalmology, we don't believe it is possible for the computer to tell whether a knife entered an eye correctly or incorrectly, at the right or the wrong time.

A negative attitude, without useful suggestions, is not very helpful. We deplore the lack of teeth in our Medical Board (which is more the fault of society than of the Board). The performance of medical acts

by nonphysicians is generally considered to be acceptable. Quackery by licensed physicians is impossible to combat. Attempts to limit medical activity to qualified personnel are generally considered to be "restraint of trade". If quality of care is a significant concern, then the Medical Board needs more teeth. This is the only constructive way we can suggest to eliminate gross incompetence, but we doubt its feasibility in the present political climate.

The cost of medical care is a legitimate concern but is not synonymous with the quality of care. Establishment of a base price reimbursable to the patient for a given disease by the insurer would be an effective method of limiting costs. The principle of assessing extra costs to the patient is necessary to secure his participation in reducing cost. A full pay system will always be abused by the patient. Again, this may not be politically acceptable.

In summary, we predict the computer will fail to improve the health of the nation and will do so expensively.

Quality of care is an educational rather than a regulatory process. You can't legislate a physician to deliver better care than he knows how to give.

TRIAD SUBMITS PLAN TO TURN RIVERS INTO RECREATIONAL PARKS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Arthur Harris, president of the Three Rivers Improvement and Development Corporation—TRIAD—has spearheaded a campaign to turn Pittsburgh's riverbanks and waterways into usable public facilities.

TRIAD has done research, commissioned studies, organized seminars and water programs, all with an eye toward making people in Allegheny County and western Pennsylvania aware that we have wonderful opportunities to turn the Allegheny, Monongahela, and Ohio rivers and their banks, into valuable recreation, housing, and public facility realities.

TRIAD's most recent effort is a 74-page report to the public with suggestions for developing 10 riverside parks and for putting Pittsburgh proposed Convention Center on the riverfront.

I would like to include in the RECORD at this time, for the information of my colleagues, a recent Pittsburgh Post-Gazette editorial and a news article from the Pittsburgh Press, on the efforts of TRIAD and its president, my good friend, Art Harris:

[From the Pittsburgh Post-Gazette, Nov. 12, 1973]

DON'T MISS BOAT ON OUR RIVERS

The rivers were the historic and commercial reason for Pittsburgh. Now to many they seem a polluted blight and a nuisance in constricting traffic to crowded bridge crossings.

Yet the three rivers are the key to Pittsburgh's future in terms of that elusive element called "quality of life."

That's the significance of the proposal by the Three Rivers Improvement and Develop-

ment Corp. (TRIAD), calling for 10 riverside recreation parks along our rivers. Nine would be park sites or boat-launching facilities along the Allegheny and the 10th would be a combination boat-launch and park facility at Sewickley on the Ohio.

Arthur V. Harris, TRIAD president, said the 74-page report was made to present the public "with ideas." TRIAD also stands ready to help obtain private or public funds. The County Commissioners were enthusiastic about the plans, but wary of promising funds. They said they'd help in seeking federal and state grants.

Planners at the Southwestern Pennsylvania Regional Planning Commission (SPRPC) say that as leisure time grows and as we clean up air and water pollution in this area, our three rivers will become greater assets. Even our dilapidated mill towns, now a liability, may become assets as riverfront sites are cleared. Residents of those towns—whose vision of the rivers literally has been cut off by plants and smokestacks—may no longer turn their backs to their rivers, but, instead, claim them as a pride and joy.

This, we hope, will be true even along the Monongahela which, it should be noted, had no sites in the TRIAD survey.

But for this promise to be fulfilled, two things must happen. One, we must continue to clean up our rivers and our air. The recreation possibilities in a sewer-like stream under a smoggy sky are nil.

Secondly, we must acquire and safeguard for the public promising recreation sites along the rivers before they become too high priced or are taken permanently out of the public domain. If we the public do not appreciate the potential, private enterprise services will, and they may build "fences" in such a way that the general public is forever shut out.

The TRIAD proposals give us an excellent place to start. Let public agencies not be afraid to use tax funds and let private foundations and corporations help in insuring that our children and their children have this "quality of life" for Pittsburgh which its unique river system can provide.

If we don't, our descendants may hark back to this TRIAD report of 1973 and wonder why we missed the boat.

[From the Pittsburgh Press, Oct. 9, 1973]

FOURTEEN MILE ISLAND TO BECOME HUCK FINN DREAM

It's a throwback to the days of Huckleberry Finn.

That's how officials characterize plans to convert Fourteen Mile Island into a first-rate campground for kids.

The scenic Allegheny River island is slated to become a summertime paradise for city youngsters.

\$58,000 FOR PROJECT

If all goes well, there'll be sleeping shelters and a dining pavilion on the 25-acre island by next summer—an arrangement that will make it easier to accommodate thousands of kids who attend day camp and stay overnight at the recreation center.

It'll cost \$58,000 to provide all the necessary facilities for the would-be Huck Finns and Tom Sawyers.

They're mostly youngsters from Pittsburgh ghettos. Perhaps few of them have ever had a chance to wet a fishin' line or skip a rock off the surface of the placid river.

The price tag for putting the island into shape for visits by 4,000 youths per season was calculated by the Allegheny County Planning Commission, which is cooperating with the Three Rivers Improvement and Development Corp. (TRIAD) in the blueprinting of improvements.

It'll be up to TRIAD, which leases the island from the Western Pennsylvania Conservancy, to implement the plan.

14 MILES FROM POINT

The island is situated 14 miles up the Allegheny River from "The Point," hence its name. Harmar Twp. lies to the north of the island and Plum Borough is to the immediate south.

Thomas Vogel, TRIAD staffer, said his organization is now lining up funds, materials and aid to carry out the proposed improvements.

