

H.R. 11875. A bill to suspend for a period of 6 months the duties on certain denim; to the Committee on Ways and Means.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, Mr. HUBBARD, Mr. GIBBONS, Mr. GUNTER, Mr. ROBISON of New York, Ms. SCHROEDER, and Mr. WOLFF):

H.R. 11876. A bill to amend the Public Health Service Act to assure an adequate supply of chlorine and certain other chemicals and substances which are necessary for safe drinking water and for waste water treatment; to the Committee on Interstate and Foreign Commerce.

By Mr. TIERNAN:

H.R. 11877. A bill to authorize the disposal of silver from the national stockpile; to the Committee on Armed Services.

H.R. 11878. A bill to protect the environment and conserve natural resources by stimulating the recovery, reuse, and recycling of waste materials and by decreasing the quantity of materials moved in commerce which must be disposed of ultimately as waste; to promote and regulate commerce by identifying and establishing standards and guidelines for the proper management of waste which poses a substantial hazard to human health or the environment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TIERNAN (for himself, Mr. EDWARDS of California, Mr. FLOOD, Mr. GAYDOS, and Mr. METCALFE):

H.R. 11879. A bill to authorize the Secretary of Transportation to make grants and

provide technical assistance to units of general local government to implement programs which are designed to increase the use of carpools by commuters; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELSON:

H. Con. Res. 395. Concurrent resolution to express the sense of the Congress that the President should evaluate the commodity requirements of the domestic economy to determine which commodities should be designated as in short supply for purposes of taxation of domestic international sales corporations; to the Committee on Ways and Means.

By Mr. SISK (for himself, Mr. PEPPER, Mr. LONG of Louisiana, Mr. LATTI, and Mr. DEL CLAWSON):

H. Res. 743. Resolution to amend the House rules regarding the making of points of no quorum, consideration of certain Senate amendments in conference agreements or reported in conference disagreement, request for recorded votes and expeditious conduct of quorum calls in Committee of the Whole, deferred putting of the question on suspension motions, and elimination of joint sponsorship of bills, memorials, and resolutions, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

328. By the SPEAKER: Memorial of the Legislature of the State of Louisiana, relative

to fuel supplies for commercial fishermen; to the Committee on Interstate and Foreign Commerce.

329. Also, memorial of the Legislature of the State of Louisiana, relative to the energy crisis; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RAILSBACK:

H.R. 11880. A bill for the relief of Georgette Van Akeleyn (nee d'Harcourt); to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 11881. A bill to authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

372. The SPEAKER presented a petition of the city council, New York, N.Y., relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

NUCLEAR WEAPONS—UNITED STATES VERSUS SOVIET UNION

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES
Monday, December 10, 1973

Mr. HARRY F. BYRD, JR. Mr. President, on November 28, 1973, in the Baltimore Sun, there is published an article written by Joseph Alsop entitled "If This Shocks You, You Are Not in the Real World."

This is a very interesting article on the nuclear weapon situation in the United States vis-a-vis the Soviet Union.

The article points out that in nuclear strategic weapons the Soviet Union is piling up an enormous lead over the United States.

There are some interesting facts in this article that should be brought to the attention of the Senate and I ask unanimous consent that it be printed in the Extensions of Remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

There being no objection, the article was ordered to be printed in the Record, as follows:

IF THIS SHOCKS YOU, YOU ARE NOT IN THE REAL WORLD

(By Joseph Alsop)

WASHINGTON.—Readers who dare to give themselves a fairly ugly reality test are hereby invited to do so. You are not living in the real world of 1973 if you are either shocked or surprised by any of the following propositions.

First, the talk of Soviet strategic "parity" with this country is plain garbage. In nuclear-strategic weapons, the Soviet Union is acquiring an enormous lead over the United States. If drastic measures are not taken soon, they will in fact enjoy potentially decisive nuclear-strategic superiority by the fairly early 1980's.

Second, the Soviet strategic lead mainly results from no less than five brand new intercontinental nuclear missiles, of far greater power and better design than those they had before. Two additional, still better new missiles are further predicted for testing in only two more years.

Third, for the above reasons, there was no foundation for the major American assumptions that made the first Strategic Arms Limitations Talks agreement seem acceptable and safe.

If you are one of those who hold that the U.S. can prudently allow decisive nuclear-strategic superiority to pass to the Russians, this is rather obviously a report to skip.

For those who hold the contrary view, however, the foregoing propositions are easy enough to prove from facts no longer disputed, even within the more error-prone sectors of the U.S. intelligence community.

After the SALT agreement was safely signed and sealed, to begin with, Moscow briskly began a long series of missile tests, which then revealed the new missiles they had been keeping up their sleeves. Each new land-based missile was thoughtfully designed to fit into the existing silos of one or another type of their existing missiles—thus circumventing the SALT rule against digging additional silos.

The SSX-16 will therefore replace the solid-fuel SS-13. Either the SSX-17 or the SSX-19 will replace the Soviet Minuteman-type missile, the SS-11. The SSX-18 will replace the Soviet monster-missile, the SS-9. Finally, there is the SSN-8, built for the new Soviet D-class nuclear submarine.

It is thought by many who think of such matters at all, that the new missiles merely embody minor improvements on the missiles they replace. This again is garbage, but it is garbage with a highly significant origin. The error arises from the existence of permanent, ongoing design teams, which were responsible for the older missiles, and have now produced the replacements.

The cost to the U.S. of maintaining so many competing design groups, all encouraged to produce prototypes of new missiles as often as they can make major advances, would be in the neighborhood of \$7 billion a year. Even in research and development in the strategic field, in sum, Moscow is investing at a rate that shows the grimmest of purpose.

As for the new missiles themselves, the land-based ones are uniformly much more powerful than their predecessors, and all four are provided with MIRV or independent by targetable, warheads. In all but one case—one of the two competing replacements for the SS-11—the great gain in power results from use of a "pop-up" launching system.

This permits the main rocket to ignite outside the silo, after the pop-up, which provides an immense gain in thrust for various technical reasons. With additional power thrust behind them, the new Soviet MIRV's are also radically different from our own MIRV warheads. Ours have power that can be counted in kilotons, whereas the Soviet MIRV warheads are all in the megaton range. Thus, they are effective counterforce weapons—and ours are not.

Overall, deployment of the new missiles with their MIRV warheads will increase the number of individually targetable Soviet warheads five or six times.

The SALT assumptions were: (A) That Moscow would not get a sea-based missile with anything remotely resembling this range; (B) That we had succeeded with MIRV-ing all our missiles, whereas the

the Soviet Union had failed; and (C) that greater accuracy was another huge American advantage. The first and second assumptions have now proved dead wrong. And the third assumption about our accuracy is now meaningless, since it is canceled out by the vastly greater power of the Soviet warheads.

So there you have the facts. In a more rational America, these appalling facts would spur great national efforts. Instead, several members of the Senate Armed Forces Committee were downright angry when they were told the facts. They preferred no contact with the real world.

TERESA JOHNSON—THE LADY OF CHRISTMAS

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DANIELSON. Mr. Speaker, it is refreshing from time to time to take a break from the everyday duties of my elective office to bring to the attention of my colleagues the work of an extraordinary person, in this case my constituent, Mrs. Theresa Johnson of El Monte, Calif.

During this past year I had the opportunity to become involved in a project that resulted in assuring that many needy children in El Monte and South El Monte will have refurbished toys again this year at Christmas. It gives me a humble sense of satisfaction to know that in some small way I was able to help make Christmas a better time for others.

Through my involvement in this Christmas project I first learned of the work being done by Mrs. Theresa Johnson. She is the kind of person that I am proud to represent in Congress because, in a very real way, Mrs. Johnson symbolizes the spirit of Christmas. A brief description of her daily life will illustrate how she exemplifies the true spirit of giving and unselfish devotion to helping make life a little happier for others.

Mrs. Johnson is 71 years old. In 1961 she was stricken with throat cancer which required drastic surgery resulting in the removal of most of her throat and jaw. She cannot speak, her hearing is gravely impaired, and she is losing her vision. However, even when the pain is most severe she does not complain. Instead she goes ahead and does the job she feels should be done—helping others.

Such unselfish devotion is not new to Mrs. Johnson. Her life has been one of giving and making sacrifices for others. She lost a son in World War II and another son has retired after a career in the U.S. Navy. Before her serious illness she worked on projects that provided warm clothing for orphans in Korea and she helped in many other ways to make life more pleasant for those less fortunate than herself.

Now she sits, day by day, and repairs dolls which she contributes to the children at the Porterville, California Retarded Children's Center. Much can be said about the blessing that Mrs. Johnson's efforts has been to these retarded

children and the great joys she brings into their lives each Christmas but perhaps the following poem by her friend, the late Phoebe Blackburn, best describes the story of this remarkable woman and her dedication to her fellow man:

OUR THERESA DEAR

If I could not speak and I could not see
I wonder what sort of person I'd be?
Could I be like our Theresa Dear
Cheerful and happy all through the year?

Even when pain is most severe
She does not cry or shed a tear.
Just grits her teeth and holds on tight,
Knowing God is near and all is right.

And after the pain eases once more
Theresa starts in on the nearest chore.
She cooks, she cleans, and sweeps the floors
And works in her garden out-of-doors.

She takes good care of "Boots", her cat,
And lovingly calls her a spoiled little brat.

On the telephone often with friends she will chat

They tell her much about this and that.
She answers them; there is a code and so
Two taps mean yes and one tap means no.
When visitors call, just as quick as a wink
She takes pen and paper and converses in ink.

Theresa's letters are the greatest as all her friends know

And each day of the year one to son Earl must go.

In answer to one he writes her to say
How much he loves her and tell news of the day.

In leisure hours, Theresa sits down to rest
While she knits or crochets . . . the very best.

With darling Boots curled up in her lap
She makes beautiful stoles, warm slippers, or cap.

While busily knitting, she thanks God above
For her many blessings and for friends to love.

Oh if I could not speak and I could not see
I wonder what sort of a person I'd be?
Could I ever be like Theresa Dear,
Cheerful and happy all through the year?

GENERAL AVIATION SAVES FUEL

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. MILFORD. Mr. Speaker, the President of the United States is like a large number of citizens and a few Congressmen: they do not fully understand "general aviation" nor what general aviation does for this Nation.

Many still believe that general aviation consists of a bunch of guys out at the airport cutting didos on Sunday.

In order to set the record straight by correctly spelling out the role of "general aviation" and in order to tell of its efforts to conserve fuel, I include in the RECORD an article from the December issue of the AOPA Pilot. I would urge all of my colleagues to read it carefully. The article follows:

FUEL: THE ENERGY CRISIS AND GENERAL AVIATION

The ever-increasing demand for petroleum products, the cutback of oil supplies from the Arab countries, and the drastic price

increases levied by other suppliers of crude oil are among contributing factors to what may become a critical energy shortage.

This energy crisis calls for conservation and cooperation, not panic.

Not everyone will get all the fuel they want; however, with cooperation, everyone can get all the fuel they need. Part of the solution is to make the most efficient use of available fuels. This takes on two meanings in general aviation. First, a general aviation airplane frequently is the most efficient vehicle for a specific trip or purpose. Second, there are energy-saving steps that can be taken in the operation of aircraft. By understanding these and making the necessary adjustments, general aviation will not only assure its own fuel needs but will also make significant contributions to total energy conservation.

WHAT OF GENERAL AVIATION?

Objectivity is the key to understanding the true role of general aviation as it relates to the nation's economic and strategically flexible posture. The country benefits:

Through energy conservation. Pipelines and powerlines are regularly patrolled by general aviation aircraft. Leaks and breaks are easily spotted and repair crews guided to the scene with minimum delay. Such aircraft also figure largely in locating new energy sources and in speeding construction of wells and transmission lines.

Through assistance in food and livestock production. General aviation airplanes apply seeds, fertilizers, herbicides, insecticides and crop-growth regulators. A few hours in the air complete what would otherwise require days by earth-bound, energy-consuming farm equipment. Inventory and control of herds are simple chores from the air, accomplishing in hours that which would take days on horseback or in off-the-road, fuel-burning vehicles. During times of heavy snow, feed is quickly and efficiently airlifted and dropped to livestock which would otherwise starve due to the inaccessibility of such locations by ground vehicles.

Through efficient personal transportation. Nearly 100 million people travel intercity each year in their own or rented aircraft, by air taxi and commuter airlines. Much of this travel is between communities not served by scheduled airlines and results in considerable savings in time and money: two more important conservation areas. A trip by general aviation airplane usually is an alternate use of fuel, not an additional use. And it's an efficient alternate. Many small airplanes get more miles to a gallon of fuel than an automobile provides. Direct routes and shorter travel time assist in conserving energy.

Through more efficient law enforcement. Today, more and more law enforcement agencies throughout the U.S.—federal, state and municipal—are making airborne police an integral part of their control systems. In addition to routine patrols of our Mexican and Canadian borders to thwart illegal alien and contraband traffic, sky police perform a vital service in traffic management. By pinpointing trouble spots on the ground, automotive traffic can be expeditiously and efficiently rerouted, resulting in substantial fuel savings for those who might otherwise become mired in a major traffic snarl. Airborne police also are most useful in helping to control crime and in releasing patrol cars to meet specialized needs rather than routine surveillance.

Through population dispersement. Because the airplane makes possible rapid and dependable transportation between communities, it helps to attract business to smaller localities and is a reassuring factor in the decision-making that prompts businessmen so located to remain where they are. The benefit: more jobs. General aviation aircraft also put the nation's medical, social, and

economic centers within minutes or, at the most, hours from the most remote hamlet.

Through an infinite variety of specialized jobs. General aviation aircraft foster rural and small-town development, providing economic and social benefits so that residents of such areas need not move to larger cities and compound the massive urban problems already present. The private and business airplane is engaged in mapping; photography; the study and control of weather; the transportation of food, medical supplies, and equipment needed in a hurry. It is instrumental in the conduct of search and rescue operations for boaters, hikers and campers, and is a vital tool in the prevention and control of forest fires. In 1971 alone the airplane assisted in the containment of 2,812 forest fires, as recorded by the U.S. Forest Service.

HOW WE ARE HELPING

As the world's largest general aviation membership organization, AOPA, with 178,000 active, current members, urges every responsible citizen to consider carefully the many invaluable—and in some cases indispensable—services provided by general aviation. A large number of these specialized requirements could not be accomplished by any other means.

To perform its important work, general aviation uses less than one percent of the amount of fuel burned in the nation's automobiles. If every general aviation airplane in the U.S. were grounded today, the resultant fuel savings would mean that only one pint of additional gasoline would be available each week for every automobile in the country.

Would it be worth it? We think not.

We believe that if everyone works together, realistic energy conservation can produce a degree of fuel saving that will permit everybody to have what is needed, even though it may not be what we all want.

Some energy savings can be realized by individuals who use private and business airplanes. Other ways for general aviation to significantly reduce fuel consumption will require government cooperation.

HOW GENERAL AVIATION PILOTS AND USERS CAN HELP

Use economy cruise power settings. These are normally in the lower power range. Such settings may be used with safety and increased fuel economy except for new or rebuilt engines during the first 100 hours of operation. Consult your aircraft manual for specifics.

Use proper leaning procedures. If your plane is equipped with an exhaust gas temperature gauge (EGT), use it at all altitudes and power settings below 75 percent and within limitations specified by the manufacturer.

Reduce ground operation time. Plan ahead to reduce unnecessary ground running of the engine.

Keep the airplane clean. Accumulations of mud, bird droppings, and other dirt reduce speed and increase drag and fuel consumption.

Correct improper rigging. Having to hold aileron or rudder during cruise indicates that the airplane is out of rig. It slows speed and wastes fuel.

Fly direct courses. Instead of flying from one radio navigation aid to another—VOR to VOR—in VFR weather, take a direct course. The shorter distance saves fuel.

File IFR only when necessary because of bad weather. Instrument flight rule procedures invariably require more fuel—often as much as 20 percent more—because of clearance delays, circuitous routings and holding.

Use intersection takeoffs at big airports. Request intersection takeoffs where available, to save taxi time and long waits at the end of the runway, especially where airliners are waiting for separation purposes.

Use proper spacing in the traffic pattern

to avoid go-arounds. Avoid cutting in on other aircraft, thus forcing them to go around.

Pay strict attention to navigation. Do not wander off course. This just adds mileage and uses more fuel.

Use plane pools as you would car pools. Frequently travelers to the same destination for the same purpose will use more than one airplane. It requires far less fuel to fly one 4-place airplane than to fly two 2-place aircraft. Whenever possible, plan business trips to include several stops, rather than "double back" and start again to a destination which could have been included on a single flight.

Consider alternate transportation. By carefully considering schedules, number of persons traveling in a group, time and money, one may find occasions when scheduled airline service is more practical. This will conserve fuel for those many other times when travel by private aircraft is more efficient and practical.

WHAT THE FAA SHOULD DO

Establishment of high-speed safety corridors. There now exists a complex system of terminal control areas at major cities in the U.S. which keep jet aircraft at low altitudes for many unnecessary minutes. These TCAs also require some aircraft at lower altitudes to detour around them, unnecessarily using fuel. AOPA has asked the FAA to establish climb-and-descent safety corridors instead of terminal control areas. These corridors will provide jet aircraft—which consume enormous amounts of fuel at low altitudes—with more time at the higher fuel-saving altitudes.

The temporary postponement of the biennial flight review. The newly effective Part 61 of the Federal Aviation Regulations requires that all licensed airmen undergo a proficiency flight review with a certificated flight instructor every two years. AOPA has asked that this requirement be temporarily suspended pending the easing of the energy shortage.

Revise air traffic control procedures. Many of the "highways in the sky" are circuitous routes which have a proper place when there is heavy traffic. The FAA should, however, revise its procedures to cut down on this unnecessary vectoring and roundabout routing when less dense traffic permits it in safety.

Promote use of parallel runways. At Dulles International Airport, near Washington, D.C., sections of taxiways are used as parallel runways. This permits moving traffic faster, thus cutting down air and ground time. The FAA should encourage this at all airports where it is safely practical, and should expedite construction of short, parallel runways at other airports where congestion may cause delays.

Open restricted areas to flight. There are many places throughout the United States where civil aircraft are prohibited. Most of these are reserved for military operations. Flying around them increases the travel time, thus using more fuel. Recognizing that these areas are important for military readiness, AOPA does suggest that these areas be open during the many hours—and sometimes days—when the military is not conducting its necessary exercises.

If everybody saves a little, nobody will have to do without a lot.

GERALD R. FORD

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DAN DANIEL. Mr. Speaker, the elevation of Congressman GERALD R.

FORD to the Vice-Presidency is not only historically significant, it is personally satisfying to those of us who have known and respected him. The 40th Vice President has assumed that office under a provision of the Constitution never before utilized, but the procedure is indeed honored by the man we have selected.

JERRY has won the confidence and admiration of the Nation through a notable record of personal and legislative achievement. His leadership qualities have served well our country's interest in his taxing responsibilities in this body. In his quiet and unassuming way, he has worked with diligence and ability—both in service to his Michigan constituents and to the Nation—during 25 years as a Member of Congress. He has proven that leadership need not be flamboyant in order to be effective, but he is a man of convictions well expressed.

In his new role, the Vice President will apparently have an important role in relations with Congress and I welcome this association. His experience will not only be valuable to the President; it will be of much importance to the Congress and to the Nation.

Our best wishes go to the Ford family. The events of recent weeks have placed them in a burdensome role which will bring changes in their personal and public lives. But a grateful Nation will be enriched by their commitment.

PROJECT 70,001—WHAT IT IS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. LEHMAN. Mr. Speaker, as a member of the Congressional Advisory Board of Deca, Distributive Education Clubs of America, I have been impressed with Deca's project "70,001."

This project is a youth organization/employer based program whose purpose is to employ disadvantaged young people in distributive occupations. It was established in Wilmington, Del., in 1969 with the cooperation of the Wilmington Public Schools, the Delaware State Department of Public Instruction and Deca.

The success of the program can be seen in its 71 percent job retention rate. Significantly, the cost-per-enrollee per year averages only \$1,000. In August of 1973, the Office of Economic Opportunity awarded the project a 3-year grant of \$250,000 to help Deca bring its concept to other areas of the country.

Knowing of the interest of my colleagues in training programs with a high success rate, I commend their attention to the brief article below:

PROJECT 70,001—WHAT IT IS

70,001 is an alternative program of employment, training and education that works. Unlike other "job training" programs that attempt to prepare individuals for employment, 70,001 places unemployed individuals on the job first and then trains them in the job.

Designed primarily for alienated youth, of minority ethnic backgrounds, who are deemed unemployable due to educational or

social deficiencies, activities of delinquent or criminal behavior, and/or environmental influence, 70,001 places primary emphasis upon the development of attitudinal skills in the individual. Verbal and quantitative instruction are provided, as well as training in specific occupational skills, in the form of individualized instruction in a program of youth activities, to the extent that they are considered necessary for continued employment and/or promotion.

The National Advisory Board of DECA, of more than seventy (70) national companies, has endorsed 70,001 and top management of these companies encourages local management to participate in the program. Melville Shoe, Sears, Penneys, Woolworth, Goodyear, Goodrich, Allied Stores, SCOA and Genesco have been particularly cooperative in providing jobs.

The most vital element in accomplishing this task is a concerned, qualified and well-trained coordinator for each program.

With the existence of a pool of available manpower on one side, that requires placement and training to become employed and an expanding number of jobs on the other side, the key to success is the individual coordinator who can command immediate positive response from the youth while, at the same time, elicit the necessary cooperation of the business community in providing employment.

There exists also an expanding group of persons with such abilities necessary to successfully coordinate 70,001 programs.

These potential coordinators are "retired" professional or college athletes. Being of the same ethnic and cultural background of the individuals in the program and having attained success and stature in the community, they enjoy "respect through association" from both the youth and the employer providing, of course, that their attitude toward the task is positive.

There are definite techniques and methodology that need to be transmitted to program coordinators if the program is to produce the results it has in Delaware.

A key to this training of program coordinators is to help them develop an understanding of and competency in organizing and implementing the motivational activities developed by the several National Vocational Student Organizations.

The social, civic and vocational activities of these youth organizations and the leadership development opportunities they provide, such as competitive events, election of officers, and the like are often considered supplementary or complementary to regular instruction in vocational education. In 70,001 they must be *integral* to the program. Properly executed, they concentrate upon attitudinal development, which is the most important instructional activity of the 70,001 program. In addition, these activities provide for skill development related directly to the enrollee's job.

In summary, the 70,001 program works when a concerned, personable and popular coordinator can be recruited and trained in such techniques as interview and analysis of students, job analysis and placement, organization and implementation of youth activities (attitudinal development), employer relations, guidance and counselling.

SOLVING THE ENERGY CRISIS

HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. JONES of Oklahoma. Mr. Speaker, we should make no mistake about it, to-

day's energy crisis is not a passing fancy. The short-range problems, that is between now and the mid-1980's, concerns the use of our fossil fuels.

To solve the immediate crisis two things must be done. The demand for energy must be significantly reduced. Second, production of new domestic supplies of fossil fuels must greatly increase.

Cutting down demand can be accomplished in two ways: Either Americans can do it voluntarily by a daily conscious effort to conserve in our homes and our travels or failing in a voluntary program, a mandatory conservation effort imposed by the executive branch bureaucracy certainly will take effect.

To increase supply of energy requires legislation in at least four areas. All are designed to reinstitute free market incentives so that private enterprise will invest in the exploration and production of the fossil fuel reserves we have in this Nation.

First, we must spur production of natural gas. This is our quickest source of new energy supply. This can be done by legislation which deregulates the price of new natural gas.

Second, coal production must increase. America has one-half of the world's coal supplies. To spur coal production will require a temporary relaxation of environmental regulations and passage of the strip mining bill balancing energy and environmental concerns.

Third, the ineffective price and economic control program should be removed at least in the energy-related industry. Excess profits generated from this action certainly should be dedicated to new exploration and production.

Finally, we must open up new production with off-shore drilling, shale oil, and perhaps opening up naval petroleum reserves.

The long-range energy problem, that is for the mid-1980's and beyond, requires a strong Federal commitment to research and development in two areas:

First, alternate sources of energy such as solar power, nuclear, geothermal, and others; and second, improved recovery methods of more conventional fossil fuels. This means that Congress must get on with vital legislation which provides approximately \$2 billion a year for energy research and development.

The private citizen plays an important part. He can spur this legislative action by writing Congressmen and Senators to urge their immediate action. Working together, America can become self-sufficient in energy by the 1980's.

AN END TO THE NAVAL BOMBARDMENT OF CULEBRA

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. BADILLO. Mr. Speaker, I have consistently opposed the military construction appropriations measures as I believe they basically represent a con-

tinued distortion of our national priorities, that they carry forward many programs of questionable value in terms of our ability to defend ourselves and our overall national security and that they involved the expenditure of funds which are urgently required to begin to cope with so many domestic problems such as housing, education, job training and employment expansion, the environment, transportation and similar critical needs. Thus, when the House considered the fiscal year 1974 military construction appropriations bill (H.R. 11459) last Friday, I was paired against it.

