

ing to the portion of such automobile's fuel consumption rate which falls below certain standards, to provide an energy research and development trust fund, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 12003. A bill to permit the State of Hawaii to use the proceeds from the sale, lease, or other disposition of certain real property for any public purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOORHEAD of Pennsylvania (for himself, Mr. ABZUG, Mr. ALEXANDER, Mr. BADILLO, Mr. BINGHAM, Mr. BROWN of California, Mrs. COLLINS of Illinois, Mr. COTTER, Mr. DELLUMS, Mr. FASCELL, Mr. HARRINGTON, Mr. HICKS, Mr. HOWARD, Mr. KOCH, Mr. LEGGETT, Mr. MATSUNAGA, Mr. MAZZOLI, Mrs. MINK, Mr. MOSS, Mr. REES, Mr. ROSENTHAL, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. THOMPSON of New Jersey, and Mr. THONE):

H.R. 12004. A bill to amend section 552 of title 5 of the United States Code (known as the Freedom of Information Act) to provide for the classification and declassification of official information in the interest of national defense; to the Committee on Government Operations.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, Mr. HUDNUT, Mr. SIKES, Mr. BENNETT, Mr. HALEY, Mr. FASCELL, Mr. FUQUA, Mr. GIBBONS, Mr. PEPPER, Mr. CHAPPELL, Mr. GUNTER, Mr. LEHMAN, Mr. BURKE of Massachusetts, Mr. FREY, Mr. YOUNG of Florida, Mr. BAFALIS, and Mr. ROBISON of New York):

H.R. 12005. 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. ST GERMAIN:

H.R. 12006. A bill to reimburse the States for all unemployment compensation paid to individuals whose unemployment is attributable to the oil crisis; to the Committee on Ways and Means.

By Mr. SCHERLE (for himself, Mr. ANDERSON of Illinois, Mr. MICHEL, Mr. FRENZEL, Mr. QUIE, Mr. SNYDER, and Mr. DENHOLM):

H.R. 12007. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on the amounts paid for communication

services shall not apply to the amount of the State and local taxes paid for such services; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois (for himself and Mr. FULTON):

H.R. 12008. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. ASPIN:

H.R. 12009. A bill to provide continued passenger rail transportation in America; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH:

H.R. 12010. A bill to protect the constitutional rights of the subjects of arrest records and to authorize the Federal Bureau of Investigation to disseminate conviction records to State and local government agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 12011. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to require that all officers of national labor organizations be elected by secret ballot of the members; to the Committee on Education and Labor.

By Mrs. MINK:

H.R. 12012. A bill to provide for the establishment of the Kalaupapa National Historic Site in the State of Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12013. A bill to provide for reinstatement of optional insurance coverage under the Federal employees group life insurance program for certain individuals who canceled optional insurance due to an increase in premiums because of age which was set at a lower amount later in the year of cancellation; to the Committee on Post Office and Civil Service.

By Mrs. MINK (for herself, Mr. BINGHAM, Mr. WILLIAM D. FORD, Mr. KASTENMEIER, Mr. MEEDS, Mr. RONCALIO of Wyoming, and Mr. SEIBERLING):

H.R. 12014. A bill to amend the Mineral Lands Leasing Act to provide for a more efficient and equitable method for the exploration for and development of oil shale resources on Federal lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA:

H.R. 12015. A bill to permit the diversion and withdrawal of additional water from Lake Michigan into the Illinois waterway, and for other purposes; to the Committee on Public Works.

By Mr. TAYLOR of North Carolina:

H.R. 12016. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CULVER:

H. Con. Res. 403. Concurrent resolution expressing the sense of the Congress with respect to the Government's adoption of a policy concerning foreign investment in the United States; to the Committee on Foreign Affairs.

By Mr. HILLIS (for himself and Mr. REGULA):

H. Res. 750. Resolution creating a select committee to conduct a full and complete investigation and study of shortages of materials and natural resources affecting the United States; to the Committee on Rules.