Army Reserve units in the Pittsburgh area have agreed to help with construction chores.

"For relatively modest sums of money, we can install fire circles so day campers and overnight guests can heat up victuals the old-fashioned way," he said.

That means opening cans of baked beans and heating them hobo style over red-hot coals.

There'll be nature trails through the thick stands of willow that envelop the island.

Marine cables already have been placed in the riverbed to supply electricity. But the lines have not yet been energized. So there still is no way to run the motors on the pumps in wells used for the island's drinking water supplies.

"We need electricity for refrigerators and for equipment in the dining hall and to illuminate all our proposed facilities," said Vogel.

PROGRAM ON 4 YEARS

TRIAD has conducted a summertime recreation program the past four years on the island for underprivileged children.

But the major focus has been on day camp activities. Overnight stays have been available only for youngsters who have a pup tent or camping gear.

Youngsters who visit the island while away their time fishing and wading along the shore of the river. A TRIAD-owned boat serves as a ferry and sightseeing vessel.

Biggest feature of all, however, is escape from the city's noisy, teeming streets.

"Many of the youngsters have never been on the river before or slept out overnight," said Vogel.

The emphasis of the TRIAD program is on simple pleasures.

Like sitting under a willow tree and watching the blue-green river slide by.

LATVIAN INDEPENDENCE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. PEYSER. Mr. Speaker, I would like to call your attention to the fact that November 18 marks the 55th anniversary of the Latvian declaration of inde-

pendence. It is time for us to give pause and remember that there are still millions of people throughout the world who do not enjoy the fruits of freedom and self-government.

When the Latvian people finally became independent in 1918 it was the result of centuries of struggle. There followed a period of economic and cultural growth unparalleled in their history. Their record of growth still has not been equalled today. Instead, due to the Russian invasion and occupation in 1940, "suppression of human rights and fundamental freedoms and terrorism are the marks of the Soviet occupation in Latvia." The Latvian people, 23 years after the occupation of their country, are still paying the price of colonization and domination by a foreign government.

This is a sad reminder to us all in the United States that we must continue to insist on the right to self-government for all. Latvia and its citizens are proud of their heritage and culture; they look to the day when they will be able to celebrate them.

FEDERAL EMPLOYEE UNJUSTLY ACCUSED

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, recently a career Federal employee was unjustly accused in a Washington Post news item of using an alleged relationship with a Member of Congress to obtain a promotion. The newspaper falsely states the relationship as a fact in spite of advance information to the contrary and infers that the employee would not have been promoted on a merit basis.

I insert a letter I wrote to the editor of the Post in an effort to set the record straight. Inasmuch as the news item has been reprinted in the CONGRESSIONAL RECORD, I hope my insertion will set that record straight:

OCTOBER 31, 1973.

MR. BENJAMIN BRADLEE,
Editor, The Washington Post,
Washington, D.C.

DEAR MR. BRADLEE: Recently, in a story entitled "Political Abuses Cited in CSA Hiring"

you printed false information about my connection with one individual after your reporter was twice informed of the error in fact.

The story refers to one person receiving a promotion at GSA as a "former sister-in-law" of mine and infers that she was given favoritism treatment because I had improperly used by influence in behalf of a relative.

Your reporter first discussed this story with two members of my staff on the evening before the story was printed. Both of these staff members told the reporter that they did not believe there was a former sister-in-law by that name. One of my aides specifically urged your reporter to call the person involved to inquire about this relationship question and also recommended that the reporter call me with the same question.

Your reporter did call me at my home that evening and I told him that I did not know of any relative by that name.

In spite of these two conversations the false information and the unfair insinuation were not changed in the story. Please advise me if it is your policy to print information known to be false just for the purpose of dramatizing your news articles. I realize that a newspaper increases circulation and thus increases income when news stories are of greater interest. I certainly hope, however, the profit making motive does not put lies in your news items.

Inasmuch as your reporter called after office hours it was not possible to give him a specific answer regarding whether or not I had sought to help the alleged "former sister-in-law." I have now had the opportunity to check my files and find that I did not take any action in her behalf in this or any other matter.

The Post has done harm to the reputation of this career Federal employee and has failed to meet the obligation of accuracy that goes hand-in-hand as an obligation to match the freedom of the press. I suggest you print this letter with your apology to the GSA employee.

I do want you to know that had the person in question called, written or visited to ask me or any member of my staff for assistance she would have received help in full measure. I believe every citizen has a right to expect assistance from his representative in transactions with their government. I am proud of my service in this aspect of my Congressional duties and I intend to continue helping my constituents to the best of my ability.

With best wishes, I am

Sincerely,

JOEL T. BROYHILL,
Member of Congress.

SENATE—Monday, November 19, 1973

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Our Father God, we lift our morning prayer to Thee for strength and wisdom beyond our own. We thank Thee for every human endowment of intellect, reason, and emotion, and we pray that to these gifts Thou wouldst add the gift of Thy presence and power. Amid the darkness of these disturbing days make us grateful for the shining light of Thy

presence, for the reality of things that cannot be shaken, for beauty and truth, for goodness and love, for all in this earthly life which speaks of the eternal. Make us to know that though we work as citizens of this land, we are also citizens of a higher order, the maker of which is God, the law of which is love, the judgments of which are pure and righteous. And to Thee shall be all the praise and glory forever. Amen.

COMMITTEE REPORT SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of November 15, 1973, Mr.

MAGNUSON, from the Committee on Commerce, on Friday, November 16, 1973, submitted a report on the bill (S. 2176) to provide for a national fuels and energy conservation policy, to establish an Office of Energy Conservation in the Department of the Interior, and for other purposes (Rept. No. 93-526), which was ordered to be printed.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, November 16, 1973, be dispensed with.