Although I am recorded as opposing the measure, there was one aspect which I fully support and which I am delighted has finally been enacted. I refer to the \$12 million which was appropriated to provide for the relocation of portions of the Atlantic Fleet Weapons Range from the Island of Culebra in Puerto Rico to a site which does not pose as great a threat to life, property or the ecology. This move is long overdue and, now that the necessary funds have finally been appropriated, the Navy should have no excuse to continue its incessant delays and foot-dragging in fulfilling the commitment made to the government and people of Puerto Rico several years ago to withdraw the Naval training activities from Culebra.

The Navy failed to request funds to undertake a relocation effort and the necessary money was not included in the military construction measure we passed earlier this year. Through the successful efforts of the distinguished Resident Commissioner from Puerto Rico, Mr. BENITEZ, the \$12 million was included in the Senate version and an agreement was reached with the House to accept the Senate language. I commend Dr. BENITEZ for the effectiveness of his work on this issue and express my appreciation to the distinguished chairman of the Military Construction Appropriations Subcommittee, Mr. SIKES, for his willingness to accept the inclusion of these funds to enable the Navy to relocate the Culebra training and testing facility. I trust the Navy will now move with all necessary speed to fulfill its moral and legal obligations and proceed with the relocation of the activities now conducted on and about Culebra.

SUPPORT FOR ISRAEL

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. RINALDO. Mr. Speaker, as a staunch friend of the State of Israel, I have supported every action before this House to aid the great democracy in the Middle East.

More specifically, I have cosponsored the Mills-Vanik amendment to foster freedom of emigration from the Soviet Union; House Concurrent Resolution 358 to laud physicist Andrei Sakharov, novelist Alexandr Solzhenitsyn, historian Pyotr Vakar, economist Viktor Krasin

and other Soviet citizens who have spoken out against injustice; House Concurrent Resolution 341, which calls on the Austrian Government to allow the processing center at Schoenau to continue operating and House Resolution 620, which expresses support for the Israelis in the Mideast war.

Additionally, last summer, when I was interviewed by a Soviet television crew here in the United States to cover the visit of Chairman Brezhnev, I spoke out in behalf of the captive peoples of the Soviet Union.

And when this House considers another bill I have sponsored, H.R. 11088, which will provide aid and credits to Israel, I intend to vote for it proudly. I am proud that the Union Lodge of B'nai B'rith has named me man of the year for 1973, and I am proud to be able to add to the CONGRESSIONAL RECORD a copy of a resolution adopted by the B'nai B'rith Lodge of Westfield-Mountainside, whose members live in Westfield, Mountainside, Scotch Plains, Fanwood and Plainfield, N.J.

The text of the resolution follows:

RESOLUTION

Be it hereby resolved that this Organization unanimously petition our Government to support the legitimate aspirations of the Democratic State of Israel for a permanent peace based on defensible borders with major power treaty guarantees.

MARVIN A. HARLAN,
ROBERT EISENBER,
President.
MELVIN D. MARK,
Secretary.

The above resolution was unanimously adopted at the meeting of B'nai B'rith Lodge #2415 on December 3, 1973.

MELVIN D. MARK,
Secretary.

WHY ARE OUR SCHOOLS VANDALIZED?

HON. JONATHAN B. BINGHAM
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, December 10, 1973

Mr. BINGHAM. Mr. Speaker, vandalism has become a major problem facing our schools. Los Angeles, for example, has suffered more than \$11 million in property damage attributed to vandalism, arson and burglary. The consequent loss of staff and student time, and the disruption of the learning atmosphere is incalculable.

An article detailing this problem appeared in the Los Angeles Times on September 16, 1973:

CAMPAIGN OPENS ON SCHOOL VANDALISM
(By Doug Smith)

Hoping to reduce the incidence of vandalism, arson and burglary in the city schools this year, the Los Angeles Board of Education and the county Juvenile Courts have opened a month-long program to inform adults and youths of the consequences of such actions and efforts being made to stop them.

"Since 1968 the Los Angeles School District has lost more than \$11 million because of Vandalism, arson and burglary," says Supt. William Johnston.

"Because of our increased security efforts, our losses of \$2 million this year have been the lowest in four years. Unfortunately, the recent cutbacks in federal funds will force

the district to reduce its security force some 30%.

"This reduction, I am afraid, will be reflected in an increase in vandalism and other crimes. I fear that once again our losses will go well beyond \$2 million."

BLOCK PARENTS' GROUPS

Johnston said that in addition to a \$1 million program to install silent alarms in more than 100 schools over the next three and a half years, the school district is encouraging the formation of block parents' groups to keep watch on neighborhood schools for situations that might lead to vandalism.

Judge William Hogoboom, supervising judge of the Juvenile Court, added that the courts will help the school district in its antivandalism campaign because vandalism is often the act that leads to chronic delinquency in many juveniles.

Parents will be held financially responsible for any damage that can be attributed to their children, said Hogoboom. Last year 115 cases were handled by the courts with judgments as high as \$20,000 handed down.

"We aren't planning to become more harsh overnight," said Hogoboom, "but we are trying to impress on parents their obligation, first a moral one and then a legal one, to make their children understand they are not supposed to do these things."

Despite the effort to recover financial losses caused by vandalism, both Johnston and Hogoboom stressed that the primary goal of the antivandalism campaign is to protect the welfare of students, both against educational loss and an increasing involvement in crime.

"What money is recovered never compensates the teacher for lost instructional materials," said Johnston. "Nor will it compensate for the educational loss suffered by an entire classroom destroyed by fire. Nor will it compensate the community for the damage done to its educational efforts."

"Parents must know what their children are doing."

Our schools are in a double-bind. The Nixon administration continues to slice money from the budget slated for educational programs, while vandalism and security costs for our Nation's schools continue to grow at an unrelenting pace.

It may well be that increased Federal funding for innovative educational programs would reduce the devastation of school property. In any event adequate funds must be available for local school security programs, whatever shape they ultimately take. In many school districts across the country the learning process cannot continue without an upgraded school security system.

The Safe Schools Act, H.R. 2650, is designed to help schools meet this problem. It would earmark Federal funds for the purpose of learning more about the school crime problem, developing and testing techniques for dealing with it, and assisting the most vulnerable school districts in formulating and implementing organized programs to achieve a healthy learning environment.

THE DEFENSE RACE RELATIONS INSTITUTE

HON. PARREN J. MITCHELL

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, December 10, 1973

Mr. MITCHELL of Maryland. Mr. Speaker, on Friday, November 30, Con-

gressman DELLUMS attempted to restore to the defense appropriations bill the \$1.2 million needed to continue funding of the Defense Race Relations Institute. While Congressman Hicks aptly pointed out the fallacy in appropriating \$1 billion for an aircraft carrier, only to have a racial dispute render it inoperative, the amendment was defeated.

It is at times like this that the true priority placed by Congress on the successful integration of this country comes to light. Friday's vote attests to the fact that it is a shamefully low priority.

Nothing more clearly points to the alienation of blacks within the armed services than the fact that 2 percent of all military officers come from minority groups. This, in a force constituted of 15 percent minority members.

The 700 equal opportunity officers deal not strictly with blacks, but with whites and black-white interactions. Theirs is not an easy job, but it is one they do well. This assertion is supported by the 1973 Department of Defense Annual Report which lists the Institute as No. 1 in an 8-point program designed to bring DOD toward its goal of "complete racial equality in the services."

I was, and am, in complete agreement with the need to cut the defense budget. However, it should be obvious to us by now that "bandwagon" actions, taken without proper consideration, cost us dearly in the future.

For some reason, the Members of Congress have chosen to delude themselves into believing that racial tensions in the Armed Forces are less explosive now than they were at the *Kittyhawk* and *Constellation* incidents. I can assure them that this is not at all true.

I deeply regret the defeat of the Dellums amendment and of the possible advent of renewed civil strife within our own ranks.

CONGRESSMAN STEIGER SPEAKS
ON CONGRESSMAN JOHN RHODES

HON. FLOYD SPENCE

OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, December 10, 1973

Mr. SPENCE. Mr. Speaker, the high regard which Members of this body, particularly on this side of the aisle, hold for our new minority leader, JOHN RHODES, is well known. One of his colleagues from Arizona, Congressman SAM STEIGER, has made some observations on the significance of JOHN RHODES' election which are especially noteworthy. I am pleased not only to voice my concurrence with Congressman STEIGER's thoughts, but also to bring them to the attention of all Members of the House. Congressman STEIGER's remarks were made in his weekly newsletter to his constituents, the text of which follows:

SAM STEIGER'S CONGRESSIONAL REPORT

As I write, the Republican members of the House of Representatives have just elected John Rhodes as their leader, replacing the Vice President of the United States, Gerald Ford.

Many of you may find it hard to accept my statement: but the truth is that John Rhodes' unanimous election is a remarkable

tribute to him by his normally very critical peers. For John has no big state power base to elevate him to such a position. There are only three Republicans from Arizona in the House, including him. That contrasts with 12 from Jerry Ford's home state of Michigan.

That's impressive enough in itself. But the choice was so overwhelmingly popular that no one even offered to contest John. That adds up to the kind of respect that can be earned only by solid worth.

John earned that respect not just by laboring for many years in the Republican vineyard, but also by demonstrating intellect and leadership that are surpassed only by his lifelong reputation for honesty. And believe me, with this bunch of Republicans all to stand for election next year, they wanted their leader to be, above all, a totally honest man.

So we in Arizona have been paid the highest of compliments. That's particularly true for those who live in John Rhodes' Congressional District: your choice for Congressman is the unanimous choice of all the other Congressional Districts, and on merit alone.

Not bad for a little desert state!

MOSCOW FLIM-FLAM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. ASHBROOK. Mr. Speaker, when it comes to the matter of trade between the United States and the Soviet Union, America's labor unions have a far more realistic view of its effects than Nixon, Kissinger or the chamber of commerce. In the December 1 issue of the AFL-CIO News, John P. Roche blasts the idealistic notion that trade will cement United States-Soviet political relations. Such trade will not bring an end to the cold war. As Roche contends.

Every indication is that this is flim-flam, calculated political warfare.

Any benefit will be to the Soviet Union, not to the United States. He also said:

What the United States, then, is being invited to do is to rescue the Soviet Union from the incompetence of its economic system.

The following is the complete text of Roche's article.

MOSCOW PULLING FLIM-FLAM IN DEALS WITH U.S. BUSINESS

(by John P. Roche)

Does anybody really appreciate the cosmic irony involved in the present deals between the Soviet government and various American manufacturers? At the American end the enterprise is justified by everybody from Sec. of State Henry Kissinger down as a technique of cementing political relations.

The theory is that once the Russians get thoroughly dependent on us for spare parts, their ideological compulsions will wither away. In short, the American protagonists have adopted the quintessentially Marxist logic that economic relationships determine the behavior of political superstructures.

As the United States Chamber of Commerce prepares to hang a portrait of Karl Marx over the mantle in the director's room, the Soviet spokesmen are busy asserting the primacy of political power. In this they can draw sustenance from Lenin's 1921 New Economic Policy and from his improvisation of a category known as "progressive capitalists."

Lenin, who never let little theoretical prob-

lems interfere with achieving a desired objective—his was proudly "opportunistic"—kept assuring his distressed colleagues, notably the compulsively abstract Trotsky, that if it ever came to the crunch, the Bolsheviks could seize the foreign assets. That is, Lenin asserted the supremacy of the political over the economic relationship.

According to the Christian Science Monitor's Paul Wohl, a close and perceptive student of Soviet internal developments, Brezhnev's recognition that his "country will be drawn into the international division of labor to an ever greater extent" has been denounced by hard-liners as "economic madness." Pavlovian Marxists, they probably have nightmares in which Dr. Armand Hammer of Occidental Petroleum appears in Siberia with a writ and ejects the Communists from the premises for not keeping up their time payments. It's an entertaining thought—and on the basis of his track record Hammer might be worth worrying about—but at ground-level it is simply preposterous. Political power is decisive.

To take an example from a different area, 20 years ago the big oil companies "owned" the Arab oil producing states. Today the companies, where they have managed to maintain residual rights and have not been nationalized, are at the mercy of the countries in which they operate. And—against all good Marxist logic—it happened with hardly a shot being fired. Who would think that a mighty "imperialist" power like the United States would permit, to take one example, a lunatic nationalist like Colonel Qaddafi to take over Libya? Where was the 82d Airborne?

To ask this question is to answer it: the so-called "imperialist" nations are toothless lions when it comes to defending the foreign economic interests of their nationals. (Before someone rushes in shouting "What about Chile?", recall that the military junta has flatly announced it would not return nationalized American assets.)

What the United States, then, is being invited to do is to rescue the Soviet Union from the incompetence of its economic system. (Last year we initiated this "Bundles for the Bolsheviks" policy by the wheat give-away, which played an almost incalculable role in our subsequent domestic inflation.)

Our corporations will move in, perhaps with U.S. financing in the form of long-term credits, with, one hopes, a little help from the Soviet treasury, and spend, say, 30 years modernizing the Soviet economy. Their investment will be repaid in the form of barter—that is (and the prospect must have Lenin chuckling in his tomb), part of the "stuff" the Americans have produced will be used to repay them.

By any rational standards of political economy, Moscow's operation can only be described as rolling a drunk. It is comparable in poker to loaning money to a player who then cleans you out. But . . . "just a minute" . . . say its proponents: "You have left out the political linkage." This is shorthand for saying that the Soviets have promised to call off the Cold War.

Well, I have news for them. Every indication is that this is flim-flam, calculated political warfare. And you don't have to believe me: just take an Israeli to lunch.

CHRISTMAS TREE LIGHTS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. WOLFF. Mr. Speaker, with the energy crisis upon us, many people have been confused by ambiguous Govern-

ment statements encouraging conservation measures to be taken by private citizens. I am thinking in particular of statements articulated by the President relative to ornamental Christmas lighting.

Many mistakenly believe that a ban has been placed on the use of interior Christmas tree lighting. I have checked with Mr. Dennis Bakke of the White House press office for an interpretation. Mr. Bakke indicated that no request has been made to restrict Christmas tree lights used to decorate trees in the home.

People should naturally be encouraged to reduce the total wattage that they use, and a reduction of the use of outdoor lighting is therefore in order. However, the total of all the lights in normal decoration of a Christmas tree uses the same amount of energy as one 100-watt bulb. Thus, a comparable saving could be effected by turning off only one small light in the home.

While adjustments must be made to meet our energy needs, energy research stepped up, and our resources distributed in the most equitable way, we need not let this crisis force needless interference with celebration of the holiday season. Christmas tree decoration has been a tradition in our Nation for many years. It would be a sad day indeed if we needlessly destroyed this family celebration and with it part of the spirit of the holiday season. To add credence to the view that the President did not intend to restrict the use of Christmas tree lighting, one should note that the President himself will light the national community Christmas tree in the President's park, south of the White House.

OIL EXPORTS INCREASE ALTHOUGH SHORTAGE OF GASOLINE HAS FORCED MANY SMALL BUSINESS SERVICE STATIONS TO CLOSE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. EVINS of Tennessee. Mr. Speaker, one of the great mysteries of the energy crisis is the sharp increase in exports of gasoline and other petroleum products, while the American people face shortages and thousands of service stations are forced to close.

Certainly this is contrary to the public interest as is noted in a recent editorial in the Tennessean of Nashville, which points out that a cost of living study indicates fuel exports increased 284 percent this year over 1972.

Other reports indicate that September exports increased 350 percent over August.

Information just released by the State Department reflects an increasing trend of exports in 1973 over 1972. For example, in the major categories of petroleum products, exports have increased from 37,000 barrels of product per day to 47,000 in 1973—not including the last quarter of the year.

Our House Small Business Committee is deeply concerned over the im-

part of the energy crisis on service station operators and other small businessmen throughout the Nation, and a number of hearings and investigations have been conducted by subcommittees. It is now estimated that 10,000 service stations throughout the Nation have been forced to close, primarily because of the shortage in gasoline.

For the Nation to export gasoline when small businesses are being forced to close permanently defies logic and the national interest. In short, it is an outrage.

Currently our Subcommittee on Regulatory Agencies, whose chairman is representative JOHN DINGELL, Democrat of Michigan, is investigating specific examples of exports—specific case studies—and hearings are expected to be held in this connection within the near future.

The Subcommittee on Special Small Business Problems, whose chairman is Representative NEAL SMITH, Democrat of Iowa, has also done outstanding work in assisting small businessmen in securing an equitable supply of petroleum products through hearings, investigations and intercessions with Federal agencies in specific cases.

Because of the interest of my colleagues and the American people in this most important subject, I place in the RECORD herewith the editorial from the Tennessean:

[From the Tennessean, Dec. 6, 1973]

PUBLIC DESERVES ALL FACTS ABOUT BIG OIL ACTIVITIES

The suspicion is widespread that the major oil companies have not done all that should have been done to prevent the current energy crisis from developing. This suspicion could easily undermine any efforts to build support for a program of national sacrifice.

It is an indisputable fact that Big Oil can benefit financially from the crisis. Indeed the corporate reports of most of the oil firms this year have shown remarkable jumps in profits. Third quarter profits for Exxon were up 59% over last year, while Mobil's jumped 38% and Texaco's 34%. A medium-sized firm, Ashland Oil, has ended its fiscal year with a record \$85.2 million net income. This is a 25% rise over the previous year.

High profits during the crisis period aren't in themselves evidence that the oil companies were anything but lucky beneficiaries of a unique situation. Indeed Ashland Chairman Orin E. Atkins said that a sustained profit growth was necessary if his firm is to meet increased energy demands.

But others see the high earnings of petroleum corporations in an entirely different light. What Mr. Atkins regards as necessary growth, others see as "windfall profits."

Among the most vocal opponents of the way Big Oil has conducted its business while the crisis developed is Rep. Joe L. Evins of Tennessee's 4th District. He recently charged, "Certainly the Arab oil companies intensified the crisis, but this monopolistic action by the Big Oil companies prior to the crisis restricted supplies and left the nation in a weaker position to cope with the current problem."

Mr. Evins is concerned that the Nixon administration seems to be eager to cave in to Big Oil demands to exempt the companies from antitrust prosecution during the crisis. His investigations into the activities of the companies during the past few years has convinced Mr. Evins that Big Oil is "effectively evading the intent of the antitrust laws" already and "we should not take the energy crisis as an excuse for setting aside the antitrust laws that have been in effect for 70 years."

Others in Congress share Mr. Evins' concern that the crisis, if not actually engineered by petroleum interests, at least will be used to establish a national energy policy that will serve Big Oil wishes while weakening government control, driving competition out of the marketplace and keeping oil company taxes at a disproportionately low level. Rep. Charles A. Vanik, D-Ohio, submitted a report to the House recently that showed three U.S. oil giants that have invested in Saudi Arabian oil fields paid little income taxes. The tax rates, according to Mr. Vanik, were 2.9% for Mobil, 2.7% for Texaco and 5.8% for Standard of California.

Furthermore, major oil firms are doing nothing to bolster their image by continuing to export fuels needed at home at increasing rates. Rep. Richard Fulton of Nashville is one of several congressmen introducing measures to block oil exports. He said it is "apparent this jump in U.S. exports can partly be owed to the fact that oil companies can derive higher profits from foreign countries at the expense of the American people..." Fuel exports jumped 284% this year over 1972, according to a Cost of Living Council study.

Last summer several states and the Federal Trade Commission took legal steps to find out whether major oil companies were working in concert to benefit from the gasoline shortages. Only this week New York filed a similar suit charging seven major oil firms with pervasive fixing of retail gas prices and attempts to drive independent competitors out of business.

The congressional actions to stop profiteering are welcome and the public deserves much more vigorous legal efforts to resolve the variety of charges against Big Oil interests. At a time when the administration is asking for excessive taxation and sacrifice for the American people, it is mandatory that all doubts are dispersed that Big Oil is making dupes of the American people.

EDITORIAL BY GORDON SINCLAIR OF CANADA

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. LATTA. Mr. Speaker, one of my constituents has forwarded to me a reprint of an editorial given by Gordon Sinclair over Station CFRB of Toronto, Canada, and believing that it says so many things about the United States which need to be said, I submit it for the benefit of my colleagues. It goes as follows:

EDITORIAL BY GORDON SINCLAIR

The United States dollar took another pounding on German, French and British exchange this morning, hitting the lowest point ever known in West Germany.

It has declined there by 41 percent since 1971 and this Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people in all the earth.

As long as sixty years ago, when I first started to read newspapers, I read of floods on the Yellow River and the Yangtze. Who rushed in with men and money to help? The Americans did.

They have helped control floods on the Nile, the Amazon, the Ganges and Niger.

Today the rich bottomland of the Mississippi is underwater and no foreign land has sent a dollar to help.

Germany, Japan and to a lesser extent

Britain and Italy, were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts.

None of those countries is today paying even the interest on its remaining debts to the United States.

When the franc was in danger of collapsing in 1956, it was the Americans who propped it up and their reward was to be insulted and swindled on the streets of Paris.

I was there. I saw it.

When distant cities are hit by earthquake it is the United States that hurries in to help... Managua, Nicaragua, is one of the most recent examples. So far this spring, 59 American communities have been flattened by tornadoes. Nobody has helped.

The Marshall Plan, the Truman Policy, all pumped billions upon billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent war-mongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplanes.

Come on let's hear it!

Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tristar or the Douglas 10?

If so, why don't they fly them? Why do all international lines except Russia fly American planes?

Why does no other land on earth even consider putting a man or woman on the moon?

You talk about Japanese technocracy and you get radios. You talk about German technocracy and you get automobiles.

You talk about American Technocracy and you find men on the moon, not once but several times... and safely home again.

You talk about scandals and the Americans put theirs right in the store window for everybody to look at.

Even their draft dodgers are not pursued and hounded. They are here on our streets. Most of them, unless they are breaking Canadian laws, are getting American dollars from Ma and Pa at home to spend here.

When the Americans get out of this bind... as they will... who could blame them if they said the Hell with the rest of the world. Let someone else buy the Israel bonds. Let someone else build or repair foreign dams or design foreign buildings that won't shake apart in earthquakes.

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name to you 5,000 times when the Americans raced to the help of other people in trouble.

Can you name me even one time when someone else raced to the Americans in trouble?

I don't think there was outside help even during the San Francisco earthquake.

Our neighbors have faced it alone and I'm one Canadian who is damned tired of hearing them kicked around. They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles.

I hope Canada is not one of these.

IMPEACH FEVER END OF ORDER?

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. PRICE of Texas. Mr. Speaker, I would like to call the attention of my

colleagues to the excellent article by Virginia Payette and syndicated to a number of newspapers nationwide, in which Ms. Payette wonders if this Nation has not cast aside the constitutional 4-year term of office for U.S. Presidents. I noted this thought-provoking article in the November 13 issue of the Amarillo Daily News and I include it at this point in the RECORD:

[From the Amarillo Daily News, Nov. 13, 1973]

IMPEACH FEVER END OF ORDER?
(By Virginia Payette)

NEW YORK.—Before you join the lynch mob give a thought to this startling statistic: if Mr. Nixon surrenders to the current resign-or-be-impeached fever, he will be the third President in a row to be forced out of office by emotional reaction.

That's every Chief Executive in the past 10 years. And two of the three were elected by the greatest landslides in history.

It's almost getting to be a trend.

And before anybody questions that "emotional reaction" bit, let's have a quick look at what's happened to our Presidents between November 1963 and November 1973.

It was just 10 years ago this month that President Kennedy was assassinated by Lee Harvey Oswald, a certified psycho. He had nothing personal against Mr. Kennedy; he just got carried away.

A year later President Johnson won the office on his own with a record-shattering vote. But by 1968 he was a rejected man, and he knew it. The emotional waves of protest against his Vietnam policies convinced him he could never win another term, and back there at the tail end of winter he said he was through.

He had done more for the poor and the black than any President of his time, but the outcry was against a war and a draft, neither of which he started. He accepted the abuse but he never understood it.

"I am their commander-in-chief," he said once as he watched a group of doves demonstrating outside the White House. "Why are they doing this to me?"

Now President Nixon is caught up in the same whirlpool that had LBJ spinning only five years ago. Again the demonstrators are in front of the White House, but with a new gimmick: they're honking their horns for impeachment.

One almost has to wonder if we've written off the constitutional four-year term and decided to let the duly elected President run the country only as long as he runs it our way. (Except if your side loses, you go to work on him right away.)

Mr. Nixon has been charged with misplaced priorities, but in his first term welfare rolls doubled. People wanted him out because of the war and the draft, but he ended them both, along with the cold war with Russia and China. Inflation is slowing up, and unemployment has dropped within a holler of that magic four per cent.

Which really isn't a bad job of president-ing.

The Senate Watergate hearings, which are supposed to reform election procedures, have slipped instead into a search for "the truth." So far, they have yet to come up with anything that looks like a constitutional basis for impeachment.

Plenty of people around the President are in trouble. But they haven't tagged him.