By Mr. LANDGREBE:

H. Res. 751. Resolution expressing the sense of the House of Representatives concerning the relocation of the Nation's Capital; to the Committee on the District of Columbia.

By Mr. OWENS (for himself, Mrs. BURKE of California, Mr. CORMAN, Mr. HAMILTON, Mr. HECHLER of West Virginia, Mr. KOCH, Mr. KYROS, Mr. RANGEL, and Mr. FRASER):

H. Res. 752. Resolution expressing the sense of the House of Representatives concerning ratification of the Geneva protocol of 1925, and a comprehensive review of this Nation's national security and international policies regarding chemical warfare; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROWN of California:

H.R. 12017. A bill for the relief of Orapin Dee; to the Committee on the Judiciary.

H.R. 12018. A bill for the relief of Jose Manual Flethez; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 12019. A bill for the relief of Dr. and Mrs. Milton Margoles; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

377. The SPEAKER presented a petition of Ruchell Magee, San Jose, Calif., relative to redress of grievances, which was referred to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### MICHIGAN COMPENSATORY EDUCATION PROGRAM HAILED

#### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, the Committee on Education and Labor is in the process of concluding markup on the extension of the Elementary and Secondary Education Act of 1965. One of the most important issues has been compensatory education for students in greatest need. Our esteemed

colleague and ranking minority member, AL QUIE of Minnesota, has proposed a system based on individual educational disadvantage.

An article from the Tuesday, December 11, New York Times, discusses the impact of this concept in Michigan. I take this opportunity to share this article with my colleagues:

MICHIGAN COMPENSATORY EDUCATION PROGRAM HAILED

(By Evan Jenkins)

LANSING, MICHIGAN.—The State of Michigan is claiming exceptional success for an unusual program for helping children who are seriously behind in school.

The \$25-million effort in what is called compensatory education, which reaches 127,000 children in 67 school districts, has attracted considerable attention nationally. It is basically the creation of John W. Porter, a 42-year-old black who has been Michigan's Superintendent of Public Instruction since 1969.

In an interview, Dr. Porter described the program as "an experiment in social philosophy" incorporating theories that rebut two current and controversial assertions about education—that schools are much less important than home environment and other factors in a child's ability to learn, and that blacks as whole are academically inferior to whites.

"When we began, we said we believed that

the black child and the disadvantaged child could learn the same basic skills the schools have been teaching other children if we adjusted our delivery system and increased our basic support," Dr. Porter said, adding:

"We just didn't believe that a child's race geographical location or family socio economic status would have that much impact on his ability to learn."

The Federal Government spends \$1.5 billion a year on compensatory education, and 12 states besides Michigan have programs of their own, including New York's Urban Education Program. The Michigan system, now in its third year, differs from the others in several key respects.

For one thing, the places where the money is spent are selected on the basis not of poverty but of educational needs, as determined by statewide testing. More than half the money goes to Detroit, where most of the 260,000 school children are black and poor, but middle-class districts also get help for their slow-learning pupils.

In addition, the program involves what amounts to a contract—Dr. Porter calls it a "performance pact"—between the state and local school districts, and the districts can lose money if they fail to show results.

"If you ask for money because you've got kids with academic deficiencies," the superintendent said, "you've got to show first, exactly what the deficiencies are, and second, that you're capable of doing what you said you'd do to overcome them."

The state sets a basic objective for each child in the program: a month's gain in achievement for each month's instruction in the fundamental areas of reading and math. School districts can add any objectives they wish, and can use whatever methods seem best for reaching the goals.

"If they can teach a kid to read by taking him to the zoo three times a week, fine," said Alex Tanja, acting director of the program. "If not, they'd better stop taking him to the zoo."

#### PENALTY FOR FAILURE

Mr. Tanja was referring to the stick that accompanies the state program's financial carrot—a school district that fails to achieve at least 75 per cent of its state objectives does not qualify for funding the following year. It may requalify by changing the way it goes about teaching its children, if the state approves the change.