Which could be why the House is dragging its heels. And why the politicians are putting out pious pleas that he do "the patriotic thing" and save them the embarrassment of it all by resigning.

Mr. Nixon says he'll do no such thing. If he does go, however he decided to do it, it will be more than just this firing of this President.

It means it may be a while before we see orderly government in this country again.

WE ASK ONLY AN EXAMPLE

HON. JAMES P. (JIM) JOHNSON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. JOHNSON of Colorado. Mr. Speaker, as with the rest of my colleagues in Congress, my constituents have been writing en masse with questions about the energy crisis. Every letter I have received express a willingness to sacrifice and a desire to cooperate, but many fear that those leading our conservation efforts are not practicing what they preach.

In this regard, I offer a recent editorial from the Fort Morgan Times of Colorado which reinforces this thought. The public is looking to us and the Executive to set examples. If we and those directly responsible for our energy program do not demonstrate a commitment, the American people can hardly be expected to sacrifice and cooperate.

I commend "We Ask Only An Example" to the collective consciences of all of us:

[From the Fort Morgan, (Colo.) Times, Nov. 27, 1973]

WE ASK ONLY AN EXAMPLE

President Nixon has announced some drastic measures to deal with what has become a serious energy shortage and what promises to become an even more severe crisis.

He has ordered certain actions and is asking Congress to vote these and additional directives into law so there will be no need for "voluntary" cutbacks. They will be enacted into law and will be required to follow them—whether we want to or not.

Many questions arise in our minds about the sudden need, the crisis that is no longer imminent but is actually upon us and why other actions earlier could not have been enacted which would have been less stringent but equally as effective by being done sooner. But we will not quibble about this here. We realize there is a dire need for support and sacrifice.

We feel certain that the American public business, and industry will comply as they are required to do. We were amazed and impressed by the flurry of activity and compliance that occurred throughout the country including Morgan County when the President made his first suggestions and requests such as lowering thermostats and state and local government cars being driven at reduced maximum speeds.

The same will happen now. Additional sacrifices will be made. We will plan for our trips to take longer; we will do more walking; efficient car pools might just become a reality although there has been a monumental—but unsuccessful—struggle to get them off the ground, and people will be more conscious of lights burning in their homes and businesses.

There is only one thing we ask and that is a good example. We will expect that the President will make fewer trips to Camp David or Florida or the Western White House in California to save fuel. There is something about Air Force One flying one man and a few staff members—with the accompanying jets ferrying newsmen and other staffers—

the length and breadth of the country that doesn't sit well with someone who is foregoing a trip for pleasure from Fort Morgan to Denver.

We will expect the myriad of officials in our nation's capital, those up and down the hierarchy of the greatest bureaucracy of them all, to form some car pools of their own. No more of this one-man one-chauffeur-in-a big-limousine rule that has been the case for so long.

A few more joggers or walkers or bike riders in business suits around The Hill will be a welcome sight.

It is good that the temperature and lights in the White House and in other official buildings in Washington have been lowered. But the same additional sacrifices of some of the niceties and luxuries we have all enjoyed and become accustomed to that are being asked of us should be met by similar additional sacrifices in the capital.

We will expect a high example.

COURT APPOINTMENT OF WATERGATE SPECIAL PROSECUTOR IS CONSTITUTIONAL

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. HUNGATE. Mr. Speaker, the House will soon be called upon to pass judgment on legislation to provide for an independent Special Prosecutor to investigate and prosecute alleged offenses growing out of the Watergate incident, and related matters. The Committee on the Judiciary has reported H.R. 11401, which provides for the Special Prosecutor to be appointed by a panel of judges from the U.S. District Court for the District of Columbia.

Although some question has been raised as to the constitutionality of such a procedure, overwhelming support of the constitutionality has developed among the deans and constitutional law professors of the law schools throughout the country. They include: Professors Gerhard Casper of the University of Chicago Law School, Daniel J. Meador of the University of Virginia Law School, and Paul J. Mishkin of the University of California Law School. In hearings before the Senate Judiciary Committee, Professors Paul Freund of the Howard Law School, Philip B. Kurland of the University of Chicago Law School, and Dean Monrad G. Paulsen of the University of Virginia Law School gave their unqualified support. In addition, 48 deans of American Law Schools have now submitted a statement urging in part "that Congress act immediately by statute to establish a Special Watergate Prosecutor's Office, with the Special Prosecutor to be appointed by a specified law court—as authorized in Article II, Section 2 of the U.S. Constitution—and with complete independence of the executive branch of government."

The statement follows:

STATEMENT BY DEANS OF AMERICAN LAW SCHOOLS

Whereas substantial evidence exists that close associates of the President of the United States, and possibly the President himself,

have engaged in a dilate effort to obstruct justice;

Whereas public trust in the administration of justice requires that the evidence of such misconduct be investigated by prosecutors independent of those under investigation;

And whereas the President has prevented such an independent inquiry from being conducted,

Therefore, we the undersigned, deans of American law schools, respectfully petition the Congress of the United States to take the following measures:

1. We urge that Congress act immediately by statute to establish a Special Watergate Prosecutor's Office, with the Special Prosecutor to be appointed by a specified law court (as authorized in Article II, Section 2 of the United States Constitution) and with complete independence of the executive branch of government.

2. The President's stated refusal to comply with court rulings requiring him to produce relevant evidence raises a serious question as to whether he will cooperate fully with a Congressionally established prosecutor. There being only one course clearly open to the American people to protect against this contingency, we urge further that the House of Representatives create a Select Committee to Consider the Necessity of Presidential Impeachment, or refer the matter to its Judiciary Committee.

George J. Alexander, Dean, University of Santa Clara Law School.

E. Clinton Bamberger, Jr., Dean, Catholic University of America School of Law.

John A. Beach, Interim Dean, Syracuse University of American School of Law.

Douglas G. Boshkoff, Acting Dean, Indiana School of Law, Bloomington.

Ralph L. Brill, Acting Dean, Chicago-Kent College of Law.

George Bunn, Dean, University of Wisconsin Law School.

Craig W. Christensen, Dean, Cleveland State University College of Law.

Gordan A. Christenson, Dean, American University, Washington College of Law.

Lindsay Cowen, Dean, Case Western Reserve University, Franklin T. Backus Law School.

Ronald R. Davenport, Dean, Duquesne University School of Law.

Daniel J. Dykstra, Dean, University of California School of Law, Davis.

Thomas Ehrlich, Dean, Stanford Law School.

Russell N. Fairbanks, Dean, Rutgers, The State University School of Law, Camden.

Adrian S. Fisher, Dean, Georgetown University Law Center.

Monroe H. Freedman, Dean, Hofstra University School of Law.

Abraham S. Goldstein, Dean, Yale Law School.

Richard C. Groll, Dean, DePaul University College of Law.

Edward C. Halbach, Jr., Dean, University of California School of Law, Berkeley.

Willard Heckel, Acting Dean, Rutgers School of Law, Newark.

David M. Helfeld, Dean, Law School of University of Puerto Rico.

Richard G. Huber, Dean, Boston College Law School.

John F. X. Irving, Dean, Seton Hall University School of Law.

Otis H. King, Dean, Texas Southern University School of Law.

James C. Kirby, Jr., Dean, Ohio State University College of Law.

Robert L. Knauss, Dean, Vanderbilt University School of Law.

Karl Krastin, Dean, University of Toledo College of Law.

Peter J. Liacouras, Dean, Temple University School of Law.

Raymond E. Lisle, Dean, Brooklyn Law School.

Willard D. Lorensen, Dean, University of West Virginia Law School.

Robert B. McKay, Dean, New York University School of Law.

Phil C. Neal, Dean, University of Chicago Law School.

John C. O'Byrne, Dean, Northeastern University School of Law.

Robert E. O'Toole, Dean, New England School of Law.

Monrad G. Paulsen, Dean, University of Virginia School of Law.

Kenneth L. Penegar, Dean, University of Tennessee College of Law.

C. Delos Putz, Jr., Dean, University of San Francisco School of Law.

James A. Rahl, Dean, Northwestern University School of Law.

Herbert O. Reid, Acting Dean, Howard University School of Law.

Albert M. Sacks, Dean, Harvard University Law School.

John D. Scarlett, Dean, Drake University Law School.

Richard D. Schwartz, Dean, State University of New York at Buffalo Law School.

Eugene F. Scoles, Dean, University of Oregon School of Law.

Paul Siskind, Dean, Boston University School of Law.

Michael I. Sovern, Dean, Columbia University School of Law.

Theodore J. St. Antoine, Dean, University of Michigan Law School.

Samuel D. Thurman, Dean, University of Utah College of Law.

Bernard Wolfman, Dean, University of Pennsylvania Law School.

Robert B. Yegge, Dean, University of Denver College of Law.

BAN THE HANDGUN

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. BINGHAM. Mr. Speaker, it makes no difference whether a gun is fired in anger or by accident. The result is the same: a human being winds up either dead or injured. The time has come to restrict the easy access to these weapons.

The two articles reprinted below appeared side-by-side in the November 20 edition of the Washington Post, and are a most telling commentary:

SILVER SPRING YOUTH SHOT IN PISTOL MISHAP

A 15-year-old Silver Spring boy was wounded in the face yesterday when a .38-caliber revolver being shown him by a friend accidentally discharged, Montgomery County police reported.

The gunshot victim, identified as Francis A. Carchedi, 407 Irwin St., was reported in good condition last night at Holy Cross Hospital where he was receiving treatment for a flesh wound in the left cheek.

Police said the incident occurred in a home in the 800 block of Whittington Terrace about 4:30 p.m. while the youth was visiting a 16-year-old friend.

According to investigators, the older youth was exhibiting the pistol which police said belonged to his father, to the Carchedi boy when the weapon went off.

Police said the revolver was taken into their custody and no charges were filed in the case.

SE YOUTH SHOT IN ROBBERY DIES

An 18-year-old Southeast youth died of a gunshot wound suffered yesterday when he

was robbed on South Capitol Street, Washington police said.

He died at 9:05 p.m., nearly three hours after the robbery, on a Cafritz Memorial Hospital operating table, a hospital spokesman said.

The youth, identified by police as Lindberg Brewer Jr., lived with his father at 621 Elmira St. SE, a hospital spokesman said.

Brewer was walking in the 3800 block of South Capitol Street, police said, when a gunman approached him, robbed him of an undetermined amount of money and then shot him once in the abdomen.

THE SAD STATE OF AFFAIRS FOR POLISH VISITOR VISAS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DINGELL. Mr. Speaker, by permission previously granted, I submit for the information of our colleagues, the letter I directed to Secretary of State Kissinger regarding the sad status of visitor visas for Polish citizens and my request for a full report.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 7, 1973.

HON. HENRY KISSINGER,
Secretary, Department of State,
Washington, D.C.

DEAR DR. KISSINGER: I believe you must be aware of the growing number of Polish citizens being refused visitor visas to visit their families in the United States. In fiscal year 1969 only 865 visas were refused by the Embassy in Warsaw, but by 1973 an unbelievable, 6,853 visas were denied, an increase of over 800%. The number of my constituents referring cases to my office concerning relatives in Poland being refused visitor visas by the United States Embassy also have increased many fold in the last few years.

I was shocked to learn from my own staff investigation that there is a conscious U. S. State Department policy to crack down on the number of visitor visas being granted by the Consular Officer at the Embassy in Warsaw to Poles, because of the "Polish problem," i.e., an inordinate number of Poles with visitor visas allegedly have been caught by the Immigration and Naturalization Service working illegally in this country and the number of Poles requesting change of status from visitor to immigrant is increasing.

If visitors are found to be working in violation of their visas, there are ample provisions in 8 U.S.C. (1251) to have them immediately deported. On the other hand, it is perfectly legal for aliens to apply for adjustment of status from non-immigrant to a permanent resident immigrant under Section 245 of the Immigration and Nationality Act. Therefore, I cannot comprehend how this could constitute a "problem." In fact, the quota for Poland is not even filled for this category.

One of those confirming this new and tough policy and the alleged problem was Assistant Secretary of State for European Affairs, Mr. Walter J. Stoessel.

My staff interviewed eight State Department officials who are responsible for Polish affairs and visa policies and my staff requested facts and figures to back up these charges. Although they were all in agreement that there is a serious "Polish problem," especially as it pertained to illegal employment, not a single official could supply my staff with one figure to back up this asser-

tion. They claimed it was their impression that it was a serious problem and that the Immigration and Naturalization Service, which has jurisdiction over aliens once they get into this country, could provide me with the facts.

The State Department, I find, is completely contradicted by the Immigration and Naturalization Service. After interviewing five responsible officials of the Immigration and Naturalization Service, including the chiefs of the Investigations and Intelligence Offices, my staff found that these officials were completely unaware of a "Polish problem." In fact, they characterized, as insignificant, the number of Polish aliens visiting the United States on visitor visas who have been required to depart for either working illegally or overstaying their visas. Polish visitors made up about 1% (only 816 out of a total of 54,248) of those required to depart in fiscal year 1973. The Immigration and Naturalization Service stated that this is their best measure of a "problem" and that Poland is not a problem.

This is a disturbing revelation and I want to know whether your Department is as ignorant as they appear or are blatantly discriminating against Poles.

I think it is incredible that the State Department would be basing policies on impressions and not facts, when a quick check would show that the impressions were dead wrong.

In the meantime thousands of Poles, who simply wanted to visit their families in this country, have suffered unnecessarily at the hand of this policy of ignorance.

First, I want this senseless and unjustified policy changed. Second, I am requesting that you conduct a thorough investigation of this situation to determine how this policy came about, whether it was based on ignorance alone, or whether ignorance is a disguise for blatant discrimination against the Polish people.

Would you please forward the results of your investigation to me as soon as possible.

In addition, would you please address the following questions separately:

1. Why did none of the responsible officials in the State Department have figures to back up their impressions about the problem with Polish aliens?

2. Are there any communications between the State Department and the Embassy in Warsaw in your files concerning the alleged problem of Polish aliens or which indicate that the Embassy should be more selective in granting visitor visas? What were the stated reasons for moving to a more restrictive policy? Would you forward copies of this correspondence to my office?

3. Is it true that a Consular Officer in an Embassy, such as Mr. Cline in Warsaw, can be easily persuaded by the State Department to get tough on granting visitor visas? For example, I understand that if an alien, to whom Mr. Cline has granted a visitor visa is caught in violation of that visa, this could be a black mark on Mr. Cline's efficiency report in that post and this then could damage Mr. Cline's career in the Foreign Service. Is this an unfair burden to put on the shoulders of a Consular Officer?

4. Has the State Department been warned in writing by the Immigration and Naturalization Service that Polish aliens are a problem and that the State Department should get tougher in their visa granting procedures? Would you forward copies of this correspondence to my office?

I would appreciate a response to these questions as soon as possible.

With every good wish.

Sincerely yours,

JOHN D. DINGELL,
Member of Congress.

DALLAS DRUG SEMINAR—SUCCESSFUL HEARINGS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. COLLINS of Texas. Mr. Speaker, several weeks ago I held a series of hearings in Dallas on the problem of drug abuse. Drug abuse seems to be a phenomenon which particularly afflicts young people, frequently causing serious illness to the drug abuser, personal tragedy to the abuser and his family and friends, and in extreme cases even death.

I wanted to know why people use drugs, and once they become users, what they can do to cure their abuse. I also wanted to know what steps can be taken to prevent drug abuse in our society.

In the course of the hearings, we heard testimony from eight former addicts, young men whose addiction had led them to commit crimes and to endure imprisonment for their offenses. It was informative to me to see the extent to which family and friends had influenced their drug-taking behavior. The family influence was largely negative: Parents paid little attention to their children, were frequently absent from home, and in some instances the ex-addicts came from broken homes. In such a situation, the views of their friends became even more important to them than is customary at that age. And if those friends were experimenting with drugs, or knew a pusher, or had older brothers or sisters who were using drugs, the likelihood was that the whole group would turn to using drugs.

Several methods have been tried to deal with the problem of youthful drug abuse.

Tough law enforcement has provided part of the answer. As Federal, State, and local efforts have proved more effective, there are fewer drugs available with which young people can experiment.

Expansion of treatment programs, both within the community and within our prison systems, has provided another part of the answer. If treatment is available when a drug user decides he wants to break his habit, the number of drug users in our society can be reduced significantly.

But the toughest problem of all has been: How do you prevent drug abuse? In the course of the hearings in Dallas a number of possible approaches were discussed. But the one that seemed to be most effective involves identification of potential drug users and their referral to appropriate counseling and group discussion programs. It makes a great deal of sense, after all, to see drug abuse as a symptom of a larger problem. The people in our society who are most likely to become seriously involved with drugs are the ones who have the greatest number of problems with which they cannot cope. The youngster who has problems at home, who exhibits truancy and delinquency in school, whose grades are below what he is really capable of achieving, is

a prime candidate for drug abuse and drug addiction. Yet there is no need to stigmatize such a youngster; rather, that youngster needs help in the form of sympathetic adults and supportive friends who will help him cope with his problems and develop more acceptable behavior patterns.

A program based on this approach has been implemented in New York City, with remarkable results. In a 1-year period, participants in this program demonstrated a 28-percent reduction in absenteeism, a 49-percent reduction in behavioral problems, and 8.5-percent increase in average grades. A program which can accomplish these results deserves the most serious attention. School administrators, guidance counselors, teachers, and parents across the country should be informed of the methods employed in this counseling program, and should be encouraged to adopt similar approaches in their schools.

I have been particularly pleased to learn that the White House Special Action Office for Drug Abuse Prevention is giving this program its most serious attention, and is encouraging its consideration and adoption in other districts as well. I, for one, intend to support their efforts, and to work with the schools in my district to develop an equally effective drug abuse prevention program.

DEVELOPING THE SOVIET UNION WITH AMERICAN HELP

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. ASHBROOK. Mr. Speaker, in the December 4th issue of the CONGRESSIONAL RECORD, I stated that Occidental Petroleum and El Paso Natural Gas Co., had signed a letter of intent with the Soviet Government to develop Siberia's gas field's. According to the Oil Daily, a team of geologists and engineers from Occidental, El Paso and Bechtel Corp., is now in these gas fields. The geologists and engineers are reportedly investigating a U.S.-U.S.S.R. production, transport and liquefaction program. I find it extremely ironic that we are moving so rapidly to develop Soviet oil fields at the same time we are suffering from an Arab oil embargo which in no small part is the result of irresponsible Soviet actions in the Middle East.

The following is the complete text of the article which appeared in the December 4th issue of the Oil Daily:

U.S.-U.S.S.R. LNG

NOW BEING STUDIED

NEW YORK.—Occidental Petroleum Corp., Bechtel Corp., and El Paso Natural Gas are now investigating with Soviet authorities a U.S.-USSR production, transport, and liquefaction program.

A team of geologists and engineers from the companies is in Siberia's gas fields now, checking out feasibility of details.

They are looking at "one of the largest gas

reserves in the world," according to Dr. Armand Hammer, chairman, Occidental Petroleum Corp.

The USSR has issued a letter of intent for multi-million dollar contracts for pipeline and liquefaction facilities, Hammer indicated.

"I believe we will be importing LNG," he said. "If we don't, the Japanese and Europeans would be glad to buy that gas."

A Japanese partner with Oxy, El Paso, and Bechtel is a possibility, Hammer added.

Bechtel vice president Ralph N. Dorman said the group expects to resume negotiations with the USSR in January.

In June, Occidental Petroleum and El Paso said they signed a letter of intent with the USSR for the program, valued at more than \$10 billion.

Bechtel, Occidental Petroleum and El Paso will provide engineering know-how for the project.

Dorman said gas production from the project is estimated at 1 billion cubic feet a day, or more if the Japanese come in on the arrangements.

Dorman said financing for the tanker fleet to bring gas to the North American West Coast will run to \$1 billion in the early stages.

HOPES AND FEARS ON RISE WITH NEW HARLEM SKYLINE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. RANGEL. Mr. Speaker, the history of Harlem in the 20th century has too often been a history of destruction, poverty, abandonment, and despair. An exodus of population, job opportunities, economic development, and construction has been matched by an influx of poverty, discrimination, inadequate education, and dangerously unsafe housing. As hope often moved out, the heroin pushers moved in.

There is new hope now with a commitment to rebuild Harlem, to make it once again a community where parents want to raise their children. Political, business, religious, labor, and neighborhood organizations are working together, and some of the first results are beginning to appear on the Harlem skyline. New housing, business, recreational, and community projects are under construction.

There is a long, long way to go. The majority of Harlem's population is black and Spanish-speaking and are victims of racial discrimination, the administration's mismanagement of the economy, unemployment, unsatisfactory schools, drug addiction, and neglect by governmental policymakers. I am pleased to share with my colleagues Charlayne Hunter's recent report on some of the progress being made:

[From the New York Times, Nov. 20, 1973]
HOPES AND FEARS ON RISE WITH NEW HARLEM SKYLINE

(By Charlayne Hunter)

A new Harlem skyline is emerging in bold vertical thrusts that are altering the traditional low profile of the community and providing new residential and office space.

The contrasts between the new skyline and the predominant low-lying blighted

tenements that surround it is striking. One of the best examples is the dark towers of Lionel Hampton Apartments, now replacing two blocks of shabby tenements built along the railroad track on 131st Street and Eighth Avenue in the late eighteen-hundreds. The old tenements lacked light, air and attention. The \$11-million Hampton Towers will offer modern housing for 1,000 tenants.

There are those in Harlem who view the new skyline as positive evidence of a renaissance—the start of a massive push that will not only see the coming of desperately needed office and apartment facilities, but also the participation of black people as owners and operators and managers, with a stake for the first time in planning the destiny of their community.

There are others in Harlem, however, who view the new skyline rising north of 110th Street from river to river with suspicion—a suspicion that Harlem is being revitalized only for middle-class blacks and whites, a suspicion that businesses that have existed in the community for decades will be forced out by towers that only the government or outside commercial interests can afford.

In addition to the Hampton Towers, some of the elements of the new skyline include:

The 19-story, \$36-million State Office Building at 125th Street and Seventh Avenue, which is moving toward completion in 1974, eight years after Governor Rockefeller's announcement hailing it as the beginning of "the rebirth of this great part of our city."

Towering over three-story and four-story office buildings and decaying brownstones reminiscent of the ones that it has replaced, the State Office Building will house mostly state agencies, including the Harlem Urban Development Corporation.

In addition, a group of local businessmen are nearing completion of negotiations for the construction of a communications complex and a hotel on the eastern portion of the site.

The CAV Building, a \$15-million, 15-story office tower with eating facilities and underground parking, situated a block east of the State Office Building. It is one of the largest projects assembled, developed and owned by a black.

Privately financed and owned by 43-year-old Charles A. Vincent, the CAV Building will mostly house Federal agencies and will bring 2,000 new workers into the area when it is completed next month. Mr. Vincent said that his building will not only "help stabilize the need for commercial space in Harlem for years to come," but aid the community in other ways. "When you're paying \$400,000 a year in real-estate taxes," he said, "you just pick up the phone and call the Mayor about better police protection and getting the streets cleaned."

Pilot Block a \$49-million residential project situated between 122d and 123d Streets and Second and Third Avenues that consists of four towers, the tallest 35 stories, containing 656 units of low and moderate income housing. Put together with the aid of Federal subsidies, the Pilot Block is owned and managed by four community-based corporations. Like many of the other new Harlem developments, the Block will offer its tenants such facilities as a medical center, a day care center, a gymnasium, a swimming pool and a job training center. It is scheduled to open in the summer of 1975.

1199 Plaza, sponsored by Local 1199 of the Drug and Hospital Workers Union. This development will offer housing in four buildings in a site that will stretch from 107th Street to 111th Street, from First Avenue to the East River Drive. The development, now under construction at a cost of \$70-million and scheduled for completion in stages in 1974, is being financed with government and private funds. Unlike other Harlem residences, 1199 Plaza will be a moderate to middle-income cooperative.

Schomburg, Towers, twin 35-story octagonal buildings along with a third nine-story building that together represent 600 units of low- and moderate-income housing. The \$20-million development is situated at 110th Street and Fifth Avenue and forms the first tangible pillars of Harlem's symbolic gateway. Scheduled for occupancy in April, 1974, the development has received more than 4,000 applications from prospective tenants.

Upaca Sites I and II, 405 units of low- and moderate income apartments in two buildings now being constructed at a cost exceeding \$14-million. The development takes its name from the Upper Park Avenue Community Association, a group that has initiated development from 116th Street to 124th Street between Park and Lexington Avenues known as the Upaca Strip. Over the years, the group has attracted major support from both the public and private sectors, and the new residential construction is part of its long-range strategy for the area.

"Harlem is in the midst of a quiet revolution," said Jack E. Wood, president of the Harlem Urban Development Corporation. "It's exciting because everyone is involved—the politicians, the community leaders, the businessmen and the clergy. They're not just talking revitalization. They're working at it."

As the conduit for the flow of state funds and financial resources, the Harlem Urban Development Corporation (H.U.D.C.) is now in its second year as a subsidiary of the State Urban Development Corporation, which has bonding authority of up to \$2-billion and broad powers to package and finance major developments.