Last year, \$4-million of the \$23-million allocated to compensatory education reverted to the state because districts either failed to alter their "delivery systems" satisfactorily or decided not to stay in the program. Most of the money is used to hire extra teachers and assistant teachers.

According to Dr. Porter, the most recent data show that almost 60 per cent of the children in the program statewide have achieved a month's gain for a month's instruction, some having reached almost double that goal. More than two-thirds have achieved the minimum 75 per cent of stated objectives.

Such results are considered extraordinary in a program the size of Michigan's, although they are not without precedent in compensatory education.

New York State is compiling a report on its program. Leo Doherty, chief of the education department's Bureau of Urban and Community Programs, said that findings so far show that 80 per cent of some 35,000 children getting reading help have reached the month-gain-per-month-of-instruction level.

Because the results here are "so significant," Dr. Porter said, the Legislature at Dr. Porter's request has appropriated \$150,000 to cross-check the figures, which come from standardized achievement tests.

The Michigan program is stirring interest in other states and in Washington, D.C., for

several reasons—its apparently high rate of success, its formula for allocating money, and its contract features.

At \$200 a child, it is also only half as expensive as the program in Michigan under Title I of the Elementary and Secondary Education Act of 1965, the main Federal effort in compensatory education.

The reasons, according to Dr. Porter, are that virtually no money is spent in the State program on central administration and that it does not include the variety of instructional and other services often paid for by Title I funds.

"We can't do all the things Title I does," Dr. Porter said. "But at the same time, I don't accept the notion that you've got to change the home and the community and get the father a job or else forget about that poor dumb black kid. I'm saying you have to prepare him to deal with that social system. If that kid can learn to read and write, there's a good chance he'll do just fine."

Part of the attention being paid to the Michigan experiment stems from . . . the experience nationally that compensatory education does help, despite the generally poor results in the public . . . Title I. In New York and other states as well as in the . . . reshaping of the Federal program, emphasis is being placed more and more on basic math and reading skills.

Representative Albert M. Quile of Minnesota, ranking Republican on the House Education and Labor Committee, is one of a number of a national authorities on compensatory education who have followed the Michigan program closely.

"They're by far the most imaginative in their approach," he said last week. "I think that will be helpful to people across the country."

Mr. Quile has pressed for several years for a shift in the Federal dollar-allocation formula from economic to educational criteria. A problem is that many states lack the testing and data gathering mechanisms Michigan enjoys, and some sort of nationwide testing system would be needed.

#### HANOI'S INTRANSIGENCE ON THE FATE OF U.S. SERVICEMEN MISSING IN ACTION

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. CONLAN. Mr. Speaker, there is understandable concern throughout the country that, as we approach the first anniversary of the Vietnam cease-fire, North Vietnam has still failed to honor commitments to help account for American servicemen missing in action in Southeast Asia.

As a sponsor of House Concurrent Resolution 293, which calls for strong economic and political sanctions against Hanoi unless the Communists honor provisions of the cease-fire agreement concerning American MIA's, I made a statement for the hearings recently held on this resolution by the Subcommittee on National Security Policy and Scientific Developments of the House Foreign Affairs Committee.

I include for the RECORD the text of my statement:

STATEMENT OF HON. JOHN B. CONLAN

Mr. Chairman and able Members of the Subcommittee, I am pleased to join my colleagues in support of legislation affecting not

only 1,250 families of servicemen missing in action in Southeast Asia, but also the basic tenets of international law and the dignity of our country within the community of nations.

It is inconceivable to me and to many Americans that the United States is continuing initiatives on economic agreements and other matters with North Vietnam when that country has so far refused to comply with all specific provisions of the Vietnam cease-fire agreement concerning American MIAs.

Hanoi agreed last January 27 to provide complete lists of known American dead and to enable teams to search Communist-controlled territory for bodies and possible survivors. But the Communists have thrown up one roadblock after another during the past 11 months to prevent those commitments from being honored.