More than half of some 6,000 new residential apartment units now under construction or in the planning stages in Harlem are under the general sponsorship of either U.D.C. or H.U.D.C.—an investment of about \$150-million. Most of the remaining units are being built with funds from the Federal and city governments, with some additional funds from private sources.

Mr. Wood of the Harlem Urban Development Corporation maintained that community advisory committees are participating in decisions affecting building design, are represented in negotiations with developers and have a voice in the selection of management agents as part of the H.U.D.C.'s determination to "program Harlem residents into ownership." The committees are representatives chosen by the community groups who put forth the proposals initially.

In this way, he said, a start has been made "in getting Harlem away from being a community of renters and into being a community of owners."

Under the community advisory board system, the community group may share a percentage of the developer's fees that can range in these developments from \$25,000 to \$250,000. In addition, the group is given first option to buy the project at the end of the tax shelter period, which may range from 15 to 20 years.

IT CAN BE DONE

Mr. Wood said that every week some Harlem-based group or organization "is looking at whole blocks along 125th Street."

"This kind of thing never seemed to matter before Vincent came along and showed it could be done."

Among these groups, Mr. Wood said, is the Harlem Commonwealth Council, a federally funded, local-development organization that has been quite active of late. The Commonwealth Council bought out its white partners in an \$8-million city office building where its offices are situated on 125th Street and recently purchased for "about \$700,000" property on the northeast corner of 125th Street and Eighth Avenue. The council intends to construct a building there for con-

dominium apartments and commercial office space, including the Freedom National Bank.

As a part of its Federal involvement, the 6-year-old Commonwealth Council is mandated to offer shares of stock to the community in all of its ventures. James H. Dowdy, president of the council, said the stock plan would go into effect early next year.

Everyone agrees, in Mr. Wood's words, that plans and rumors of plans, along with tangible evidence are causing land and property values to appreciate hourly in Harlem. As a result, many local people who want to either invest in Harlem or rent professional space there contend that they are being priced out of the market.

Charles A. Vincent, for example is interested in additional investment in the community, but said the cost of property in Harlem has "skyrocketed" since he assembled his parcels three years ago.

"A three-story building I was interested in purchasing on 125th Street three years ago was on the market for \$500,000," he noted. "Today, the owners are asking \$1-million."

Max Bond is a black architect who lives in Harlem and whose work is part of the emerging skyline, especially the new 27-story Lionel Hampton Towers.

His five-year old firm, Bond-Ryder Associates, is situated in a run-down two-story building at 110th Street and Lenox Avenue, and Mr. Bond and his partners are thinking about moving downtown.

"We'd like to stay in Harlem," he said the other day. "But the available office space is too expensive for us."

Mr. Bond said his concern now pays about \$700 a month rent for the suite of offices they occupy, with half again as much going to upkeep and maintenance. Still, he said, that comes out to less than the firm would have to pay in any of the newer buildings on 125th Street, where commercial space is going for about \$13 a square foot in some cases.

"We could move to 1 Lincoln Plaza, in front of Lincoln Center, for less than we could to 125th Street," Mr. Bond said.

HOUSING COST COMPLAINTS

Similar complaints also are being voiced by some in the community about the cost of the new housing. Without Federal supplements, the cost of construction now demands rentals of about \$100 a room a month.

And while the 6,000 units now under construction at a cost of about \$40,000 per individual apartment unit have been guaranteed the Federal subsidies available, any new construction must be weighed in light of the Nixon Administration's announced intention of eliminating those subsidy programs.

In most of the housing now under construction, subsidies reduce that cost from 10 to 40 per cent of the rents in each development so that the final figure is closer to about \$25 a room. The remaining units, with some limited subsidy, rent for from \$35 to \$45 a room.

But the average income of families in the central and east Harlem area ranges from \$5,000 to \$6,000 a year.

"We simply cannot afford those rents," said Mrs. Glen Glenn, the housing coordinator for the Milbank Frawley urban renewal areas in Harlem.

Mr. Wood said that he, too, was "a little upset with the rental prices of the stuff we're building." But he said he is more worried about what would happen to construction in Harlem in the future if there is no renewal of the Federal subsidy programs.

According to a comprehensive study now being undertaken by the Harlem Urban Development Corporation, the community needs 50,000 units of housing "at the earliest possible time."

"If some form of public money doesn't come through, we haven't the vaguest idea how we're going to build housing here for the people who need it and have them live in it," Mr. Wood said.

In part because of the intense need for decent housing in Harlem, some community people are now raising questions about the housing that is under construction—questions that may have implications for whatever else is built in the area in the future.

TEST OVER SCHOMBURG

The concern of these local residents can perhaps best be seen in a controversy over the Schomburg Towers, which is situated in an area covered by both the Federal Model Cities program and Urban Renewal programs.

The U.D.C.-sponsored project has been the target of residents who argue that they were not allowed to participate in the decision affecting the site and that they have been displaced and forced into either worse housing or compelled to leave the city.

The charges now are being reviewed by the Federal Government, and have been heard by District Judge Edward Weinfeld.

The issue of citizen participation in the implementation stage of a government-supported project will have no impact on the Schomburg development. But, Cora T. Walker, the Harlem lawyer representing the residents, said that it is important to have the case reviewed by the courts because of the 39 other undeveloped blocks that make up the urban renewal area there.

Mrs. Walker said that the Schomburg suit also represents an "overriding concern that Harlem not become another area where urban renewal comes to mean black and Puerto Rican removal.

Mrs. Walker and others in the area see in the new construction signs of an "intended plan" to make Harlem attractive to upper-middle-class blacks and whites, with little or no concern about what happens to the residents who are living there now.

Mrs. Walker said that she and others in the area plan to press their fight for greater involvement in planning the future of Harlem.

Blacks in the area do not like the tall buildings, she said. And if they had had some opportunity, to be involved in the planning, they would have vetoed them.

To some extent, Mr. Bond, who has been the architect of some of the tall buildings, agrees. While he finds the trend toward the higher buildings "deplorable," he maintains that need and economics must be considered before esthetics because, simply, it's cheaper to build tall on limited space.

"To say you're against urban renewal because you're always getting pushed out doesn't make sense when you concede the need," Mrs. Walker said. "What we have to be about is some constructive, alternative means of getting what we want.

"In terms of upgrading the quality of our lives, it's impossible for an outsider to understand what we need. We must be involved, and the problems are not just in these buildings, but in jobs and job opportunities.

"What we're saying is, if we can't have a part, then leave us with the rats and roaches."

FAST RESPONSE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. WOLFF. Mr. Speaker, the Queens Village-Hollis-Bellerose Volunteer Ambulance Corps continues to amaze and please the people in the community. The

corps, started just a year and a half ago, is now breaking State records for responding quickly to emergencies. These volunteers are making a great contribution to the safety and health of their fellow citizens, and they deserve substantial praise for their valiant efforts. I would like to insert the following New York News editorial about the corps in the Record for the attention of my colleagues:

FOR FAST RESPONSE . . .

. . . In answering calls for help, the Queens Village-Hollis-Bellerose Volunteer Ambulance Corps holds the state record. The corps has thus far been cited by the New York State Volunteer Ambulance Corps and First Aid Association and the International Rescue Service.

Credit goes to the corps' 210 volunteers who give up to 20 hours of their time weekly; to the Knights of Columbus, which helped the corps' formation with a \$15,000 interest-free loan; to other supporting community organizations, but most of all to Peter Garbacki, a disabled Vietnam veteran; his brother, Robert, and David Kissel.

The three friends started the corps a year and a half ago and have made it so efficient that calls are answered in 2 to 5 minutes. They are writing a bright page in the long history of Queens volunteerism.

VOICE IN THE WILDERNESS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. LANDGREBE. Mr. Speaker, recently an editorial appeared in the Valparaiso, Ind., Vidette-Messenger which quoted liberally from an editorial broadcast by Mr. Gordon Sinclair of Toronto, Canada. Mr. Sinclair very clearly points up the tremendous ingratitude of those nations which have been receiving billions of our wealth over the past several decades. I ask that the editorial be printed in the Record as a reminder of the folly of trying to buy friends:

V-M VIEWPOINT: VOICE IN WILDERNESS

Americans, take heart. Not all foreigners loathe us. We have a friend in Canada, who "tells it like it is"—saying things we don't consider among ourselves often enough.

Our "Voice In The Wilderness" is Gordon Sinclair, Toronto radio and TV commentator, who broadcast a recent editorial over the airwaves in his country. Here are some of his excerpts:

This Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people on all the earth.

Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts. None of these countries is today paying even the interest on its remaining debts to the United States.

When the franc was in danger of collapsing in 1956, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris. I was there. I saw it.

When distant cities are hit by earthquakes, it is the United States that hurries in to help.

This spring, 59 American communities were flattened by tornadoes. Nobody helped.

The Marshall Plan and the Truman Policy pumped billions upon billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent, warmongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplanes. Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tristar or the Douglas 10? If so, why don't they fly them? Why do all the international lines except Russia fly American planes?

Why does no other land on earth even consider putting a man or woman on the moon?

You talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles. You talk about American technocracy, and you find men on the moon—not once but several times—and safely home again.

You talk about scandals, and the Ameri-

cans put theirs right in the store window for everybody to look at.

Even their draft-dodgers are not pursued and hounded. They are here on our streets, and most of them—unless they are breaking Canadian laws—are getting American dollars from Ma and Pa at home to spend here. . . .

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble?

I don't think there was outside help even during the San Francisco earthquake.

Our neighbors have faced it alone, and I'm one Canadian who is damned tired of hearing them kicked around. They will come

out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles. I hope Canada is not one of these.

PERSONAL STATEMENT

HON. BARBARA JORDAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Ms. JORDAN. Mr. Speaker, due to confinement in Bethesda Naval Hospital during the past week, I was unable to vote on 19 separate rollcall votes taken by the House of Representatives. Had I been present and voting, I would have cast the following votes:

Roll Number	Item	Ms. Jordan	Vote
Tues., Dec. 4, 1973:			
619	H. Res. 725, a rule waiving points of order against the conference report on Foreign Aid Authorization.	265-137	Yes.
620	Conference Report on S. 1443 Foreign Assistance Act of 1973.	210-193	Yes.
621	Suspend the rules and agree to H. Con. Res. 173 relating to the U.S. fishing industry.	405-0	Yes.
Wed., Dec. 5, 1973:			
622	Conference Report on H.R. 8877, Labor HEW appropriation bill for fiscal year 1974.	371-33	Yes.
623	Reced and concur with amendment in Senate amendment No. 1, relating to impoundment, of Conference Report on H.R. 8877.	263-140	No.
624	Amendment by Mr. Hébert (Louisiana) to H.R. 7130 that sought to prohibit consideration of authorizing legislation after July 1 in lieu of Mar. 31 of each year.	106-300	No.
625	Amendment by Mr. Bennett (Florida) to H.R. 7130 that sought to require the pilot testing of all Federal programs prior to implementation.	185-218	No.
626	Amendment by Mr. Bennett (Florida) to H.R. 7130 sought to provide for a maximum limitation on authorizations for appropriations to 3 yr except those founded through user taxes.	192-217	No.
627	Amendment by Mr. Bingham to H.R. 7130 that sought to require all appropriation bills be sent to the President at the same time with no exceptions.	117-289	No.
628	Amendment by Mr. Martin (Nebraska) to H.R. 7130 that sought to delete the title on impoundment control.	108-295	No.
629	Amendment by Mr. Anderson (Illinois) to H.R. 7130 that sought to require both Houses of Congress to take action before a Presidential impoundment is disapproved and to allow selective disapproval of impoundments by Congress.	186-221	No.
630	Amendment by Mr. Mallary (Vermont) that sought to make title II relating to impoundment control effective Oct. 1, 1975.	185-221	No.
631	Passage of H.R. 7130, Budget and Impoundment Control Act of 1973.	386-23	Yes.
Thurs., Dec. 6, 1973:			
632	Motion by Mr. Delaney (Democrat, New York), a call of the House.	383	Present.
633	H. Res. 738, the rule under which H. Res. 735 was considered.	389-15	Yes.
634	H. Res. 735, confirming the nomination of Gerald Ford, of the State of Michigan, to be Vice President of the United States.	387-35	No.
Fri., Dec. 7, 1973:			
635	Conference Report on H.R. 11459, making appropriations for military construction for the Department of Defense for fiscal year 1974.	329-40	Yes.
636	H. Res. 673, providing for a rule on H.R. 9107, Federal retirement annuities.	295-70	Yes.
637	Passage of H.R. 9107, to provide increases in certain annuities payable under chapter 83 of title 5, United States Code.	270-95	Yes.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL" NO. 54

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. HARRINGTON. Mr. Speaker, Kevin Shea is the sort of person who suffers from the present handgun situation. He was shot to death, possibly by accident, by an acquaintance.

Our country can greatly benefit from strong handgun legislation. Fatalities caused by assaults, holdups, and accidental shootings would be greatly diminished.

I have included below an article from the December 9th Boston Globe dealing with handguns. The article follows:

PISTOL SHOT FATAL TO YOUTH IN DORCHESTER

A 17-year-old Dorchester youth was shot to death last night in the office of a gasoline station about a block from his home.

Police said Kevin Shea of 32 Fendale av. was shot at least once by a weapon being handled by an acquaintance, who fled.

Police are investigating the possibility of an accidental shooting, although the handgun was fired several times.

A suspect is being sought in connection with the shooting at a Mobil station at Gallivan boulevard and Washington street, Dorchester, where the shooting occurred about 6 p.m.

Several attendants were at the station. At least one is believed to have witnessed the shooting.

Police said the person who fired the gun panicked after the shooting and ran west on Gallivan boulevard. Police were looking for a brown Ford Maverick seen leaving the scene.

Several spent cartridges were found on the floor of the station, police said.

Shea, the son of Robert Shea, visited the station often, and according to attendants at one time had worked there part-time.

ALASKAN PIPELINE IS TOUGH AND RISKY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. LONG of Maryland. Mr. Speaker, I was one of 14 Members of Congress to vote against final passage of the measure authorizing construction of the

trans-Alaska pipeline. This proposal presented too many risks for too little return.

Scientific and technical evaluations, both pro and con, have been brought forward by both sides in this debate over a pipeline which will not even increase U.S. oil supplies for at least 3 years.

In the Baltimore Sun today, Moscow correspondent Michael Parks reported on a study by Soviet scientists who express grave doubts about the chances for successful construction of the pipeline. Soviet scientists have developed tremendous amounts of expertise in dealing with permafrost, metals behavior under temperature stress, and the myriad other problems with which the Alaska pipeline builders will be confronted. I bring to my colleagues' attention Mr. Parks' report on the Soviet study of our proposed pipeline:

SOVIET EXPERTS' VIEW: ALASKAN PIPELINE IS TOUGH, RISKY (By Michael Parks)

YAKUTSK, U.S.S.R.—America's controversial trans-Alaskan oil pipeline is viewed by Soviet specialists on northern development as one of the most difficult and potentially dangerous projects yet undertaken in a northern area.

Soviet scientists studying the delicately

balanced environment of the north have many of the same concerns about such large projects as American environmentalists opposing the pipeline.

Soviet construction engineers with experience in building pipelines in permafrost regions where the earth never thaws completely see unprecedented difficulties with the trans-Alaskan project.

Although the Soviet Union has far more experience than the United States in developing permafrost regions, Soviet specialists at this northern regional center said they are not ready to tackle such a project yet.

"I am doubtful that we have the right technology for such a pipeline, and I do not think we have adequate scientific research and techniques to assess its impact on the environment," a senior Soviet scientist said.

"But that does not necessarily mean that such a project is impossible or even inadvisable. But I do think it would have to be considered risky, not only risky for us but for anyone at this time."

The 789-mile trans-Alaskan pipeline, carrying oil deposits on Prudhoe Bay south from Alaska's northern slope to the Pacific port of Valdez, had been delayed for about four years by environmentalists' objections until authorized by Congress last month in response to the energy crisis.

Soviet scientists and construction engineers do not want to become embroiled in the trans-Alaskan controversy, but one senior scientist commented, "Such projects demand entirely new technologies and approaches, and these have not been developed yet."

A principal problem, Soviet specialists believe, will be the above-ground construction necessary because the heated oil would melt the permafrost if placed underground.

Vladimir N. Pereshakov, chief of the Soviet Gas Ministry's building organization here, said that above-ground pipelines in general do more damage to the surrounding environment, break more easily and cost more to maintain than below-the-surface lines, even in permafrost areas.

An above-ground line will expand and contract as much as 6 inches as temperatures go from 85 below zero to 95 above.

"No pipe is able to stand these temperatures without becoming tense, fatigued and breaking," he said. "We have an experimental gas line above ground, and we have dozens of seasonal breaks on it and virtually none on the below-ground segment. The temperature changes will even cause the pipe to buckle and jump off its supports."

An above-ground pipeline also greatly disrupts wildlife in the area, Soviet scientists have found, and leads to mass migrations not only of animals but also of birds from the area.

But Soviet engineers also see serious problems with putting the pipeline underground most of the way because of the heat of the oil.

"The oil will be hot enough to melt the permafrost, turning the whole area into a swamp," Mr. Pereshakov said.

"We know of no insulation effective enough to use in these circumstances. There are some promising materials, but none is sufficiently developed and tested."

Other problems are posed by the actual construction process, an area in which Soviet specialists have much experience from the accelerating development of Siberia and their far northern regions.

"The main principle of construction is to preserve the permafrost at all costs," said Rostislav M. Kamensky, deputy director of the highly regarded Soviet Permafrost Institute here.

"Sometimes this is hardest to do during the actual construction process than later when the buildings and so forth are in use. A bulldozer carelessly used can do irrepara-

ble damage, for example. Trees must be carefully cut and then only by hand. One passage by a tractor can turn an area into a swamp."

The basic principles of northern development have been worked out, Mr. Kamensky said, but each project requires new techniques, new approaches, new applications.

There are a number of unresolved key problems, however, that Soviet, American and Canadian scientists are working on together.

The construction of oil and gas pipelines is one of them. Also included are the problems of providing northern communities with fresh water, constructing sanitary sewer systems and disposing of solid wastes.

"Destruction of the environment in the north proves disastrous very quickly," Mr. Kamensky said. "Melt the permafrost, for example, and we note the results in the next year—a swamp."

Mr. Kamensky said he felt that scientists are not able yet to assess the full impact of such major projects as the \$4.5 billion trans-Alaskan pipeline or some of the new cities the Soviet Union is building in Siberia.

According to all our present indices, there is no damage to the environment, but the problem is that we do not fully understand the ecology of the north yet," he explained.

"We understand some things separately, we understand how some regional systems work, but we do not yet have a global view. For that reason, we scientists tend to take what many would consider a more conservative view about the speed and method of northern development."

He said Soviet scientists will go to Alaska to observe the construction of the oil pipeline, which is longer than Soviet oil lines in permafrost areas but shorter than Soviet permafrost pipelines carrying natural gas.

"The Americans have a number of ideas, approaches on how to avoid the inherent problems of their trans-Alaskan pipeline, which is unprecedented in its size and difficulty," Mr. Kamensky said. "But the state of research and technology is such, that only the laboratory of life will prove them right or wrong."

AID TO ISRAEL

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. WALDIE. Mr. Speaker, there are no doubt extremely divergent views within this body on the recent course of events in the Middle East.

It is disturbing to us all that after a bloody conflict and the strongest diplomatic efforts possible by outside interests that the ceasefire agreement remains shaky at best.

During the last outbreak of hostilities between Israel and the Arab States, serious questions arose about our continued military assistance obligations in the Middle East. At the time, I urged the House to support an acceleration of equipment delivery to Israel under previously authorized military assistance guidelines.

Today, I offer that same support for passage of H.R. 11088, the emergency security assistance act for Israel. Its passage, in my view, is absolutely essential if the two sides are ever to reach a posture for long term and meaningful peace negotiations.

I know it is clear to us all that the recent Arab oil embargo has placed a new dimension on this dispute. However, I do not feel that this arbitrary act by oil-producing nations of the Middle East should serve to break a long standing moral commitment to the integrity of Israel. That commitment must remain.

CAPITALISTIC SYSTEM WON'T SURVIVE MISMANAGEMENT OF ENERGY CRISIS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. ZWACH. Mr. Speaker, Ed Wimmer, president of Forward America, Inc., and public relations director of the National Independent Food Dealers Association, a well known commentator on economic affairs, recently wrote an open letter to the President and to all Members of the Senate and the House, in regard to the energy crisis.

Because letters of this type all too often reach the Members, I include Mr. Wimmer's remarks in the CONGRESSIONAL RECORD at this point:

CAPITALISTIC SYSTEM WON'T SURVIVE MISMANAGEMENT OF "ENERGY CRISIS"

(By Ed Wimmer)

Open Letter to the President of the United States, and Members, U.S. Senate and House of Representatives

GREETINGS: If Dr. George Charles Roche III was on target when he warned, in his great book "Legacy of Freedom," that "American is tottering on the brink of a new Dark Age because Western Man has departed from his Heritage," then any real bungling of the present fuel crisis could be the final push that sends the Capitalistic System over the brink.

It becomes clear, therefore, that every approach to the production, distribution and allocation of energy fuels be made with a fearfully dedicated determination to avoid any unnecessary dislocation of the economy, and particularly in the case of the family farm and other independent enterprises of all kinds, whether service station, delicatessen, highway hamburger stand, motel, or Knott's Berry Farm.

What we have in this country today, is a Monopoly-Welfare State-created Fuel Crisis, and one of the results could be energy costs that could cause inflationary pressures that could balloon into catastrophic proportions. Answers will not be found in bureaucratic allocations, drastic restriction of travel, or other depression causing, top-down controls based on fear of imaginary emergencies.

Basic to our present problem is waste of fuel—not use of fuel—as an appraisal of the present threat will reveal. To avoid critical shortages war must be waged on waste without knocking out the little guy. Savings from waste will see us through every foreseeable emergency.

Consider first the millions of gallons of gasoline being consumed EVERY DAY, in traffic jams, bottlenecks, crazily regulated stop-and-go-signs, no left or right turns—that route millions of cars four blocks to reach a one-block destination. The parking Merry-Go-Round around the U.S. Capitol is a horror example of fuel waste and frustration—all of which we deplored in 1971, suggesting that NASA be charged with providing

a national traffic control system. If two men could be landed on the Moon, then another man can be gotten both to and from work without dying from traffic tie-up fumes on the way.

With this idea in mind, every township, every Governor, should immediately examine their traffic systems and employee let-out times with a view to staggering the hours in order to avoid traffic jams. Finding a parking place in downtown areas is a nightmare. Due to a jumble of state laws, huge trucks cover millions of miles empty. Others are half loaded. Others sit with motors idling while their drivers eat and tell the latest jokes. . . . Limousines in Washington and taxicabs are kept running to keep occupants cool or warm, according to the weather. Cars are serviced at gasoline pumps with motors running, and kids 'gun' cars to school three blocks away.

When fuel allocation was first mentioned, officials announced no curtailment of supplies was "needed by the Defense Department", but no word on stopping Defense Department's waste of fuel. Antiquated school and transit buses and uninspected passenger cars and trucks spew the air with pollution, as the city officials and environmentalists rave on about yesterday's failures.

In the base of Big Oil, the Monopoly-Welfare State pattern is clear to even the most uninformed observer. Independent wildcatters knocked out of discovery and exploration. Independent refiners, jobbers, terminal operators and service station operators massacred.

Big Oil takes over its competition—Big Coal; and both use depreciation and depletion allowances to buy up millions of acres of farm lands, motels, shopping centers, insurance companies, catalogue schemes, restaurants, and entertainment centers.

Most giant companies paid no federal income taxes. Engaged in trading stamp and credit card atrocities, and are now raising prices while reporting unheard of profits.

If Congress gets regulatory slap-happy about the fuel crisis, and does nothing about the monopolies and bureaucracies largely at the bottom of the decay of modern capitalism, and fails to solve major traffic tieups, etc., the smalls are going to be put through the wringer as they have been these past 50 years, only this time will be the last time.

No oil giant should own coal companies which places a utility, for example, at the mercy of non-competitive bidding. Big Oil should be separated, as advocated, from non-petroleum businesses, and until this goal is reached, all businesses owned by any conglomerate should display ownership where the consuming public can identify which company controls what.

Decentralization of power, in agriculture, industry, finance and government, is necessary to solving the fuel crisis or any other crisis, including the breakdown of public trust in business and politics. Including the frustration of our youth. The balancing of our budgets. Payment of our debts. Meeting foreign competition at home and abroad. Reducing inflation and restoring the value of the dollar, and having enough money to attack the crime and drug problems. The slum and racial problems. Indian problems, or any other drawback to the spiritual, social, economic and political well-being of this country.