We already know as the result of previous testimony before Congress that North Vietnam, by Hanoi's own claims, captured Americans during the Vietnam war who were not returned, not listed as dead, and who were never accounted for.

No arrangements have yet been made by Hanoi to return the remains of at least 55 Americans who the Communists claim died in captivity.

No International Red Cross team has ever been allowed to visit or inspect prison camps where American servicemen were held captive by the Communists.

Thanks to propaganda efforts of North Vietnam during 1967 to 1970, the Department of Defense has files on more than 50 American airmen and soldiers who Hanoi claimed were captured alive and well. Pictures of some U.S. servicemen taken by the Communists as they were paraded in captivity were published by major world newspapers and magazines.

Yet the names of many of these prisoners have never appeared on North Vietnamese POW lists. And none of them has yet ever been accounted for, dead or alive.

The U.S. government is ready with sophisticated equipment and personnel necessary to make a comprehensive search for missing American servicemen and gravesites in North Vietnam, Laos, and Cambodia. Only the intransigence of Communist officials has stopped that effort from being carried out.

U.S. State Department officials have conducted extensive questioning of all returned prisoners of war for possible leads about the location of such gravesites. And diplomatic efforts have been conducted in vain to get the cooperation of Southeast Asian governments.

I and other sponsors of this legislation, Mr. Chairman, are convinced that we will not get the kind of cooperation and respect for international law and the cease-fire agreement that we should get from the Communists unless we enact strong economic and political sanctions against North Vietnam.

American citizens who have relatives and loved ones still missing and unaccounted for in Southeast Asia as the result of Communist duplicity and intransigence in the matter of our MIAs should be asked to accept nothing less than the full support of the Congress in this regard.

#### THE SEATO BUREAUCRACY HOLDS FIRM

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. GAYDOS. Mr. Speaker, word has come through news channels from Bangkok that the Southeast Asia Treaty Or-



ganization is planning to cut its staff from 254 to 177 as a part of a shaping up prompted by the new détente with Communist China.

This is good news, certainly, for us Americans who, as has been the custom, ante up the lion's share of the costs of SEATO as we do those of the other international arrangements of which our Nation is a part.

Surprising, nevertheless, is the fact that SEATO still manages to maintain a sizable bureaucracy and spend, according to the Bangkok report, a total of \$1.75 million a year. For what? A military planning office has been keeping strategy current, so it is explained, against possible Communist aggression. But now that this purpose no longer is acceptable, due to the détente, the office is being changed into one concentrating on countering subversion.

With the shift in programs, the staff cuts are to be limited to such people as noncommissioned officers and drivers, apparently those who chauffeured the higher bureaucrats around. Obviously, the top-paid diplomats and "experts" will remain on the payroll. We can depend on them, of course, to find ways to justify themselves while rationalizing a continuation of SEATO itself. Dead diplomatic horses seldom are recognized as such.

Regardless of this, I ask why SEATO cannot be abandoned and its payrollers moved into other more logical diplomatic tasks, or phased out entirely. Of all the futile endeavors of the late Secretary of State John Foster Dulles, none has proved as damaging as SEATO to American lives, spirit, and economic well-being.

Under SEATO we became involved in the Vietnamese war, one of the most disastrous adventures in our history and in that SEATO-inspired action, we soon learned that our allies in the treaty were fair-weather friends at best as most of them held aloof or supplied us with only token aid. Only South Korea responded with an army but this at our expense. We paid its costs.

Thus, in the test, SEATO proved to be the most hollow of shells and yet, despite all we suffered in trying to live up to our commitments, we are asked now to keep it going. I contend that this is senseless and can be looked upon only as another of those examples of the rule that a bureaucracy, once established, is one of the most difficult things to get rid of. We should slash our SEATO contributions to the limit.

DELAYED BY NORTHEAST STORM

### HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. McKINNEY. Mr. Speaker, the snowstorm which is blanketing the Northeast today kept me from getting to the House of Representatives as early as I would have liked.

Actually, I almost made it, but while

at the Stamford Railroad Station, a garbled voice over a loud speaker system informed me the train I had intended to take was "annulled." Initially, I thought this to be a curious way to announce a cancellation, but as I considered my circumstances—no heat in the station and no coffee in the pots—I found the description quite apt, for I can assure you, Mr. Speaker, the honeymoon was indeed over. At any rate, for the record, I would like it to be known that had I been here, I would have voted in favor of House Concurrent Resolution 386, the U.S.S. *Carl Vinson*; H.R. 5621, U.S. flags for deceased National Guard and Selected Reserve Members; and S. 1773, sale of vessels stricken from the Naval Vessel Register.

Also, I would have voted in favor of S. 1435, District of Columbia self-government, and I am truly sorry I was not here for that recorded vote. I have served on the House District of Columbia Committee for the past 4 years and it has been an honor and a privilege to work with my colleagues in drafting this long overdue piece of legislation. Its overwhelming passage in the House today is a tribute to Chairman Diggs and the persistent efforts of Congressman FAUNTROY. Both of these gentlemen are worthy of our praise for their commitment to the cherished goal of self-determination. I am certain that the bill enacted today will stand as a steppingstone to the day when the residents of the District will have complete control over their own governmental affairs.

Also, had I been here, I would have voted "no" on Senate Joint Resolution 180, convening of the session of the 93d Congress. Actually, I cannot believe it passed by the vote it did. With an impeachment and an energy crisis hanging fire, a month-long vacation is not going to sit well with the American people and I cannot say that I blame them. To be sure, America will pause for the holy days at the end of the year, but then it is back to work; that is, if you still have a job. Mr. Speaker, there is work to do here and the vote taken today on Senate Joint Resolution 180 can only indicate there are some who are unwilling to tackle the job ahead.

### PLANETS

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. TEAGUE of Texas. Mr. Speaker, utilizing the technology developed in the 1960's, we have achieved yet another major step in our understanding of the solar system to the outstanding success of Pioneer 10 as it solves some of the mysteries of Jupiter. The Christian Science Monitor on December 4, 1973, discusses the significance of Pioneer 10 and points to its importance in the scheme of things. The article follows:

### PLANETS

Every time man has looked closely at another planet for the first time, his preconceptions have failed him. The universe is so

large and varied that it cannot be understood by a perspective limited to earth.

The spacecraft Pioneer 10 is giving man his closest look at Jupiter; this represents a significant expansion in his perception. Not only is Jupiter the most distant object yet reached by a spacecraft, but it also differs greatly from the Earth, Mars, and Venus. But even in this distant realm of high gravities, ammonia-water oceans, and methane clouds, ordering principles exist. Life might well lie hidden beneath Jupiter's pastel-banded surface. Seeking out these principles cannot help but teach man more about his own world, as well as its context. For instance, knowledge about the climates on Earth, Mars, Venus, and Jupiter might some day unravel the extremely complex problems of how this planet's climate changes.

Even more fundamentally, however, Pioneer 10 represents a technological society's search for understanding. This quest, leavened with wisdom, is an essential element of life.

### ALASKA LAND PLANS

### HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, in the Alaska Native Claims Settlement Act passed by Congress in December 1971, one of the most important provisions directed the Secretary of Interior to review and withdraw up to 80 million acres in the State of Alaska and to make recommendations to Congress within 2 years on disposition of these lands as national forest, national parks, national wildlife refuges, and wild and scenic rivers.

Tomorrow, the Secretary will be submitting his recommendations to Congress.

A study of the history of the act, as related to the lands the Secretary will be recommending, clearly reveals that Congress intended that the bulk of this acreage should be recommended and studied for potential inclusion in the National Park, National Wildlife Refuge, and Wild and Scenic Rivers Systems with minimal acreage in the National Forest System. It is my understanding that the Secretary will recommend a large portion of these lands as National Forest units.