Few Americans will tie the fuel crisis to the power crisis. . . . Few will join in a national end the waste, turn out the lights, walk a block campaigns until their feet are cold, but have "the people" ever done anything for themselves without an enlightened leadership? Few Americans have any confidence in getting enlightened leadership from the Nation's Capital, but after 41 years of communicating and working closely with all branches of government, I know the lead-

ership is there. It simply hasn't been organized behind a positive program of any nature that goes to the source of the capitalistic monopolies and massive welfare that have our freedoms by the throat.

Reasonable men who advocate decentralization of economic power, recognize a need for tax reforms that not only provide venture capital and incentives to proprietorship, but big business must receive tax advantages that encourage research and development, concentration on high quality products and better workmanship, but at no time should the taxing power be abused to the point of encouraging any merger or the further growth of huge chain store systems that have spun a veil of secrecy, deceit and discrimination over the entire system of production, manufacturing, processing, and wholesale and retail distribution.

All of these conditions are directly related to settling the fuel crisis—or any other major crisis—in this country, and until this fact is recognized, we are going to cure none of our headaches or meet any threat to the capitalistic system; and in no way reduce the all-destructive trends to bigger bureaucracies and welfare grants.

General MacArthur declared his convictions that a break-up of all power systems was essential to meeting the communist threat. President Eisenhower devoted his Farewell Address to the subject, making a desperate appeal; and, recently, Dr. Paul McCracken said there is no other way to save free enterprise and representative government in our time. He further said it "will take great courage to break up the giants," which a former economist-vice president of Krafco Corp. called for in 1972. Dr. McCracken had this reservation: that Congress probably "lacked such courage." My personal view Congress has no other alternative but to pursue a course of decentralization of economic and political power. Other alternatives that might save the Capitalistic System have been "used up," the results being a trillion dollar debt on the backs of the oncoming generation, and so little trust in government and business, that nothing short of a Revolutionary return to the ideals underlying the Founding of our Republic, can restore that trust.

The energy crisis is NOT Arab- or Israel-made. It was allowed to develop before the recent clash took place, and if John McLain's figures, printed on this page, are valid (and they haven't been disproved), then the charges of "too little too late" from Big Oil on the domestic front, are equally valid.

If rationing is attempted on a wide front, new blackmarket millionaires will be made by the thousands. We will have a rash of the old prohibition and OPA chiseling and bootlegging on a massive scale, and as always the weak will get weaker, and honesty will have no defense.

Greatest danger will not be blackmarkets—but rather the inflationary effects of the fuel situation, and in this respect it might be well to be reminded by Congressman H. R. Gross, that in 1924, 19 billion marks were worth one-fourth of an American penny.

In Canada, the U.S., and our neighbors to the South, there is ample energy to carry us through ANY present threat without creating another giant bureau.

ED WIMMER.

REALITIES BEHIND THE OIL CRISIS

ED WIMMER. Mr. John (Mike) Kunnen, President of the Greater Cincinnati Gasoline Dealers Assn., is as familiar with the gasoline business as the "experts" who have been making the headlines.

Mike is not only a dealer himself, but he has been a student of the petroleum industry for 29 years, and his appearances before investigative committees has brought com-

mendation from government officials that is enjoyed by few people.

Before turning you over to Mike, however, I want to lay some groundwork by quoting a few rather sensational remarks by John McLain, Chairman, Continental Oil Co., from statements he made in September 1972:

"There are enough potentially recoverable oil reserves in the U.S. to last for 65 years. . . . Potentially recoverable gas reserves in the U.S. to last 50 years—at present rate of consumption.

"Measured coal reserves, 300 years. Uranium reserves sufficient for electric power needs for 25 years. Recoverable shale oil reserves (and here is something to think about) sufficient to last 35 years after all other natural reserves are exhausted—at present rate of consumption.

"The total resources in the U.S., alone, are enough to supply all our needs (at present rate of consumption) for 300 years.

"Present trends indicate mobility to meet these needs which are going to be doubled by 1985—a period in which domestic production will decline 30%—in the next 15 years. By 1975 we will be 50% below median gas needs; imports of crude oil will have to be quadrupled—which we cannot do."

Mr. McLain emphasized that he wants private enterprise to be allowed to meet this crisis, and future needs, and in his final statement, he said:

"We have an adequate source base. Our problem is to get new supplies at a faster rate."

IMMEDIATE LEGISLATIVE ACTION FOR ENERGY CONSERVATION AND PRODUCTION IS IMPERATIVE

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DONOHUE. Mr. Speaker, judging from home area impact, reported countrywide reactions, the special study findings of a Senate committee and other acknowledged authorities, the most important problem immediately affecting the American people is the energy shortage crisis.

Whoever may be blamefully involved in this crisis and whatever may be the background complexity of its causes, our congressional duty is to legislatively move as swiftly and effectively as is humanly possible to alleviate the hardships accompanying this sudden shortage and initiate long-range plans and programs to make and keep this country forever free of the political pressure, whims and threats of our present oil supplying sources in the Mideast.

Mr. Speaker, to accomplish the first part of this twofold objective we must promptly approve legislation to authorize the Chief Executive to project an adequate series of emergency actions, such as the reestablishment of daylight saving time, percentage supply reductions, nationwide automobile speed limits and other necessary regulations to insure the fairest and most effective use of the energy supply at hand.

However, in this area, Mr. Speaker, I am vigorously opposed to any special Federal tax on gasoline and exorbitant price increases on gasoline, oil and other petroleum products that would permit the extraordinarily high oil company

profits to be further and unreasonably swelled at the burdensome expense of the faultless general public. I would emphasize, Mr. Speaker, that our predominant legislative duty in this matter is to make certain that the energy shortage sacrifices that must be endured will be shared equally among all our citizens whatever their status. Any other course, Mr. Speaker, will only result in unconscionable discrimination being imposed upon the fixed-, low-, and middle-income people of this country and thereby doom the best intended legislative projections to utter failure. I most earnestly hope that the executive department of the Government will fully cooperate to prevent any such tragic failure.

Second, Mr. Speaker, we must speedily move to the approval of legislative proposals designed to achieve a satisfactory level of energy production and supply self-sufficiency within the shortest period possible. I think this goal can be best accomplished by the creation of a strong and independent agency with the power to mobilize and unite all the personnel and physical resources that we must have to begin and sustain a massive research and development program that would be comparable to our unparalleled, but traditionally American, effort that resulted in the building of the atom bomb and the placing of the first man on the moon.

Our history shows that whenever the emergency arises and our people are assured that necessary burdens and hardships are equally imposed they can and they will exercise the spirit and dedication, the patience and perseverance that is required to overcome the national challenge of the moment.

To this imperative end I most earnestly hope that the leadership will very quickly present and the House resoundingly adopt pending measures designed to achieve the energy conservation and production objectives that I have summarized above in the national interest.

INCREASE CIVIL SERVICE ANNUITIES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. LEHMAN. Mr. Speaker, due to a longstanding, previously scheduled commitment, I was not present for the votes which occurred last Friday. Instead, I was hosting a Business Opportunities/Federal Procurement Conference for the business community in the 13th Congressional District.

I have long supported H.R. 9107 to increase civil service annuities and I worked for its approval in committee. Had I been present, I would have voted "aye" on rollcall No. 636 to adopt the rule to consider H.R. 9107 and I would have voted "aye" on its passage on rollcall No. 637. I would also have voted "aye" on rollcall No. 635 to adopt the conference report on the bill making appropriations for military construction.

CRISIS IN GOVERNMENT

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. FORD. Mr. Speaker, in these days when people are concerned about the effectiveness of their Government, because the crisis in Government has erupted into a crisis in energy, we continue to watch daily the rising prices of oil products. Judging from statements by Treasury Secretary Shultz and the new energy "czar" Simon, there is no end in sight to this relentless upward march.

The drain on the consumer's pocket-book of recent increases for gas and heating oil does not go to the service station operator, the heating oil dealer, or the independent wholesaler. It represents a pass-through by them of increases charged by the oil companies. We are told that the increases are justified mainly by oil prices for imported crude oil and products, but we know that the companies are calling for a full share of those higher foreign prices in their role as producers in the exporting countries.

Certainly the sacrifices made by the American public are not reflected by the increased profits of the oil companies. The following table, cited in Newsweek magazine, December 17, 1973, reflects the third-quarter profits for the oil giants in millions of dollars:

	1971	1972	1973
Atlantic Richfield.....	\$50.6	51.6	59.0
British Petroleum.....	87.0	35.0	135.8
Exxon.....	357.0	353.0	638.0
Gulf.....	141.0	110.0	210.0
Mobil.....	134.1	140.9	231.2
Phillips.....	32.4	37.6	53.9
Royal Dutch Petroleum.....	209.3	110.5	413.7
Standard Oil of California.....	135.0	150.0	226.0
Standard Oil of Indiana.....	93.3	107.3	147.3
Texaco.....	218.2	207.4	307.4

Not only did all of these companies show a profit, but some of these oil gushers almost doubled in profits. We must decide how to reverse this massive shift in income and decide the question of how the allowable profits can be channeled into actions to expand the immediate supply and to develop new sources of energy.

If the antitrust laws are to be partially waived for oil companies, as proposed by Mr. Nixon, then the oil companies should be subject to Government regulation.

As \$4 million was donated by the major oil companies and their executives to the reelection campaign, it is no wonder that Mr. Nixon has encouraged the oil companies to have more participation in policymaking, and, therefore, to use the crisis to further enhance their power.

Mr. Speaker, I ask unanimous consent that an editorial from the Washington Post, on December 8, and a commentary by Nicholas Von Hoffman in this morning's Post be printed in the RECORD as these articles demonstrate the dangerous conflict of interest that this administration not only allows to continue, but fully supports:

THE REIGN OF THE OILGIGS

(By Nicholas Von Hoffman)

There wasn't much left of the free market in the energy industry before, but this oil company crisis will destroy what there was. As these oilgigs' reward for their successful run on the American paycheck, the companies are not only getting an antitrust exemption, but will henceforth be able to run their conspiracy out of President Nixon's new emergency energy office.

The personnel manning the place will be oil company executives and we idiots will be thanking them for making this sacrifice for their common good. Their profits are up 50 per cent without a crisis, but while we are expressing our gratitude to the thieves for robbing us, the majors will be getting what they aspired to for so long: the completion of their control of the oil fields, the pipelines, the tankers and the gas stations with the legal power to allocate markets, fix prices and hold back supplies through an office in the White House.

The ending of the free market in coal, oil, natural gas and atomic power will be rationalized as always. They will tell us that this is the only way we will get our fair share of scarcity, and that if the prices are driven up out of sight there must be some incentive to put money into research and exploration of new energy resources—the same reasons they gave for granting oil import quotas and the loopholes that resulted in income tax payments even lower than Nixon's.

They put the money in the bank, not in oil exploration, but this new deal they're black-malling us out of will allow them to keep us in a state of permanent shortage. Yet, as an added incentive for them to rob again, we are being told we must use public funds to pay for research in such areas as shale oil and atomic fusion, the patent rights, of course, to be turned over to them for more profit.

Under the circumstances, nationalizing the whole shebang is the only sensible thing to do. If we must have a planned economy, then we, not the major oil companies, should do the planning and the profiting.

No socialistic government entity will do worse. The majors and the guy they bought with their illegal campaign contributions are already turning our country into a replica of an Iron Curtain society. No lights at Christmas, no gaiety, the joy of constant self-sacrifice for the state, drabness, restriction of travel and movement, cold homes and chronic shortages. Aren't these the features which characterize the Red Utopia, and aren't these what Nixon and Exxon are vouchsafing for us?

Nixon's proposal for energy self-sufficiency by 1980—Project Independence, he calls it—makes about as much sense as one of Stalin's five-year plans, and it has just about as much chance of success. It assumes that we can continue to increase our oil consumption rates at a maniacal 5 per cent per annum and still not need to buy foreign oil.

One more devaluation of the dollar and we won't have to worry about buying foreign oil. No matter what our position on Israel may be, the Arabs won't sell it to us. Even now the Arab decision to cut us off was probably much influenced by the fact that we encouraged old friends and allies like the Saudi Arabians to convert their oil into dollars, hundreds of millions of which we promptly stole from them overnight by our unilateral devaluation of our currency. This was an act by Nixon/Kissinger, our twin foreign policy geniuses, that rivaled that brilliant stroke we call the Russian Wheat Deal.

Project Independence is a public relations term for a program to denude the country. Piddling sums will be spent developing such things as home solar energy plants that would free us from the thrall of the public utilities. Having refused to make the effort they will tell us that such schemes

are impractical, and that we must either rely on atomic bomb factories and shale oil or walk to work and freeze at home.

If we acceded to their demands for shale oil exploitation and strip mining under the threat of freezing through an inflationary depression, we are also kissing a state like Montana goodbye. We might just as well pluck its star off the flag and send its congressional delegation home. It will be good for nothing but testing nuclear weapons.

Nevertheless, they are saying we must agree or face economic decline or even catastrophe. What they overlook is that we have been in an extended period of decline, that is, our economic growth rates have been flattening out; we are a mature society. We are not a Japan; our economic adolescence was behind us before they created an energy crisis for us.

We are not going to grow as fast as we once did or in the ways we once did, and the Exxon-Nixon solution, which is nothing more than permanently high-priced fuel, will only speed up the slowing down.

Given the mess they've created it may be much too late for the free market to help us with our problems. Perhaps some form of socialization is necessary, but either choice is preferable to handing over the power to plan our economy to this bunch of oily monopolists.

[From the Washington Post, Dec. 8, 1973]

WHO ALLOCATES THE OIL?

The Interior Department apparently intends to enlist hundreds of oil company executives to help it run the oil allocation programs. Of all the dangerous and defective ideas that the energy crisis has evoked, this one is the most astounding. If ever there were a time for the federal government and the industry to keep each other at arm's length, this is it.

Congress' purpose, in enacting the allocation law, was precisely to take these very difficult and influential decisions away from the oil companies. As a concession to reality, the department needs to come to terms with the truth that the oil companies are neither greatly loved nor widely trusted among the general public. A lot of the allocation rulings are inevitably going to be abrasive and open to debate. It will be a great deal better for both the government and, for that matter, the companies if the men who make those decisions have no connection whatever with the industry.

The perils in this proposal are underlined by the administration's attempts to persuade Congress to suspend the conflict-of-interest laws for the recruits. One might have thought that the administration would demonstrate at this late stage in its troubles, a certain sensitivity in these questions. But if Secretary of the Interior Rogers Morton does not see anything wrong with lifting the conflict-of-interest rules for oil company executives, perhaps there are people in Congress who can explain the point to him. The allocation program has to stand beyond any suspicion of favoritism. Secretary Morton might usefully ask himself whether importing hundreds of people from the oil industry will help him win public confidence in the fairness of the difficult judgments ahead.

IRREGULARITIES IN SBA'S LOAN PROGRAM

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. EVINS of Tennessee. Mr. Speaker, I have recently learned of allegations of

improprieties concerning actions of certain personnel in the Small Business Administration in some field offices—primarily in Richmond, Va., and possibly other SBA branch offices.

These are serious charges and we all deplore any improprieties or malpractices. It is my further feeling that all committees of Congress are entitled to full information and disclosure which, I am advised, Administrator Thomas Kleppe of SBA is readily providing to the Subcommittee on Small Business of the House Banking and Currency Committee. It is my further information that Mr. Kleppe is cooperating fully with Federal investigatory agencies and departments in these matters.

I believe that in all fairness appropriate recognition should be given to Administrator Kleppe's efforts to cooperate in uncovering any wrongdoing and prosecuting any who may be guilty of any criminal act. According to Mr. Kleppe's testimony, he was the victim of a cover-up by several SBA officials who deliberately withheld information from him.

Also, in all fairness, I think the following record should be cited with respect to the overall performance of SBA under the leadership of Mr. Kleppe:

FISCAL YEAR 1973

There were 45,000 small business owners who received SBA counseling.

Administrator Kleppe is responsible for the management of a loan portfolio of about \$5.5 billion—SBA has some 85 field offices, 4,000 regular employees and makes an average of 1,000 loans per day; 34,000 small business loans approved for \$2.2 billion; and 215,000 disaster loans approved for \$1.5 billion.

Small business received 20 percent—\$10 billion—of all Federal procurement, contracts and services, and 135,000 small businessmen attended SBA management courses.

SBA loans are made in branch and field offices throughout the country and some mistakes could be understandable—deliberate violations of the law, where they have occurred, are never understandable and cannot be condoned. Irregularities should be corrected and the work of SBA improved.

I commend Mr. Kleppe for his prompt and forceful action in this regard and for his actions involving some SBA personnel offices.

However, I do not condone a charge of McCarthyism directed at members of a committee of the Congress who are entitled to determine, review and act upon the facts of any matter under proper inquiry.

Tom Kleppe is a former colleague in the House. He is an able and honorable man and I regret that this situation has developed under his administration of SBA. Overall his record of performance in terms of assistance to American small business has been outstanding.

As a longtime supporter of SBA and as chairman of the House Small Business Committee, it is my hope that this matter can be resolved at the earliest time possible and any cloud lifted from SBA and its employees, and this important agency permitted to continue its assistance and service to American small business and our free enterprise system.

RECREATIONAL NEEDS VERSUS FUEL SHORTAGES

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. CLAY. Mr. Speaker, everything possible must be done to insure that recreation in this country, and particularly recreation-oriented industries, not be eliminated as we consider legislation to deal with the energy crisis.

Those involved in the recreational industry must do everything possible to conserve energy in their operations but at the same time they must continue to meet the growing need for healthy outdoor recreation for the American public.

An article which appeared in the St. Louis Post-Dispatch on December 4 points up the necessity of recreational outlets for man's healthy existence. As the article states:

The Kerner Report issued by a special study group set up by the Federal Government several years ago carried strong implications that without outdoor recreation and outlets for the populations of large cities, there would be large-scale eruptions of antisocial behavior.

Besides the social implications, economic effects of curtailing recreational activities must also be taken into consideration. As one who comes from Missouri, a State whose third largest industry is tourism, we would suffer severe economic hardships if recreational activities were eliminated.

At a time when the energy crisis weighs heavily on our minds, I want to share the Post-Dispatch article, "Recreational Needs Versus Fuel Shortages," with my colleagues.

The article follows:

RECREATIONAL NEEDS VERSUS FUEL SHORTAGES (By Al Foster)

Recreation is no longer something Americans can take for granted. The reason, of course, is the energy crisis. Shortages of energy—particularly of petroleum fuels—may be forcing the public and private agencies and other groups filling the nation's recreation needs to ponder how important play really is to the well-being of man.

Is play necessary for man's healthy existence or is it an amenity, a luxury, a reward for work?

Konrad Lorenz, author of "On Aggression," has referred to most forms of recreation, or play, as a substitute for aggression. The Kerner Report issue by a special study group set up by the Federal Government several years ago carried strong implications that without outdoor recreation and outlets for the populations of large cities, there would be large-scale eruptions of antisocial behavior.

Some observers point out that there is no real difference between the actions of urban youths who break windows in vacant buildings and suburban youths who throw rocks or other missiles at a row of bottles for target practice. Is one group playing and the other group intentionally involved in vandalism or are some actions that are not acceptable to society actually forms of play?

"The lack of contact with nature and the outdoors, combined with the stresses of urban and suburban life in large city areas is leading many young people to attempt a different life-style in the countryside," said Dr. Harry G. Moore Jr., associate professor of

clinical psychiatry at St. Louis University medical school. He stressed that "the acting out of aggressive impulses through play is of great importance to children and their emotional well-being."

Dr. Moore, a child psychiatrist, expressed a concern over the effects of a fuel shortage on team sports and other organized athletic activities. "These recreational outlets may be hampered if there is not fuel to transport youths to playing fields or energy to light playing fields for evening activities. Without outlets of some sort, the youths will be bored and their behavior may present a problem."

Concerns that recreation may not be given a proper recognition and priority if there is rationing of oil, gasoline and other energy sources is reflected beyond any regional area.

On the national level, James Watts, Director of the Bureau of Outdoor Recreation, is a staunch supporter of a high priority for the nation's recreational needs. He points out that the economy of many states is dependent on visitors, or tourist dollars. States such as Nevada, Colorado, Michigan, Minnesota and others will suffer severe economic hardships if travel is curtailed to any large extent. Missouri classifies tourism as its third largest industry.

Watts said, "The recreation and travel industries support hundreds of thousands of jobs throughout the nation. But, beyond the economic effects are the social implications. We have become an urban nation with little open space in our cities. Most people work in order to have the means to play. Restricting people to the urban environment without the means to reach recreational outlets outside the cities could lead to deterioration of both the people and the cities."

The Department of the Interior's Bureau of Outdoor Recreation is making an effort to see that a reasonable consideration is given to all aspects of recreation in any energy allocations by the Federal Government.

Shortages of fuel and materials could affect every phase of recreation unless the need for play outlets is recognized and given its proper priority. Parallels have been drawn between animal behavior and human behavior. It has been pointed out that some animal species are playful by nature, or by instinct, and that deprivation of play outlets or other means of diversion can lead to self-mutilation or overly aggressive behavior.

Zoo curators are aware of animal needs for play and provide outlets for animals that require them. In some instances, it has been noted that primates without play outlets will lapse into a state of depression and lethargy.

Correlation of animal behavior and human behavior is a relatively new field of study, but many of these same actions have been observed in man. Play, or at least the artifacts of play—the toys of men, have been found by archeologists and anthropologists in sites dating back 4000 years in the Indus Valley of Pakistan. Excavations of ancient civilizations in Central and South America have shown that highly developed playing fields were included in cities of the Mayan cultures. Play appears to be as old as man.

Changes in the life-style of man have compressed people into high-density environments but have not provided the needed outlets for play. Because the needed play outlets are distant from the people, it is felt that some fuels must be allocated for recreational use, not as a diversion, but as a necessity for healthy survival in the urban areas.

Other shortages are affecting the recreation field. Boat manufacturers are unable to obtain sufficient quantities of resins to manufacture fiber glass canoes and power boats. This same shortage affects the recreational vehicle industry. Plastics for use in making fishing rods and lures are in short supply.

However, the fuel and energy shortages appear to be the greatest areas of concern.

The Recreational Vehicle Institute, an organization of manufacturers of RV equipment, began a campaign last year emphasizing that the user of a recreational vehicle who turns off the energy-using equipment in his home requires less energy to travel than to stay at home. Paul DuPre, a spokesman for the organization, expressed the opinion that recreational-vehicle owners must accept some restrictions in their long-distance travels, but that recreational travel should not be curtailed.

If severe limitations are imposed on fuels, it will affect the off-road motorcycle rider as much as the hiker. Both must go to distant areas to fulfill their felt needs for recreation. Fuel limitations will hurt those who manufacture recreational equipment and the facilities that house and serve travelers and vacationers. The Bureau of Outdoor Recreation has long recognized that driving for pleasure and sightseeing is the primary form of recreation of all United States citizens. In addition, it is obvious that most recreational opportunities are distant from people's homes, regardless of the type of recreation involved.

In the pressure play for allocations of fuels and energy, industry, agriculture and business and other groups are vying for their share. The recreation industry, which is not so well organized, is beginning to express a desire for equal consideration.

The question that remains unanswered is, "How important is recreation?" To many, it is vitally important, not as a means of diversion or a way to fill idle time, but as a means of survival in the midst of urban stress.

Dr. Moore, the psychiatrist, stated it simply. "Play keeps us sane."

CONFERENCE REPORT RETAINS CONGRESSIONAL APPROPRIATION OF DISTRICT OF COLUMBIA FEDERAL PAYMENT

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DIGGS. Mr. Speaker, on Wednesday, December 12, the House will consider the conference report on S. 1435—the District of Columbia Self-Government and Governmental Reorganization Act. I would like to take this opportunity to call attention to title V of the bill—the Federal payment provisions.

First, let me stress that the conference report retains complete congressional approval over the Federal payment with a thorough annual review and recommendation by the President, the Office of Management and Budget, the House and Senate Appropriations Committees, and Congress. This procedure fully conforms to the provisions of the Budget and Accounting Act.

Second, the conference report also retains the House provisions for determining an adequate, equitable and predictable Federal payment level. These provisions were recommended by the congressionally-authorized Commission on the Organization of the Government of the District of Columbia, chaired by my distinguished colleague, ANCHER NELSEN. Specifically, the bill identifies nine key elements affecting the costs and benefits to the District brought about by its role as the Nation's Capital. These elements

shall be taken into consideration by the locally-elected Mayor in requesting a Federal payment amount. They include such factors as the potential revenues unobtainable because of the lack of taxable commercial, industrial, and business property in the city; the costs of services the District provides to the Federal Government; the benefits of Federal grants to the District not provided to other States and local governments, and so forth.

These provisions of title V establish a logical, credible process for determining the payment level while retaining the clear prerogative and responsibility of Congress to determine what that amount will be.

Third, the conference substitute authorizes a Federal payment at the following levels: \$230 million in fiscal year 1975, \$254 million in 1976, \$280 million in 1977, and \$300 million in 1978, and each year thereafter. These amounts reflect a compromise between the House bill authorized amount and the amount that would have been generated under the Senate provisions. I have received a letter from the Mayor certifying the city's estimated revenues, including new revenue authorizations, for fiscal years 1975 through 1978. The amounts in this bill are well within the Federal payment levels which would have been equivalent to 40 percent of the certified general fund estimated revenues.

Let me conclude by stressing that there is nothing automatic about the Federal payment process authorized in this bill. Again, I point out that the Appropriations Committees may review every last dollar in the Federal payment, as well as the entire District budget, and appropriate only so much of the Federal payment as the Congress deems necessary. I welcome the close scrutiny by all Members of these provisions in the conference report and trust you will conclude that they establish a sound, adequate, and equitable Federal payment. This assessment is concurred in, I am delighted to say, by the able gentleman from Kentucky, Congressman BILL NATCHER, chairman of the House D.C. Appropriations Subcommittee.

SECRET WITNESS PROGRAM

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. ESCH. Mr. Speaker, the recent kidnap-slaying of two small Michigan boys was a shocking crime for residents of the Midwest. Although the matter received little or no attention in the eastern press, I am certain the circumstances leading to the arrest of three suspects will be of interest to Members and the general public.

According to the Detroit News, the three 21-year-old men charged with first-degree murder were arrested on the basis of information furnished to the newspaper as part of its "secret witness" program. This tipster service in which

citizens provide information without fear of exposure to possible recrimination has helped in the solution of 32 additional murders and scores of other crimes. Under the reward program, some \$103,000 has been paid to persons providing the information.

Certainly this system merits consideration by newspapers across the country. Moreover, I would like to take this opportunity to salute the citizens who did their duty and the Detroit News for providing such a valuable service to the community.

Mr. Speaker, I insert the article describing the secret witness program at this point in the RECORD to be followed by an editorial from the Detroit News:

"SECRET WITNESS" RESPONSE: TIPS LED TO SUSPECTS

(By Boyd Simmons)

Two "Secret Witness" telephone calls 20 minutes apart, from different persons who named the same individuals as suspects, set Detroit Police on the trail that led to today's warrants in the kidnap-murders of two small boys.

The next day a third person called, also naming one of the men accused today in the slayings. And the two original "Secret Witnesses" called back with additional details at a moment when the investigation seemed to be faltering.

The calls were part of an outpouring of information that kept the "Secret Witness" telephone in The Detroit News office ringing for 48 hours as Detroiters sought to help solve a crime that had shocked them.

It was one of the greatest responses to a "Secret Witness" reward since the program was started by The News in February, 1967. In that time "Secret Witness" tips have pointed the way to solution of 32 other murders along with scores of other crimes and has seen \$103,000 paid to the persons providing them.

None of the key "Secret Witness" callers in the kidnaping murders of Gerald Craft, 8, and Keith Arnold, 6, had any connection with the others. Each had seen or heard something that convinced him that he knew who was responsible.

(The use of "he" to describe the Secret Witness tipsters in the kidnap-murders is a grammatical term, not necessarily a true identification of the sex of the tipsters.)

Some of the other calls helped, too, supplying a bit of information to guide the about 150 detectives turned loose on the case by the Detroit Police Department, the Wayne County Sheriff's office and suburban forces.

The News passed its "Secret Witness" information over to the Detroit Homicide Section which directed the investigation. The homicide detectives moved so swiftly and thoroughly that on one occasion a suspect was in custody within an hour after vital information about him was received.

And The News kept its part of the agreement it has with all law enforcement agencies. It printed nothing of what it knew was going on as a result of the "Secret Witness" tips until warrants were issued. And then it told only what police announced or what was general knowledge. The details of what "Secret Witnesses" told, or who told it, remains confidential.

Because vital information was received from all three key sources after the City of Detroit's \$5,000 reward was added to a similar amount posted earlier by The News, both rewards will be paid if the accused persons are convicted in court.

One tip provided the greatest help and came in first. This "Secret Witness" will, in the event of payment of the reward, receive the greatest amount but the dispersal would be determined by a three-member citizens

committee which has final authority over reward payments.

MORE NEEDLESS MURDERS: CAN'T WE FIND WAY TO STOP THE KILLING?

The utterly senseless murder of two small boys again shows the terrible grip homicide has upon the Detroit area. Will this outrage finally shock us out of a sense of complacency and alert us to the proximity of murder and murderers in our midst?

What wrong did six-year-old Keith Arnold or eight-year-old Gerald Craft commit to deserve killing in cold blood? Police have not yet established the reason for the boys' abduction from their northwest Detroit neighborhood. Police may never be successful in determining why their killers executed them.

Perhaps the slayers, whoever or wherever they are, can't say why this happened either. In their awful way, these two slayings, while technically not part of the city's homicide toll of nearly 700 because they occurred outside the city limits, are truly part of the death pattern here.

The killings go on and on, justifying Detroit's bloody record this year as the leader in homicides among the nation's large cities. While experts question the death count statistics, society debates the prevalence of firearms or calls for institution of the death penalty as a deterrent.

Neither better statistics nor stricter firearms laws nor harsh punishment will eliminate wanton murders. That will take a deep and universal understanding by the urban population that violence cannot resolve social or personal troubles. We must stop tabulating deaths and begin to tally the causes.

We have talked about homicide in an abstract way as something that happens to somebody else or that involves quarrelsome or criminally minded adults. But the murder of Keith Arnold and Gerald Craft was a slaughter of innocents.

No Detroit area child whose parents might be subjected to ransom demands can be considered safe until the boys' killers are apprehended. Yet will that prevent someone else from trying the same thing? Our children are not secure until that question is answered.

No longer can homicide here even be considered a black inner-city affliction. Just a month ago the body of Ruth Postif, a 17-year-old Dearborn girl abducted from a suburban shopping center, was found in a remote area. The two dead boys, both black, lived in a good neighborhood.

Police Commissioner Philip Tannian recently suggested the wave of deaths might recede if the many who possess legal and illegal handguns put them away or turned them in. But it's clear now that those persons who possess the will to use weapons, who demonstrate violent tendencies, should be turned in, too, or otherwise prevented from carrying out their murderous acts.

At the very least, a conference ought to be called to probe the causes and effects of urban violence. Certainly metropolitan area families must do more than share the sorrow this empty Christmas with the Arnold, Craft and Postif families. Revenge against their killers is not enough. There must be an end to the killings.

HOW THE ENERGY CRISIS WILL HIT INDUSTRY

HON. J. J. PICKLE
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Monday, December 10, 1973

Mr. PICKLE. Mr. Speaker, one of the most important questions being asked to-

day is just how and where the energy crunch will hit hardest.

A recent article in Business Week gives a good overview of the effects—both good and bad—that we can expect to appear in industry.

I would like to reprint that article in the RECORD at this time:

HOW THE ENERGY CRISIS WILL HIT INDUSTRY

In virtually every company in the country this week, top management was trying to measure how the continued shutoff of Arab oil might affect business next year. But specific information was hard to come by.

The impact of the oil embargo is tangled up with the impact of Phase IV price controls, which have already created some shortages. Then there are contradictory trends in many industries. While an oil shortage might shrink the output of one product line, it will boom another that serves as a replacement. Also, some companies are positioned to take advantage of the impact of an oil shortage. Finally, the sophisticated econometric models that many companies use have no history of an oil shortage, so they do not know how to weigh its effect on results.

Because many companies saw an oil squeeze coming last spring and stockpiled petroleum supplies, the industrial impact of the Arab embargo will be dulled over the next couple of months. But if the shutoff continues for several months, economists are predicting a cut in output ranging from 10% to 15%. Labor is fearful of widespread layoffs. These industries could be hurt the most:

SYNTHETIC FIBERS

An already tight situation will worsen. Celanese Corp. and Du Pont Co., as well as several other producers, have already cut back their polyester production substantially because of a shortage of paraxylene, made from natural gas feedstock. Du Pont will shave Dacron production about 10% each month during November, December, and January for an estimated total cut of 25-million lb.

CLOTHING

Because of cuts in production of synthetic fibers, clothing manufacturers will have to use alternate materials. Nylon tricot is already on allocation, and the squeeze is particularly severe in grades used in lingerie and some hosiery.

Cotton prices, abnormally high because of export sales to Japan and China, will go higher, textile companies say. Wool at \$2.45 a lb. is considered out of sight. A shortage of propane, used both as a fuel and as an important element in curing and finishing textiles, makes the textile picture look even starker.

STEEL

The industry's oil consumption jumped 67% in 1973 from 1.3-billion gal. to 2.2-billion gal., the result of the industry raising its output to 110-million tons of steel from 92-million tons in 1972 and switching from natural gas to petroleum for finishing operations, such as annealing and preheating slabs before rolling. Stewart S. Cort, chairman of Bethlehem Steel Corp., predicts: "A 15% reduction in fuel consumption will cost the nation 6.8-million tons of steel and more than 30,000 steelmaking jobs. If steel is held to its 1972 fuel consumption, the nation will lose 12-million tons of steel, and 60,000 steelworkers will become unemployed."

Steelmakers are saying that a cutback in steel production might impede U.S. efforts to offset the Arab blockade. Oil and gas producers are already short of steel pipe used in stripping wells, says Cort. "Steel is also indispensable in the construction of electric generators, coal mining equipment, and oil refineries."

Pinched steel supplies could mean still

greater strains upon the nation's already seriously taxed rail network, because railroads would have to curtail their car-building programs. In addition, a cutback in steel output could affect the production of machinery and equipment essential to the expansion of U.S. industrial capacity. Many people were looking to a high level of machinery production in 1974 to ease shortages that resulted from lack of capacity in several major industries, according to Cort. Any curtailment brought about by steel shortages will have serious adverse effect on all the machinery industry and thereby the U.S. economy as a whole.

PLASTICS

Because the feedstock of plastics is either natural gas or petroleum, a cutback in output is already under way. Styrene, polyethylene, and phenolic resins are likely to show the most serious shortages.

Supplies of plastics are also distorted by price control problems. Likely to be the hardest hit are the small manufacturers—those who buy materials from the major companies and turn them into end products.

Jack Cubeta, vice-president and general manager of Intercosmic Plastics, Inc., a division of ICP Industries, Inc., says, "We're living from hand to mouth right now. We were working seven days a week. Then when the plastics shortages started, we cut back to six days and now we are on a 4½-day schedule." Intercosmic Plastics makes decorative plastic sheets for bath enclosures as well as plastic sheathing, luminous ceilings, and marbled vanity table tops. Says Cubeta: "We plan to stay in the business, but we would do better if we just shut down the plant, laid off all our employees, and resold what plastic resins we can get at triple the price in the export market, where prices aren't controlled."

Plastic flooring materials will soon be in the same situation as plastic bathroom equipment, predicts Richard Bezzola, treasurer of Industrial Vinyls, Inc., a big Miami flooring producer.

"It looks as if we'll be in trouble in the manufacturing of chair arms and molded products as well as consumer items, such as polystyrene ice chests and toys," says Norman S. Edelcup, vice-chairman of Keller Industries, Inc., also in Miami, a large maker of plastics and aluminum products. "At this point," Edelcup says, "the plastics shortages are worse, but we've been told that after Jan. 1, if the aluminum producers don't get some price relief, they are going to stop shipping."

At Scripto, an Atlanta-based manufacturer of pens and lighters, there are also concerns about a shortage of plastic and aluminum. President Herbert W. Sams predicts that the company's product line will be cut by 20% by mid-1974 because of shortages.

ALUMINUM

Aluminum production will be tied closely to the availability of electrical energy because it uses massive amounts of power. The Northwestern part of the U.S. relies heavily on hydroelectric power. Droughts in that section have produced a deficit of nearly 10-billion kilowatt hours, resulting in some cutback of aluminum production. Despite improving weather, the area is still short of power, and future supplies will depend on rainfall in December, January, and February.

New capacity is not likely to be built in the Northwest. One victim of the energy problem may be the proposed \$160-million aluminum mill that Amax Pacific Aluminum Co. wanted to build at Warrenton, Ore. Governor Tom McCall has withdrawn his support of the project, saying: "Faced with an energy crisis that will not be overcome for years, we cannot invite an industry that consumes electricity far in excess of those with equal or greater job potential."

AUTOS

In the automobile industry, fuel shortages are striking in a number of ways. The gasoline shortage and the possibility of rationing early in 1974 is causing a run on smaller cars that get greater mileage (page 38). A shortage of synthetic fibers is causing companies to plan shifts to other material for auto upholstery. The shortage of plastics is causing a sharp slowdown in use of synthetics to replace metal parts and save weight. Transmission fluids are getting tight and there could be no ethylene glycol for antifreeze by yearend.

PLYWOOD

The industry is having a rough time. Almost one-third of its plants have already had their power supplies cut back or expect to be curtailed imminently.

Plywood producers are big consumers of interruptible power, so they are the first group of power users to be cut back under the federal power allocation order. They are also short of both propane and fuel oil, so their standby power systems will be able to give them little relief this winter.

Natural gas and propane are also used in the mills to run driers. Both fuels are in short supply, and propane is being allocated. And the plywood producers, like the plastics industry, are also big users of phenolic resins. Phenolics come from benzene and toluene, which are both scarce and will get scarcer as demand for natural gas and oil for heating increases in the winter months.

THE SMALLER INDUSTRIES

Other industries with lesser impacts on the economy will also feel the bite of the oil shortage. The makers of pleasure boats, for example, will be hard hit if they cannot get styrene, which is made from benzene, a petrochemical. Styrene resin, when combined with fiber glass, is the principal material in the hulls of boats. In the light of curtailments, Thomas Duggall, president of Thunderbird Boat Co., a subsidiary of Fuqua Industries, Inc., says he has been advised by his major supplier to expect 20% less resin next year, and that will mean reduced sales of boats.

"The fuel shortage has been pretty disastrous for the brick industry," says George C. Sells, president of General Shale Products, a Tennessee manufacturer of brick and concrete products. Since August, the cost of fuel, which normally accounts for about 10% of a brick producer's total production costs has jumped close to 50% at one of General Shale's plants. "We could be 100% on coal within a year in all our plants barring a shortage of coal crushing and conveying equipment," says Sells.

Users of polyvinyl chloride in the phonograph industry have been subject to decreasing shipments for some time. "I had to shut down for three days earlier this month because I was out of PVC," says Charles Spitzer, owner of Reco-Press, a Dallas record company. Next year PVC will be in even shorter supply, and that will affect people who use it not only for records but as a rubber substitute in electric wire, textile finishes, and gaskets.

REPLACEMENTS AND SHIFTS

As the oil and gas shortage bites deeper, a host of products will disappear from the market, many of them cheap, low-profit items. They could include such products as plastic drinking straws, plastic pens, fertilizer, aluminum windows, water purifying chemicals, buttons, plastic milk cartons, and firewood. Some of them will never be missed. Others will be replaced by other materials.

Managements who are still pessimistic may change their minds when they start to evaluate the possibility of replacing materials that are in short supply. For example, rayon, which is made from wood chips, could pick

up some of the shortage of synthetic fibers, particularly in lingerie. Paper will replace some plastics used in packaging.

Gates Rubber Co. in Denver is having problems getting supplies like Neoprene, a synthetic rubber made from natural gas, and is looking at substitutes. But it anticipates no decline in employment next year. Johns-Manville Corp. has started introducing fiber glass into its production of polyvinyl chloride pipe to make its supplies of PVC go further—at the same time toughening the pipe and raising its price.

It will be several months before companies are able to regear their production to use such replacements and to line up sources of supply for the new materials. Certainly some plastics will be replaced by aluminum, stainless steel, zinc, or other metals.

One effect of the cutback in oil is that users of materials in short supply are putting their scarce raw materials to more profitable use. "What we see more than anything else is taking our plastics out of poorer end-use areas and putting them into other products," says C. Robert Powell, group vice-president at Diamond Shamrock Chemical Co. But this kind of shift may well improve profit margins next year.

BOOM FOR SOME

While the energy problem will squeeze some companies, others will find it a strong stimulant for business. At Raytheon Co., the diversified Massachusetts company, President Thomas L. Phillips explains, "People don't realize how well positioned we are in terms of the energy crisis with Badger Co., which builds oil refineries, with United Engineers & Constructors, which designs nuclear plants, and with Seismograph Service Corp., which will benefit from an increase in oil exploration." Raytheon also has a strong position in gas home appliances and has a patented process to eliminate the waste of gas from burning pilot lights.

On the railroad lines of the Burlington Northern, Inc., executives have already spotted a positive impact from the energy problem. Piggyback service, in which truck trailers are placed on railroad flatcars, is up sharply. BN Transport, a subsidiary, reports that its piggyback business is up 58% so far this year. Over the entire BN system, piggyback service is up 15%. Commuter rail traffic has also risen, apparently because fewer people are driving to work. The BN reports that its commuter service into Chicago has standees—nearly 1,500 a day—for the first time.

Rollins Leasing, a subsidiary of Rollins International, Inc., says it is expecting an increase in truck leasing as a result of the fuel shortage. John W. Rollins, president of Rollins Leasing, explains, "Customers don't have to worry about diesel fuel supplies when they lease with us because we supply trucks, fuel, and maintenance."

Coal is figuring in an optimistic outlook at FMC Corp. "We envisioned an energy problem several years ago," says Raymond C. Tower, executive vice-president in charge of the company's chemical group. All the company's 36 chemical plants burn coal instead of natural gas or oil. And the company has covered itself with long-term coal contracts.

Moreover, FMC, with a consortium of companies, is working on a coal gasification process that is likely to be speeded because of the shortage of oil and gas and the rapidly escalating price of oil. In addition, FMC manufactures rayon, whose renewed acceptance should add to sales and profits as supplies of synthetic fibers, which are based on natural gas, are cut back.

At International Paper Co., Vice Chairman J. Stanford Smith says the company has not yet made any change in its sales forecast for next year because the company sees offsetting circumstances. Says Smith: "Even if our sales of linerboard (used to package goods) fall off 10% or 15% as industrial

production declines that amount could be offset because we are seeing a shift by milk producers away from the plastic gallon jug and back to paper milk containers."

Meanwhile, as industry tries to assess the economic outlook, the Administration has an Energy Emergency Action Group trying to set up policies to cope with the situation (page 58). A final analysis of how bad the energy crisis will hit business will have to wait until the government chooses one of the options open to it.

FEAR NOT, STAND FIRM

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. BENNETT. Mr. Speaker, recently I had the opportunity to be present at the meeting of the Rotary District Convention at Jacksonville, Fla., and heard an excellent speech by Malcolm B. Johnson, Tallahassee Democrat editor, which I thought every American would be helped by reading so I include it herein. LUNCHEON SPEECH OF MALCOLM B. JOHNSON, NOVEMBER 20, 1973

Bob Langley commissioned me to come here today and say something encouraging about the state of the nation and the human condition. I suspect he thought this would assure a short speech from one who has pretty well conditioned himself to not like much of anything that happens the rest of his life.

But I have an old friend, a patriarch of sorts in our news business, who says things are no worse than they ever were. We only have more alert reporters—and, I may add, less alert historians.

So you hear . . . You may even have said lately: "All the news is bad. Has it ever been worse?"

Well, it isn't all bad, by any means; and it has been much, much worse in our own time. However, it is disturbing enough to justify a bit of Pollyanna optimism, if no more than to keep from tearing out hair.

First, a word about the nature of news: Bad news drives out good, from the mind as well as from the printed page, just as by the law of economics bad money drives out good.

This is not the preference of the news reporter any more than—if as much as—that of the news reader. Given equal space and headline treatment, the odds are that scandalous news will be read first and remembered longest. It's human nature.

Quick, now: Recall five episodes from the Bible.

Now. Didn't you think of Cain killing Abel, Adam and Eve's sin in the Garden, Noah's flood, crucifixion of Jesus, Job's troubles, Jacob deceiving his blind father, Samson and Delilah, Pharaoh's army drowning in the Red Sea, David and Goliath, Moses and the Israelites in the wilderness, the beheading of John the Baptist?

Murder, war, disaster, persecution, pestilence, fraud, treachery, greed, lust, general cussedness. You have to scratch your head to recall the good lessons. The gospel. So what's new?

Besides, all good things aren't news, because they frequently lack drama and commonality that would make an impression on readers whose interests we are ordained to serve. Good news tends to be gradual, cumulative; bad news, sudden, shocking.

You don't expect to hear sirens when there is no fire; but that doesn't mean the firemen aren't making their rounds for fire prevention.

And you'd soon stop reading a paper that

repeated daily: "No bad fires again today. Firemen inspected a dozen homes and eliminated fire hazards."

But our bad news is SO bad, they say. It touches the leaders of government, the presidency.

Well, without excusing any misconduct that has been proved beyond the reasonable doubt which is guaranteed to all citizens, it helps to read history.

Our codes of judicial and legal ethics contain epigrams from the mouth and pen of Sir Francis Bacon, lord chancellor, highest judicial officer of Britain. Do you know his full story?

He was impeached on 28 charges of accepting bribes, in some cases from both sides in litigation. He tried to settle for pleading guilty without disclosing details, but they put him away in the Tower of London for nearly a year.

Daniel Webster, hallowed as a statesman, was on the take most of the time he was in the U.S. Senate. Even while he was leading the fight for renewal of the charter of Bank of the United States he sent the bank a note complaining "my retainer has not been received or refreshed as usual." John F. Kennedy, recalling this in his book, "Profiles of Courage", gratuitously suggested "Webster accepted favors not as gifts but as services which he believed were rightly due him."

President Franklin Pierce was arrested for running down and killing a woman in a carriage he was driving through Washington's streets. Case dismissed. Who remembers it—or even when Franklin Pierce was president?

Why, the greatest scandal of our day—the to-do that provokes despondency over the fate of the nation—involves political misconduct our fathers found commonplace, if not permissible. Is this reason for gloom? Why not consider it, rather, a growing concern over chicanery that indicates a wholesome reaching for higher morality?

Now, I concede this calls for some triumph of faith over experience in view of the recent trend toward more permissive behavior, a toleration of non-violent crime (except in high places), an acceptance of perversion and violation of all the biblical social injunctions as long as they occur only between consenting adults.

It may be that we're closer to Sodom and Gomorrah than we are to Armageddon, especially since the latest tussle in the historic struggle between Israel and Egypt seems to be cooling off without violent involvement of the rest of us.

Good news can be the absence of bad. We're not at war, nor anywhere near it, for the first time in a generation. No young men are being drafted for military service.

We have no major strikes. Our National health is excellent by past standards.

For all the furor over inflation and the downward drift of the stock market and the low value of the dollar, our people have the highest standard of living in world history—telephones, TV, two cars, boats, air conditioning, leisure time to fret and fume about prices and shortages while we're playing. We deplore unemployment, ignore the glad news that employment is about the highest in history. More people have jobs than really want them.

We fret over shortages, but we spend more on dog and cat food than we do on baby food—\$50 million a year just to rid our pets of fleas. I throw out enough grain for the wild birds every day to make a day's meal for many a man in less fortunate nations.

America may be running short of gas, but it's more from joy riding than from desperation driving. Most of our shortages are from waste, not from lack of resources.

Our astronauts in their Skylab are doing things—spectacular, fascinating things and routine scientific things—that will be paying off in human benefits for many decades after

Watergate is forgotten. (That they are getting scant attention is testimony to our preference for scandal over accomplishment.)

There's scarcely a day we don't have a report of some new discovery in medicine or other sciences that will help conquer another disease, prevent a famine, or make the good life more attainable for more people.

Our states and cities, generally, have ample money—and we are so preoccupied with our affluence that most of us aren't even concerned enough to demand that surpluses be turned into tax reductions.

Our women are liberated. Dr. Spock is revising his book on care of babies to delete several thousand references to "him" and "her." The Federal government last week decreed that the Census Bureau may no longer use the word "maid" as a job description. Henceforth, they are, officially, "lodging quarters cleaners." How much more can the human condition be improved?

Our black citizens are making amazing progress—and without the rioting and block burning they carried on a few years ago. The young man who sweeps out my office to pay his way through college (even as many of us did) can talk confidently about his ambition to be a Senator—and nobody doubts that he might make it, despite the color of his skin.

Good news; but hardly a news item.

And the bad news? Of course we have it. But think back again. Why, it's not so terrible.

Remember the utter dejection of our Nation when the Russians surprised us by sending up that first Sputnik? It's doubtful that our demoralization ever was so general. It seemed that one shot had put us far behind, if not at the mercy of, a hostile force. We bounced back, and higher than the Russians have been able to go.

Bad news? Recall the shock after the debacle of Pearl Harbor, the panic and suicides of the 1929 stock market crash, the barbed wire barricades on our Florida beaches and the submarine sinkings of two or three tankers a day off our coast in World War II.

Remember the epidemics of flu, of smallpox, of typhoid, or diphtheria that swept away families and made pallbearers of us in our childhood—little boys carrying schoolmates to the grave.

I bore my first pall at the age of eight. If you want to know about bad news, go to an old graveyard and count the children's headstones. Malaria, hookworm, rickets, yellow fever, polio. Now there was pollution. Man didn't make it. Man cleaned it up.

Remember the pogroms, the ruthless slaughter and persecution of Jews by the evil Hitler and his henchmen? The nauseating news of those kids' bodies being unearthed in Houston this year can match Hitler's crime only because the impact is fresher, the scene closer, the criminals part of our own society. And for depravity, remember Leopold and Loeb? The St. Valentine's Day massacre and other Prohibition gang wars? Lynch mobs?

Remember the depression? That was nearly all bad news. Almost a third of our wage earners out of work, out of homes, out of food, wandering. Here in Jacksonville, I worked as a boy in the public library and saw old men sit all day in public reading rooms, then just before closing time sneak into the restroom to line their shabby garments with newspaper underwear for warmth against the night. We college boys waiting on tables had to hide the catsup because vagrants would ask for a cup of hot water, then convert it into tomato soup when we weren't watching.

Don't talk to me about going back to the good old days. We couldn't stand the ardors or the odors if we were suddenly cast back to our own past.

Talk about air pollution and destruction of the environment:

Why many of us can remember when Florida was almost a desert of cut over and burned over woodlands, with smoke from wild fires hanging so heavy in the fog that we walked in front of cars at night to keep them on the road and poke the scrawny tick range cattle out of the way. Smog, before the word was coined. The air is cleaner, the landscape greener, today.

Here on this riverfront, the odors were so bold and so separate that I vow I could walk Bay street blindfolded and call off the establishments as I passed. Can you remember the pungent stench of a big steam laundry washing the human body odors out of tons of clothes? Oil and fish and sewage all mingled beneath the docks and rats as long as your forearm skittering through the wharfs?

Jacksonville's waterfront has almost lost its nostalgic appeal in antiseptic and beautification now—amid the frightful talk of pollution.

We fret about the fumes from automobile exhaust, forget that London and New York employed men by the thousands to clean up after the horse.

Folks worry about the endangered species. The brown pelican. The peregrine falcon. The Okaloosa darter (half-size sardine that lives in West Florida). I'm a nature lover, or have some reputation for it in my home town. But I don't think ecology—the science of all inter-related species—can be cut off just below man. Man and his economics and politics are paramount in the ecology on this earth over which God gave him dominion and a responsible stewardship.

Prospective extinction of the Okaloosa darter doesn't worry me any more than the past extinction of the dodo or the pterodactyl—as long as the human condition is improved.

I submit that the human condition is better almost everywhere, through man's own efforts (and perhaps at the sacrifice of some inferior species.)

My town is a better place to live than it was when I moved to Tallahassee 36 years ago. Jacksonville is better than where I left here for Tallahassee. Florida living is better, in every hamlet and city I revisit after nearly 50 years of fruitful experience in this state. More people have more of the good life everywhere.

Adjustments and adaptations are necessary. It has always been so. Let us learn from the woodpecker. In our lifetime, there were two huge woodpeckers in Florida—the ivory billed and the pileated.

They lived on the bugs from dying trees in virgin forests. Timbermen and pulpwood people cut out the woodpecker trees, closed their cafeterias. The Ivory billed woodpecker couldn't adapt. He starved into extinction. The pileated adjusted. He comes to our urban feeders. He eats at my woodpile. His breed is multiplying. He never had it so good.

And neither have we Americans of 1973. Our nation is not sick; but its people show signs of neurosis. We seem to enjoy a self-flagellation, to need a life of jumping from crisis to crisis—and creating crises if none arise naturally. We have become a people of very many fears, and very little faith. We must quit low-rating ourselves and our institutions. I, for one am tired of Nader types trying to scare us to death with suspicion and exaggerated bellyaches.

It is popular to say we need new goals, new values. But our salvation is in the old values—as simple as the Ten Commandments, the Golden Rule and the Sermon on the Mount.

There is no promise of any religion, nor of any atheistic dogma that life on this earth will remain as it was or as it is, that this generation is the end of evolution, that the ultimate good life will come to a heaven here and now. All teaching is to the contrary.

The ultimate reward comes in the here-

after, if at all, but whether or not we believe there is a heaven, there is no doubt we can have a generous portion of the really good life if we stick to those old values which point the path.

The Evolutionist, the physical man, depends on survival of the fittest. To the Christian, spiritually, it comes out about the same in the advice that many are called, few chosen.

Moses exhorted the Children of Israel, as they fearfully fled (many reluctantly) from slavery in Egypt: "Fear not, stand firm, and see the salvation of the Lord."

There is no surer way to improvement of the human condition, here or hereafter.

We go home, now, to Thanksgiving. There is no cause to belittle the breadth and depth of gratitude for our abundant blessings.

PSRO: A CHALLENGE TO THE PRIVATE PRACTICE OF MEDICINE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. CRANE. Mr. Speaker, beginning in January 1974 a new Federal bureaucracy will begin operation—with its basic goal the direct control of medical care to all who receive Federal funds.

The law, a part of the Social Security Act, institutes what are called Professional Standards Review Organizations and was initially presented to the Congress as legislation which would save taxpayers money. This, its proponents argued, would be done by having a Federal agency check on doctors to make sure that they are not charging too much for their services. This, we have since learned, is the least of the problems with the PSRO program.

While doctors and patients have traditionally considered it the role of the medical doctor to prescribe the necessary care for patients, to determine whether a patient does or does not have to be hospitalized, and what manner of medication would prove most effective, the new PSRO program takes much of this decisionmaking process out of his hands.

Local PSROs will have the responsibility to see to it that doctors practice according to norms approved by a national council, which will include representatives of consumer groups and other nondoctors. A PSRO examiner, for example, will be in the position of challenging a doctor's professional judgment in a case. That examiner will not himself be required to have medical training.

Under this program, the principle of the confidentiality of the doctor-patient relationship will be seriously challenged. The doctor will be forced to reveal his records to PSRO inspectors and if he is to be paid for the services he performs, he will have to abide by HEW guidelines. The doctor will, in effect, be little more than a Government bureaucrat.

Even patients who do not receive Federal aid in any form, will be subject to having their confidential records examined by Government agents in an effort to establish "norms" of medical care. The PSRO examiner will be able to search through a doctor's files and

records without any court order or search warrant. The result will clearly be the destruction of the doctor-patient relationship.

Opposition to this ill-conceived program has been mounting, both in the Congress and among American doctors. Recently, the American Medical Association adopted a resolution calling for major alterations in the law, demanding the restoration of the traditional doctor-patient relationship. Many doctors believe that the AMA position did not go far enough, and believe that only repeal of the PSRO legislation will solve the problem. I share this view.

One of these doctors is Dr. John P. Heard, a general practitioner in Decatur, Ga., and president of the De Kalb County Medical Society. He urges repeal and declares:

First, it is bad law by anyone's standards, and we would be negligent to stand idly by and see it implemented. Second, the survival of the A.M.A. is at stake. If PSRO is implemented, we won't have any need for an A.M.A.

In an important editorial dealing with this subject, the Wall Street Journal noted:

These PSROs . . . will have the task of second-guessing decisions made by . . . doctors in treating patients under Medicare, Medicaid and maternal and child health problems . . . the law empowers the government, through PSROs, to examine medical records in doctors' offices, not only of federally insured patients but private patients as well.

The Journal notes, in addition:

The AMA had a hand in the original conception of PSROs, apparently with some notion of displaying flexibility. . . . But a good many physicians are making it clear that they think that was a bad tactic. It would seem that they have a point.

The Journal decries the fact that the PSRO legislation was approved with so little consideration of its long-run ramifications and concludes:

The issue deserves a better hearing than it got when PSROs were so nimbly written into law last year.

I wish to share with my colleagues the editorial published in the Wall Street Journal of December 6, 1973, and insert it into the RECORD at this time:

NO TIME FOR PATIENTS?

We would never argue that any group should be exempt from accountability to the larger society, but we can understand why many doctors at an American Medical Association convention in Anaheim this week are up in arms over a new federal law purportedly designed to monitor the way doctors deal with federally insured patients.

The law, described elsewhere on this page today by Mr. Winston, requires the establishment of "Professional Standards Review Organizations" all around the country starting Jan. 1. These PSROs, which will be comprised mainly of doctors, will have the task of second-guessing decisions made by other doctors in treating patients under Medicare, Medicaid and maternal and child health problems.

Their findings will be used by a HEW bureaucracy to establish certain "norms" that doctors would be expected to follow in treating federally insured patients. Such questions as whether some doctors overprescribe or require unnecessary hospitalization will enter into the review and norm-setting process.

While we favor a businesslike administration of federal social programs, the PSRO legislation raises some questions which didn't get adequately asked or answered by Congress. It was attached, by Senator Bennett (R., Utah), as a rider onto last fall's bill and controversial Social Security bill and somehow rode through with almost no public attention. The House did not even hold public hearings on the PSROs.

And yet the law empowers the government, through PSROs, to examine medical records in doctors' offices, not only of federally insured patients but private patients as well. The Association of American Physicians and Surgeons thinks this is an unconstitutional invasion of a private relationship.

Further, it can be doubted that Congress gave sufficient thought to the cost of all this monitoring and normsetting. There is no clear picture of how many PSROs there will be but a minimum of 150, and probably considerably more, is likely. The man-hours of doctors who serve on them will be that many fewer man-hours devoted to practicing medicine, not to mention the man-hours that will have to be devoted in doctors' offices to meeting demands for information or justifying decisions.

It might be noted that some 50 million patients and 10 million hospital admissions are potentially subject to monitoring and that the proposed norms cover some 350 procedures. It makes you wonder if doctors will have any time left to treat patients.

Finally, the law seems to ignore that a great deal of peer review already goes on in medicine, by state and local medical societies and hospital boards that review decisions to operate and the like. While peer review has been criticized as ineffective a lot of the criticism remains unproved. In Louisiana last December, it was the state medical society that blew the whistle on a HEW-financed private birth control scheme that now is under criminal investigation, which suggests that the public interest may fare at least as well under private peer review as through the good offices of HEW.

Many doctors claim that the PSRO sleeper actually was designed to open the medical profession up for full federal insurance, or, as the AMA once would have termed it, "socialized medicine." Interestingly, the AMA had a hand in the original conception of PSROs, apparently with some notion of displaying flexibility—thus avoiding the kind of pitched battle it lost over Medicare—and at the same time keeping PSROs in the hands of physicians. But a good many physicians are making it clear that they think that was a bad tactic.

It would seem that they have a point. Medicare and Medicaid were a product of the mid-1960s and there is no denying the public support that then existed. But this is 1973 and Americans have seen quite a lot they don't like about federal social programs. There is no certainty they are yet ready for national health insurance and they certainly aren't ready for sneaky approaches to that end through innocent-looking riders to complex bills in Congress. As to monitoring Medicare and Medicaid, HEW might do well, or so the Louisiana case would suggest, to get better control of its existing auditing system.

Rep. Rarick (D., La.) has introduced a bill to repeal PSROs. It may well be that the public has a bigger stake in repeal than it realizes. At any rate, the issue deserves a better hearing than it got when PSROs were so nimbly written into law last year.

Those who believe, as many leaders of the AMA seem to, that Federal money will not be accompanied by increasing Federal controls, have not learned the lessons of history. One doctor who has, and who has attempted to in-

form his fellow physicians, is Dr. R. S. Jaggard. He declares:

Such physicians have not studied their history lessons. It is painfully clear to any student of history, especially of the American welfare state of the past 40 years, that government money brings government control. A PSRO clerk is a PSRO clerk. A PSRO clerk follows rules and regulations prescribed by the Secretary of Health, Education and Welfare, period. A physician is an intelligent and skilled individual, who exercises his own independent intelligent judgment and skill on behalf of his patient, in accordance with his own decisions as to what is best for that specific person in those specific circumstances at that specific time and place. The physician deals with patients and specific problems. The two are not compatible and neither one can function as the other.

Discussing the fact that the AMA has tended to support Government intervention and controls, while many in the Congress and elsewhere have resisted them, Allan C. Brownfeld, editor of *Private Practice*, the *Journal of the Congress of County Medical Societies*, writes:

While the leaders of organized medicine continue to work hand in hand with government bureaucrats in adjusting a straight-jacket to American medicine, private practitioners—and those outside of the medical field who believe in freedom—have been mounting an effective attack upon the PSRO program.

Mr. Brownfeld notes:

There is something doctors can do about the PSRO program, and it is not too late. That something, is to work for repeal of the legislation.

Discussing the controls to be imposed by the PSRO program, Dr. Jay A. Winsten, a research fellow in pathology at the Harvard Medical School, writes:

At the top of this new bureaucracy, the HEW Secretary will exert broad discretionary power. . . . Each PSRO will be responsible for developing guidelines which, for a given illness, injury or health condition, provides answers to the following questions: Should the patient be hospitalized, or treated on an out-patient basis? If hospitalization is necessary, what is the probable length of stay required for proper care? What are the specific health care services required for proper diagnosis and treatment of the patient's complaint?

In simple terms, the basic decisions concerning a patient's care will not be made any longer by the private practicing physician, but by a bureaucratic Government organization. It will, in effect, be medical care by committee.

Following is Dr. Winsten's analysis of the PSRO program as it appeared in the *Wall Street Journal* of December 6, 1973:

IMPOSING CONTROLS ON DOCTORS

(By Jay A. Winsten)

There was little fanfare when on Oct. 30, 1972 President Nixon affixed his signature on what is now known as Public Law 92-603, or the Social Security Amendments of 1972. But by now the shock waves are reverberating throughout the medical community.

Some medical leaders have termed the legislation as a giant step down the road toward socialized medicine. This week at the American Medical Association's annual clinical convention at Anaheim, Calif., dozens of speakers denounced the law as unconstitutional. There's no doubt on the part of friends or foes alike that it is the most radical health legislation in this country's history—estab-

lishing mandatory cost and quality controls for large segments of the \$80 billion a year health care industry. Doctors for the first time will be held publicly accountable for the quality, medical necessity, efficiency and cost-effectiveness of the health care they provide.

The controversial legislation, first introduced by Sen. Wallace Bennett (R. Utah), is laced with pointed references to new "obligations imposed on" medical practitioners. It requires physicians to open their private files and hospital records to outside inspectors. Strong financial sanctions are provided for physicians who fail to comply.

The controls initially will be limited to medical treatment rendered in hospitals and financed under Medicare or Medicaid. Implementation will occur in several stages. The target date for initial action is Jan. 1, 1974.

The law reflects Congress' determination to get top value for every health dollar expended in the face of spiraling costs and to generally improve the quality of medical care. Experts agree that hundreds of thousands of lives could be saved each year by proper application of currently available medical knowledge, but they disagree on whether P.L. 92-603 is the proper means to achieve this goal.

However, Congress acted on the basis of solid evidence that efforts to control medical costs can be effective—New York City Medicaid administrators have monitored practitioners for signs of overutilization, fraud and deficient treatment; in 1968, they recovered over \$27 million in public funds, at an overall auditing cost of \$681,000.

A NETWORK OF REVIEW BOARDS

At the heart of the new federal controls a network of regional review boards will be established. Each will be charged with defining acceptable norms of medical aid and insuring that individual physicians and hospitals meet specified standards of performance. P.L. 92-603 requires the Department of Health, Education and Welfare to designate regional boundaries for the boards by Jan. 1.

In a major concession to the medical profession, the act gives local medical societies first crack at organizing the regional boards, which will be known as Professional Standards Review Organizations (PSROs). Medical societies will be granted up to two years to demonstrate to HEW's satisfaction that they are able to organize and manage PSROs. After Jan. 1, 1976, HEW is empowered to turn, if necessary, to alternative organizations, such as state health departments.

In each state having three or more PSROs, a Statewide Professional Standards Review Council will be established to coordinate activities. The state councils will be physician-controlled, staffed predominantly by representatives of PSROs, state medical societies, and state hospital associations.

A national Professional Standards Review Council will be created to pass on the standards of care, diagnosis and treatment developed by local PSROs. Members of the national board will be appointed by the HEW Secretary. A majority will be physicians.

At the top of this new bureaucracy, the HEW Secretary will exert broad discretionary power. The effectiveness of the cost and quality controls will largely depend on whether he is personally willing to crack the whip.

How will the PSROs function? Each PSRO will be responsible for developing guidelines which, for a given illness, injury or health condition, provide answers to the following questions:

Should the patient be hospitalized, or treated on an out-patient basis? (The patient's age and complicating medical conditions will be taken into account.)

If hospitalization is necessary, what is the probable length of stay required for proper care? (At specified times after admission of a patient, the attending physician will be required to certify the medical necessity of

continued hospitalization and to justify his decision to the satisfaction of the local PSRO.)

What are the specific health care services required for proper diagnosis and treatment of the patient's complaint? (Recognizing that alternative methods of treatment may be equally efficacious, PSROs are directed to specify alternative modes of treatment whenever appropriate.)

In order to insure compliance with the guideline, PSROs are empowered to "examine the pertinent records" and "inspect the facilities in which care is rendered or services provided."

The PSROs will compile, and probably publish, up-to-date "profiles" on individual physicians. Doctors who over-prescribe certain drugs, overutilize certain procedures (such as tonsillectomies), render deficient care, or otherwise fail to meet their "obligations" will be identified by means of the computerized profiles.

Each physician and health institution will be charged with an "obligation" to assure that medical services "will be provided only when, and to the extent, medically necessary; and will be of a quality which meets professionally recognized standards of health care; and will be supported by evidence of such medical necessity and quality . . . as may reasonably be required by the PSRO."

Financial sanctions are authorized for practitioners who demonstrate "an unwillingness or lack of ability substantially to comply with the obligations." The sanctions will be imposed at the discretion of the HEW Secretary, upon recommendation of the local PSRO. The Secretary may bar an offender from further participation in the Medicare and Medicaid programs. Alternatively, he "may require that . . . such practitioner or provider pay to the United States . . . an amount not in excess of the medically improper or unnecessary services so provided or (if less) \$5,000." Appeal mechanisms are available.

Clearly, the PSRO program, if effectively administered, will signal the beginning of a new era in American medicine. It is widely assumed that national health insurance legislation will one day bring essentially all patients and physicians under the PSRO umbrella. Even the American Medical Association, which initially opposed the PSRO concept, supported the Bennett Amendment but is now wracked with controversy over the law.

DR. WELCH'S COMMENTS

Writing in the New England Journal of Medicine on the impact of PSROs, Dr. Claude E. Welch, president of the American College of Surgeons, commented that "the philosophical implications involved are anathema to many doctors who pride themselves on their independence of thought and action. Unfortunately for them, these attitudes steadily diminish in all parts of contemporary society. . . . Deep philosophical problems are involved that will change the whole practice of medicine. . . . Group decisions will replace individual vagaries. Physicians will of necessity become cost conscious, a feature that at present is woefully lacking. No longer can they use expensive bed space for ambulatory work-ups or procrastinate with indicated treatments. . . . The publication of norms of diagnosis and treatment will make many doctors realize their own deficiencies."

How will the guidelines, review procedures, and sanctions be translated into action in a national cost and quality control program? New York City's Medicaid experience provides some clues. Under an auditing plan developed by Dr. Lowell E. Bellin, health department professionals visit practitioners' private offices to review patients' records, and re-examine patients who have previously been treated. Staff pharmacists check pre-

scriptions for signs of tampering, and clerks monitor invoices for such irregularities as double-billing, overcharging or overutilization of services. High volume practitioners are a special target of the investigators.

In addition to detecting fraud, overutilization and inefficiency, PSROs will be required to devise procedures for measuring the quality of medical care. Several questions will have to be resolved: What are the most useful sources of data—abstracts of hospital charts, discharge data sheets, insurance claim forms, direct observation of physicians, or patient interviews? How much will each method of data collection cost? How reliable will the data be? How much of a doctor's time will be required to supply the data? Should sampling techniques be used, or should data be compiled for every patient?

More difficult is the question of what criteria are to be used in assessing the quality of the care. Some experts argue that explicit protocols should be devised for the diagnosis and treatment of specific illnesses, and that these should be applied as standards against which to measure a doctor's performance. Others argue that only those processes (tests and procedures) which have been demonstrated to substantially affect the outcome of the patient's illness should be included as items in the protocols. Still others assert that only the outcome is relevant, and that the processes should not be monitored at all.

A CAUTIONARY REPORT

These questions have been recently considered by a committee of public health experts, convened under the auspices of the Institute of Medicine, the research unit of the National Academy of Sciences. The committee, headed by Dr. Robert J. Haggerty of the University of Rochester, cautions in a draft report against the rapid proliferation of protocols for monitoring the processes of medical care. If physicians are required to perform services of unproved effectiveness, the committee argues, then costs may go up without improving the quality of care. The committee warns that innovation may also be a victim:

"The tendency will be . . . to institutionalize a laundry list of processes for given disease conditions, deviation from which may result in the imposition of a sanction. If this happens, and the evidence suggests that it will, the flexibility and 'room' for innovation and experimentation will be sacrificed. An illustration is the treatment of (heart attacks). There is evidence to indicate that patients treated at home are no less likely to recover than those hospitalized. Yet current practice dictates lengthy hospitalization and, if enshrined as standard practice under the PSRO program, efficacious alternatives may be discouraged, if not proscribed."

The committee generally stresses a go-slow approach to the PSRO program, which they characterize as a major innovative social experiment: "While other nations have intervened to alter the structure and organization of their health care system, and still others have assumed the financing of care, the promulgation of national programs to assure the quality of care is unprecedented."

Many interested parties, including the Congress, health care professionals, and consumer groups, will be watching closely to see if medical societies can meet the challenge of the PSRO program. As Dr. Welch observed, the PSRO legislation "gives physicians a mandate to exert leadership; conceivably, this could be the last opportunity to do so."

It is my opinion that the PSRO program will, if it is permitted to continue, do serious damage to the level of American medical care, to the traditional confidentiality of the doctor-patient relationship, and to our efforts to limit an expanding, inefficient, and costly government bureaucracy. How anyone can

believe that the creation of a huge new government bureaucracy will, in any sense, save us money is almost impossible to understand.

Our medical care is, and has been, the best in the world. Those who recently told us of a doctor shortage, and spent millions of taxpayers' dollars to increase medical school facilities, now tell us that they have overexpanded and that we will now have a surplus of doctors. Those of us who argued that there was, in fact, no doctor shortage at all, have been proven correct.

Those of us who now oppose the PSRO program do not want to be proven correct after the damage is done. We want effective action to be taken today, by those in the Congress, in the medical profession, and in the society at large, to see to it that a massive government bureaucracy with its coercive controls is not imposed upon our free, efficient, and high quality medical care system.

EMERGENCY ENERGY BILL

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. MILFORD. Mr. Speaker, when the emergency energy bill, H.R. 11450, reaches the floor, I shall offer an amendment concerning the transportation of school children and urging the use of school buses to augment city mass transit systems.

This amendment will:

First. Establish a minimum distance that any child may be transported to any school by bus;

Second. Require school districts to offer for lease their school buses to authorized area mass transit companies for use during periods when demand exceeds transit company facilities and when the school buses are not required by the school;

Third. Prohibit the transportation of children to any school other than the one nearest their home; except in the cases of special education classes which may be offered at only one school in a system, parochial schools, private schools, or schools for handicapped children.

Every citizen in this Nation is being asked to cut his energy use by 25 percent. There must be no exception for our schools.

Crosstown transportation of children at this time is absurd and energy expensive. Families must drive their own cars farther to participate in after-hours school activities. Schools must maintain longer operating hours and run more buses longer distances. This just does not make sense.

Probably the most important provision of this amendment consists of the use of school buses by mass transit companies. Many Members have not given thought to the fact that the energy crunch is going to place a severe strain on mass transit facilities. One of our greatest problems will be in getting people to and

from work. The demand for new buses will far outstrip our ability to manufacture them.

Our school districts now have thousands of buses that sit idle much of the time. These can be pressed into service to fill the need immediately.

Finally, public cooperation will be essential if we are to survive this energy crisis without serious harm. People with school-age children will resent excess busing—particularly when they begin to have difficulty getting to their own jobs.

This amendment will provide a solution for the citizens. I ask for your support when the amendment comes up on the floor:

AMENDMENT TO H.R. 11450

Page 6, line 5, insert after the period the following:

Such plan or plans shall contain limitations on the transportation of students enrolled in schools operated by local or State educational agencies, as defined in sections 801(f) and 801(k) of the Elementary and Secondary Education Act of 1965, including prohibition of the transportation of any such student enrolled in elementary school for distances of less than one mile and of any such student enrolled in secondary school for distances of less than two miles, and prohibition of the transportation of any such student to a school other than the school nearest his place of residence (within the school district of the local or State educational agency) which provides the appropriate grade level and type of education for such student, taking into account school capacities. Such plan or plans shall also contain provisions for requiring local and State educational agencies which own school buses to enter into agreements with appropriate authorities in order to lease such school buses, during the hours in which they are not needed for the transportation of students, for purposes of augmenting mass transit service.

SOLAR HEAT

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. LEHMAN. Mr. Speaker, an interesting article appeared in the Washington Post December 9 concerning solar heat.

According to the article, solar heating and cooling systems could be on the market in greater abundance within a year.

In the midst of heating oil shortages, this is certainly welcome news. And it is all the more reason why the time has come for legislation I have introduced to make the way easier for Americans to install solar heating and cooling devices in their homes, by raising dollar-for-dollar mortgage insurance provided under title II of the National Housing Act.

I commend the attention of my colleagues to the article below:

SOLAR HEAT

(By Sarah Booth Conroy)

A solar heating system for private homes may be on the market within six months, if the most optimistic experts are right. Solar cooling will be along later.

The early system would provide only part of the necessary heat, about 70 per cent in

the Washington area, and a backup system would be necessary. But with fossil fuel shortages already a reality, solar heating at a marketable price obviously would represent a real breakthrough.

"The basic solar collector is really rather simple to make," said Fairchild Space and Electronics Co. marketing manager James J. Greeves. "It could be turned out in quantity by aluminum door manufacturers. The cost per unit would go down drastically as more are built."

In one type of simple solar collector, the sun's rays pass through glass to heat water that is running over metal blackened to absorb heat. The hot water goes to an insulated storage tank in the basement. From there, a blower may force heated air through ducts around the house. Other systems distribute the solar-heated water itself to radiators in other rooms.

Solar heat is quiet, non-polluting, easily maintained and cheap to operate. The basic principle involved has been known since early man first used glass to focus the sun's rays to start a fire.

In 212 B.C. Archimedes set fire to Marcus' invading ships by using mirrors to concentrate the sun's rays. A solar steam engine ran on the banks of the Nile 60 years ago. And today, some 20-odd houses are already being heated wholly or partially by the sun in locations from Albuquerque, N. Mex., to Newark, Del., to District Heights, Md.

Dr. Werner von Braun, the famous rocket expert who sparked America's space exploration, said recently (in a message sent to the International Solar Energy Society in Paris) that solar energy will be to the '70s what space exploration was to the '60s. Von Braun is now a Fairchild vice president.

Fairchild is not yet building collectors, according to Greeves. "But we have done some design work and quite a bit of study. We're looking at costs now. The big question is, can they be built cheaply enough? As other forms of energy become more expensive, I think the answer is yes, solar systems can be competitive."

Greeves expects to see mass-produced solar systems on the market "within a year. Maybe not the big guys, but some smaller guys will put them on the market. I would be surprised if they don't. If I have anything to do with it, Fairchild will be among those marketing solar systems. But I'm still trying to sell the idea within the house."

Fairchild is already considering the possibility of working with Arthur Cotton Moore, a Georgetown architect, on a plan for a science building at Madeira School in McLean that would be heated by the sun.

"Our preliminary work shows the 9,000-square-foot building could pay for its solar heating system at least over a 20-year period," Greeves said. Madeira's interest stems, to some degree, from board member John Nassikas, who is also chairman of the Federal Power Commission.

Greeves said solar heating systems would not be commercially viable unless the cost could be brought down to \$2 per square foot of building space.

Dr. James Hill, a mechanical engineer for the National Bureau of Standards Center for Building Technology, is one who believes a basic solar collector may be on the market in just over six months. He hopes so, because he plans to install a collector atop the NBS' test house in Gaithersburg, Md.

"I'd rather install a commercial system than build our own. But we could build one for about \$2,400. It isn't that difficult," he said. Every so often Dr. Hill thinks about installing a collector to heat a hobby room behind his own garage.

Albert Weinstein, manager of Westinghouse Electric Corp.'s special energy systems, with offices at Friendship Airport, says experiments with solar heat have gone on for

30 years "and the concept is as old as the sun."

"But it hasn't been commercial because the cost wasn't competitive with gas or oil," Dr. Weinstein said. "The initial cost of solar systems has always been greater than that of conventional furnaces."

"But the lifecycle cost—the cost of running the system over its lifespan—is very much cheaper. Now that the priority is shifting to conservation of energy, we've recognized we must study the feasibility."

The National Science Foundation, according to Ray Fields, deputy director of the public technology projects office, has let three contracts for a "proof-of-concept experiment."

Phase Zero, as it's called, is being undertaken by Westinghouse in cooperation with Colorado State University at Boulder, (Colorado's Dr. George Lof built a solar house 15 years ago), by General Electric along with the University of Pennsylvania, and by TRW with the University of Arizona. Westinghouse also is consulting with the Carnegie Mellon Foundation in Pittsburgh, the National Association of Home Builders Research Foundation at Rockville and Burt-Hill (architectural) Associates in Butler, Pa.

Phase Zero is to be completed in May.

These three big firms are chary of predicting how far off commercially produced systems are, because their contract with NSF calls only for a feasibility study. After Phase Zero, the NSF's Phase One will select the best candidate (from the systems suggested by the three Phase Zero contractors) to be built. Phase Two will cover testing and evaluating the solar system.

Minneapolis Honeywell, it is understood from another source, is suggesting to NSF the possibility of building a portable solar collector, installed on a van, to test solar heat in various parts of the country. The scheme would also serve to introduce solar heat to the public.

The three organizations that already have NSF contracts are studying heating and cooling needs in various regions; reviewing existing solar systems "so we won't reinvent them," as Weinstein says; studying the impact on building codes and zoning; examining the attitudes of builders, architects, consumers and environmental groups; and identifying gaps in the technology.

Grumman Aero Space Corp.'s manager of energy systems, John Mockovciak (of Bethpage, N.Y.), believes his company will have a prototype solar collector, a working model, finished in six months.

"The problem is not technology, it's cost acceptability," he said. "The high initial cost means that some sort of incentive will be necessary. Utilities, for instance, have given bonuses to builders to encourage them to go all-electric or all gas. Bills before Congress would provide a tax write-off. That would certainly help."

"If such incentives were offered, our company could put one on the market in 18 months from the working model. That's two years from now."

Roger Schmidt, Honeywell's program manager of solar energy conversion, said his company (with the University of Minnesota, on an NSF contract) is studying the feasibility of building a trough concentrator solar collector.

"We know that solar heat turns apples red. Now we have to find the way to make it economically feasible," he said.

J. T. Kane, editor of PE (professional engineer) magazine, wrote in the October issue devoted largely to solar energy:

"The relative cheapness and availability of fossil fuels in the past made fooling around with solar energy a more or less exotic pastime. The altogether changed energy and environmental situation in the last quarter of the 20th century, however, has

made solar energy and energy conservation in general ideas whose time has come and gone and come again, this time in the role of crucial links in the energy source chain.

"In an assessment of solar energy as a national energy resource, a NSF/NASA solar energy panel drew these conclusions . . .

"There are no technical barriers to wide application of solar energy to meet U.S. needs . . . If solar development programs are successful, building heating could reach public use within five years, building cooling in six to 10 years, synthetic fuels from organic materials in five to eight years, and electricity production in 15 years."

But optimists like Hill, Greeves and von Braun think those estimates are conservative.

And people with oil furnaces hope the optimists are right.

THE HOUSE JUDICIARY COMMITTEE AND THE SPECIAL PROSECUTOR

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. RAILSBACK. Mr. Speaker, the Judiciary Committee of the House of Representatives is about to begin an inquiry into whether grounds exist for the impeachment of the President of the United States. Because the Office of the Special Prosecutor has been conducting its own investigation into Watergate and related matters since May of this year, I considered it essential that the Judiciary Committee have made available to it by the Special Prosecutor such information as is necessary to conduct its impeachment investigation. I, therefore, proposed, and the Judiciary Committee has incorporated as part of legislation creating an independent Special Prosecutor, a provision which requires that the Special Prosecutor report at least monthly to the Judiciary Committee on any and all information relating to possible impeachable offenses committed by the President. Since the full House will consider Special Prosecutor legislation shortly, I thought a brief explanation of my proposal would be helpful: I might note that it is my intention to offer this provision as an amendment to any Special Prosecutor bill which is submitted as a substitute for the reported bill.

The purpose of the amendment is to provide by statute a channel of communication between the Special Prosecutor and the Judiciary Committee. This will allow the committee access to the evidence, whether damaging or exculpatory, developed by the staff of the Special Prosecutor during its months of inquiry and avoid duplication of investigative efforts. It will, most importantly, serve the public interest by expediting the Judiciary Committee's work so that the agonizing question of impeachment can be laid to rest one way or the other.

At my request the Library of Congress has prepared a memorandum on the constitutionality of and precedents for my proposal. I would like to share that report with my colleagues:

ARGUMENTS IN SUPPORT OF REQUIRING SPECIAL PROSECUTOR TO REPORT TO CONGRESS IN- FORMATION ON IMPEACHABLE OFFENSES BY THE PRESIDENT

This memorandum outlines arguments in support of the constitutionality of the following provision in H.R. 11401, as reported by the House Committee on the Judiciary: "The Special Prosecutor shall report at least monthly to the chairman and ranking minority member of the House Judiciary Committee such information as may be pertinent to the question of whether impeachable offenses have been committed by the President of the United States. The Special Prosecutor, upon request by the House Judiciary Committee, shall provide to the chairman and ranking minority member of the Committee such information, documents, and other evidence as may be necessary to enable the committee to conduct an investigation or inquiry into whether grounds exist for impeachment of the President of the United States." [Sec. 9(b) of H.R. 11401]

It would seem that since the power to appoint Special Prosecutors is derived from Congressional legislation (e.g., 28 U.S.C. 515, 510) or, in the case of H.R. 11401 (appointment by a panel of judges), the Constitutional provision giving Congress the option to vest the appointment of inferior officers in the courts of law, that Congress has the power to define the duties and powers of the Special Prosecutor so appointed. Creation of offices and the definition of the responsibilities and powers of their occupants is a legislative function. To require the Special Prosecutor to report periodically to Congress on certain matters would seem to be a proper exercise of Congressional oversight of the offices and departments it creates.

Several statutes presently require executive agencies to submit reports to Congress or committees thereof. For instance, under 5 U.S.C. Sec. 3954, "[a]n Executive agency, on request of the Committee on Government Operations of the House of Representatives, or any seven members thereof, or on request of the Committee on Government Operations of the Senate, or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee." Annual reports of the Executive Departments and executive officers must also be delivered to each House of Congress. 44 U.S.C. Secs. 1112-1115. Pursuant to 31 U.S.C. Sec. 1002, a law which dates back to the first Congress in 1789, the Secretary of the Treasury is required to "make report and give information to either branch of the legislature in person or in writing, as may be required, respecting all matters referred to him by the Senate or House of Representatives, or which shall appertain to his office." 26 U.S.C. Sec. 6103(d) permits inspection of income tax returns and data compiled by the Internal Revenue Service by certain committees of Congress. In a prosecutorial context, the old Selective Service Act required that the "Department of Justice shall proceed as expeditiously as possible with a prosecution under this section, or with an appeal, upon the request of the Director of Selective Service System or shall advise the House of Representatives and the Senate in writing the reasons for its failure to do so." 50 U.S.C. App. Sec. 462(c) (1970).

Congress' power to impose the reporting requirement on the Special Prosecutor in this instance would seem to be stronger than in situations where it is merely exercising its oversight function over Executive departments and officers. For here, Congress is operating in aid of an explicit power given it by the Constitution—the power of impeachment, Art. I, Section 2, Clause 5; Art. II, Section 4. The power of impeachment has been described as an "exception to the separation

of powers" and cuts across traditional boundaries between the legislative and executive branches of government. See, *Berger, Impeachment* at 5. While normally objections could be raised to Congressional efforts to elicit information from the Justice Department or a federal prosecutor engaged in an ongoing civil or criminal investigation on the ground that prosecutorial discretion—which, it is argued, properly resides in the executive—would be jeopardized (but see, 50 U.S.C. App. Sec. 462(c) (1970) discussed above), an exception has been recognized when Congress is in need of the information in order to carry out one of its Constitutional functions. Thus, Federal Bureau of Investigation files, while often refused Congress in other contexts, are often provided when Congress is considering the confirmation of a Presidential appointee. As Attorney General Robert Jackson stated in a 1941 opinion:

"Of course, where the public interest has seemed to justify it, information as to particular situations has been supplied to Congressional Committees by me and by former Attorneys General. For example, I have taken the position that committees called upon to pass on the confirmation of persons recommended for appointment by the Attorney General would be afforded confidential access to any information that we have—because no candidate's name is submitted without his knowledge and the Department does not intend to submit the name of any person whose entire history will not stand light. By way of further illustration, I may mention that pertinent information would be supplied in impeachment proceedings, usually instituted at the suggestion of the Department and for the good of the administration of justice." 40 Op. A.G. 45 (1941) (Emphasis added).

Committees of Congress have had contact with the Department of Justice and federal prosecutors in the past in determining whether impeachment proceedings were warranted. In 1931, while considering the impeachment of federal Judge Anderson of Tennessee, a House subcommittee had the advantages of a report by the Department of Justice which had done an extensive investigation of the handling of bankruptcy proceedings in the Judge's court in making its own investigation. *Cannon's Precedents of the House of Representatives*, vol. 6, Sec. 542. In 1796, a petition outlining charges against a territorial judge was referred by the Committee to the Attorney General for his opinion. The Attorney General responded with the opinion that indictment and trial would be preferable to impeachment proceedings. The Attorney General's opinion was referred to Committee, which eventually recommended that the case should be taken before the court of the Territory where the judge would have an opportunity to be heard. *Hind's Precedents of the House of Representatives*, vol. 3, sec. 2486.

Acting under its Article I power to discipline its own members, the House, in 1924, requested the Attorney General to provide it with the names of members who were being investigated by a federal grand jury and the evidence against them which had been submitted to the grand jury. The Attorney General refused, but on the ground that having two investigations proceeding at the same time would defeat the ends of justice. The Attorney General was willing to transmit the evidence it had to the Congress if its investigation leading to a consideration of the expulsion of the members involved was to be the sole investigation. The text of Attorney General Daugherty's communication to the House of Representatives follows:

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: Resolution No. 211 of the House of Representatives of the United States passed March 6, 1924, directing me to transmit the

names of the two Members of Congress mentioned in the report of the grand jury of the District Court of the United States for the Northern District of Illinois, eastern division, and the nature of the charges made against such Members of Congress can not be complied with by me for the reasons—

First, I am unwilling to make public the name of any man against whom any criminal charge has been made until the evidence in my possession convinces me that there is reasonable ground to believe that the person is guilty as charged and until proper legal steps shall have been taken to protect the public interests.

Second, To transmit to you the nature of the charges made against any persons under investigation in the Department of Justice is incompatible with the public interest and will tend to defeat the ends of justice.

If, however, the House of Representatives of the United States, acting within its constitutional power (under Article I) to punish its Members for disorderly behavior or to expel such Member, requests that all the evidence now in the possession of anyone connected with the Department of Justice shall be turned over to the House of Representatives to enable it to determine what action should be taken by the House in reference to the conduct of any of its Members, I will direct all such evidence, statements, and information obtainable to be immediately turned over to you or to such committee as may be designated by the House and will await the complete investigation of the facts of the House before continuing the investigation now being made by the Department of Justice. To have two tribunals attempting to act upon the same facts and to hear the same witnesses at the same time will result in confusion and embarrassment and will defeat the ends of justice.

Until I am requested by a resolution of the House of Representatives to submit these matters to the jurisdiction of the House the investigation now being conducted of the matters referred to in said resolution will continue in accordance with the usual rules of the department.

Respectfully,

H. M. DAUGHERTY,
Attorney General.

Some members of the House favored further action to force the Attorney General to give it the information, but a resolution was eventually passed which requested the Attorney General to "proceed at once and give preference and precedence to this investigation and report the results to this House." *Cannon's Precedents of the House of Representatives*, vol. 6, Sec. 402.

Thus, it can be seen that Congress, in the exercise of a function authorized by the Constitution, whether it be the power to discipline its own members, to confirm appointments, or to impeach officers, has successfully procured information from the prosecutorial arm of the Executive branch. The Justice Department has also seen it as its duty to provide such information to Congress as may be relevant to the Congressional powers of discipline, confirmation and impeachment. Most recently, Assistant Attorney General Henry Peterson, in testimony before the Senate Select Committee on Presidential Campaign Activities, stated that had he come across evidence of impeachable offenses on the part of the President while investigating the Watergate affair he would have transmitted such evidence to the House of Representatives. The provision in H.R. 11401 requiring the Special Prosecutor to report evidence of impeachable offenses to the House Judiciary Committee would seem to be within the powers of Congress as an aid to its Constitutional function of impeachment. The solicitation of such information from prosecutors would not only seem to be

constitutionally sound but also in accord with past practice.

IMPEACHMENT

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, in recent weeks I have received thousands of letters, telegrams, phone calls, postcards, and names on petitions calling for the impeachment or nonimpeachment of President Richard M. Nixon. In addition, I have received hundreds of inquiries asking—"What is impeachment all about?" From this tremendous outpouring it appears obvious that many people do not fully understand what the impeachment process involves and, for this reason, I would like to devote this Washington report to this subject and, hopefully, provide a better and more balanced understanding of this very serious question.

Impeachment is the process by which our Constitution empowers the Congress to discipline high Government officials by removing them from office. Section 4, article II of the Constitution states specifically:

The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Note the phrase "on impeachment for, and conviction of." The point is, impeachment in and of itself is but the process or "vehicle" which ultimately leads to conviction or dropping the matter completely.

An impeachment proceeding is basically a two-part process beginning in the House of Representatives. The House performs the "functions of a grand jury in a criminal proceeding" by examining all the available facts and evidence to determine whether or not an impeachable offense has been committed. In our current situation, the House Judiciary Committee has already embarked on this task. Thus, the impeachment process has begun. Following their investigation, the Judiciary Committee will report its findings along with any impeachable evidence to the full House of Representatives. If a simple majority of the Members of the House Judiciary Committee first, and the full House second, concur in the findings and recommendations of the committee and so vote, the matter is then referred to the U.S. Senate. If the members of the committee or the House do not concur and so vote, impeachment proceedings are concluded at that point.

As impeachment proceedings are advanced to the U.S. Senate, they sit as a court of law, conduct the trial and ascertain whether or not the available evidence supports conviction. Here, however, a two-thirds vote by the entire Senate is required for conviction. Failing the required two-thirds, the individual charged has been impeached—but not

convicted. This is precisely what happened to President Andrew Johnson, the only American President to be impeached. While he was impeached, he was not convicted, and therefore not removed from office.

Another question I am receiving is—"What is an impeachable offense?" Impeachment is not a criminal proceeding per se and criminal acts are not the sole or even the most important grounds for impeachment. For many years it was assumed that only indictable offenses were impeachable; however, the House has since ruled otherwise. In reviewing the nature of impeachable offenses leveled at various Federal judges and other Government officials in the past I find such charges as intoxication, nonresidence, improper personal habits, judicial misconduct, and in the case of President Andrew Johnson—"intemperate, inflammatory, and scandalous harangues in public addresses." Therefore, I would conclude that an impeachable offense is any misconduct or misbehavior which demonstrates unfitness to hold high public office whether moral, criminal, intellectual, or even physical in nature.

Considering the consequences of impeachment, many people believe the President should resign to spare the Nation the turmoil, upheaval, and uncertainties that might result. As a Member of Congress I have weighed these alternatives as fairly and constructively as possible. As one who has known the President for many years, this has been a difficult and agonizing experience for me personally as it has for millions of Americans whether they ever supported Richard Nixon or not. Regardless, throughout Watergate and its aftermath, I have consistently tried to place the welfare of the Nation above personalities and above partisan political considerations.

I was one of the first Members of Congress to publicly call for a complete, impartial investigation of Watergate and "let the chips fall where they may." I have gone on record supporting the creation and appointment of an independent Special Prosecutor. And, earlier this month, I voted for the funding authorization of \$1 million to permit the House Judiciary Committee to continue and complete its impeachment investigation. Given this, however, I do not believe the President should resign as things now stand. History and the American people are entitled to a full accounting and a complete disclosure of the President's conduct as our Chief Executive. The established legal and constitutional process is, in my judgment, the only means of attaining that goal—not resignation. "Innocent until proven guilty beyond all reasonable doubt" is still the accepted principle in the American judicial process.

For more than a year now, President Richard Nixon has been subjected to the most massive and intensive personal investigation ever conducted on an American President involving no less than six Federal investigating bodies and something in the neighborhood of \$12 million. But where and how will it all end?

Many people in this country are growing weary of this "crisis-a-day" existence in which charges continue to be raised, but seemingly never get resolved. Now we learn the Senate Watergate Committee has decided to postpone further hearings until mid-January in order to "expedite their investigation."

As one leading national newspaper put it recently, the President "is drowning in a sea of unproved charges. The moment he starts to address one of them, his answers are swept away by another" with the result that part of the public is convinced "the President is Satan himself," while another part is convinced he is the victim "of a campaign of endless and baseless innuendo" or a crusade to "get Nixon." There is also another segment of our society that is literally hanging in the balance—not wanting to believe their President is a "crook," but not convinced he is not.

As distasteful and unthinkable as impeachment may seem now in the eyes of some, we may well be reaching the point where it offers the only acceptable means of resolving this dilemma once and for all. Many in the Congress, supporters and nonsupporters of the President alike, are coming to the conclusion that the best hope for a clarifying position

by the Congress can only come from a complete and clearcut impeachment investigation and conclusion.

While, to a great extent, impeachment has become a rhetorical slogan for expressing frustration and discontent, in judging whether or not Richard Nixon should be impeached, the public as well as the House of Representatives must now embark on some serious "soul-searching." I, for one, agree with the sentiments recently expressed by Senator AIKEN of Vermont. The time has arrived to either impeach President Nixon or "get off his back"—either indict him by grand jury or admit the evidence does not exist or support an indictment. The President, not unlike all American citizens, is clearly entitled to a bill of particulars against which he can either defend himself or be judged indictable, and which will hopefully define the issues and resolve them.

Herein, then, lies the challenge, the obligation and the constitutional duty of every sitting Member of Congress. The issue before us now is not whether to impeach, or not to impeach—that process is already underway. The issue is—do we really understand what is going on and are we, the people, and our Nation prepared for the consequences?

PROCLAMATION OF THE CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. DERWINSKI. Mr. Speaker, the Czechoslovak National Council of America, a nonprofit organization devoted to promote cooperation of all peoples for the preservation of Democratic freedom, saw fit to issue a very timely, concise, yet profound proclamation. It certainly speaks for itself, I believe:

PROCLAMATION OF THE CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA

At a time when the United States are being maligned abroad and our free institutions are being undermined at home, the Board of the Czechoslovak National Council of America, speaking on behalf of numerous American citizens of Czech and Slovak descent, solemnly proclaims: We believe that America represents the best hope for freedom, justice and democracy throughout the world. We declare our intention to do our utmost to strengthen the healthy forces in our society and to help America in bringing peace, justice and freedom to all people deprived today of these values, which alone make life worth living.

SENATE—Tuesday, December 11, 1973

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

Dr. C. Leslie Glenn, canon and subdean, the Washington Cathedral, Mount St. Alban, Washington D.C., offered the following prayer:

O Thou, source of all our blessings, in our daily lives we have many things to be thankful for, both small and great. Today we give thanks for the return of professional baseball to our city. We pray it may increase sportsmanship among us, and physical fitness, and that the recreation afforded by the games may be joyous and satisfying for young and old.

And we give thanks for the ordinary round of daily concerns and duties. Help us to perform them with laughter and kind faces. Let cheerfulness abound with industry. Give us to go blithely on our business all this day and bring us to our resting beds weary and content and undishonored, and grant us in the end the gift of sleep. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, December 10, 1973, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUDDEN INFANT DEATH SYNDROME ACT OF 1973

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 583, S. 1745.

The PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

S. 1745, to provide financial assistance for research activities for the study of sudden infant death syndrome, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Sudden Infant Death Syndrome Act of 1973".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to provide financial assistance to identify the causes and preventive measures needed to

eliminate sudden infant death syndrome, to provide information and counseling services to families affected by sudden infant death syndrome and to personnel engaged in research for the prevention of sudden infant deaths.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. Section 441 of the Public Health Service Act (42 U.S.C. 201) is amended by inserting the subsection designation "(a)" immediately before the first sentence and by adding at the end thereof the following new subsection:

"(b) (1) The Secretary, through the National Institute of Child Health and Human Development, shall carry out research programs specifically relating to sudden infant death syndrome.

"(2) There are authorized to be appropriated to carry out the purposes of this subsection \$7,000,000 for the fiscal year ending June 30, 1974, \$8,000,000 for the fiscal year ending June 30, 1975, and \$9,000,000 for the fiscal year ending June 30, 1976."

AMENDMENT TO TITLE XI OF THE PUBLIC HEALTH SERVICE ACT

SEC. 4. (a) The title of title XI is amended by adding thereto the words "AND PERINATAL BIOLOGY AND INFANT MORTALITY".

(b) Title XI of the Public Health Service Act is amended by adding at the end thereof the following new part:

"PART C—SUDDEN INFANT DEATH SYNDROME
"SUDDEN INFANT DEATH SYNDROME COUNSELING, INFORMATION, EDUCATIONAL, AND STATISTICAL PROGRAMS

"SEC. 1121. (a) (1) The Secretary through the Assistant Secretary for Health and Scientific Affairs may make grants to public and nonprofit private entities, for the establishment of regional centers for sudden infant