In the November 14 Christian Science Monitor, Robert Cahn summarizes one of the issues which my colleagues will have to consider after the Secretary submits his recommendations. The article follows:

FOREST SERVICE WOULD GET PARK ACREAGE:  
U.S. ALASKAN-LAND PROPOSALS STIR STORM  
(By Robert Cahn)

WASHINGTON.—Much of the best land proposed for a vast and spectacular national park in Alaska will be handed instead to the U.S. Forest Service under proposals about to be made by the Secretary of the Interior.

Spokesmen for several major conservation groups are dismayed at what one of them calls "a latent land grab by the Forest Service."

The proposals are for the Wrangell-St. Elias Mountains National Park in south-central Alaska. They are part of overall plans Secretary Roger C. B. Morton will send to Congress

next month for disposition of a total of 80 million acres of "national interest" land.

Secretary Morton is proposing, according to environment sources, that out of 20 million acres originally studied in the Wrangell-St. Elias-Chugach Mountains area, about 8½ million acres will be proposed for a national park—still almost three times larger than any existing national park.

#### FORESTS UNITS ALONGSIDE

Under the present Interior plan, conservationists say, the park would be sandwiched between two national forest units.

The conservationists are also concerned that the Interior Department's land-distribution plan would give to the Forest Service a total of more than 18 million acres in Alaska (much of which had been destined for national parks or wildlife refuges).

Under the Alaska Native Claims Act signed by the President Dec. 18, 1971, the Interior Secretary was given two years in which to make specific proposals to Congress on areas and acreages of new national parks, wildlife refuges, forests, and wild and scenic rivers. Congress would then have five additional years in which to pass legislation establishing new areas.

"This is a latent land grab by the Forest Service," says George Alderson, legislative director for Friends of the Earth. "The Forest Service was put into the native-claims bill as an afterthought, and they were never intended to be a major participant in national-interest lands."

#### DISAPPOINTMENT NOTED

"We had the impression this was to be a big opportunity to provide a legacy of unimpaired Alaskan lands for future generations. Now we understand that major portions are proposed to be controlled by exploitive agencies."

"Word we have received indicates that the Forest Service would get the lower valleys and the threshold mountains of the Wrangells, leaving the glaciers, ice fields, and high peaks to the Park Service," says Stewart Brandborg, executive secretary of the Wilderness Society.

"We were assured by Secretary Morton earlier this year that the main thrust of his proposals would be protecting whole ecosystems in new national-park and wildlife refuges," Mr. Brandborg adds. "And that national forests and other public-land additions would not substantially subtract from the 80 million acres designated by Congress to be set aside primarily for parks and refuges."

Edgar Wayburn, former president of the Sierra Club and head of the club's Alaska task force, says that if Secretary Morton does not change his position "we will do our utmost to reverse major parts of the plan."

#### PRESSURES ACKNOWLEDGED

"I know the pressures Secretary Morton is under," Dr. Wayburn says. "His original withdrawals of March, 1972, were good. He regressed in giving potential park areas to the state in a 1972 agreement. And now he has bowed to pressures from industry and the Forest Service."

Dr. Wayburn said a number of conservation groups plan to fight in Congress for a viable Wrangell-St. Elias national park with Chitina and Copper River valleys in it. The groups also will seek a large area of the arctic national park including lands in the southern part already given by Secretary Morton to the State of Alaska.

Dy Wayburn, Mr. Brandborg, Mr. Alderson, and Charles Callison of the National Audubon Society said they had hoped to be able to support Secretary Morton's proposals. But now they are planning to seek congressional assistance in proposing their own plans which call for larger ecological units to be preserved for parks and wildlife refuges.

#### LYNN COMMENTS

Assistant Interior Secretary Laurence E. Lynn Jr. told this newspaper that the department's position on proposals for the 80 million acres had been agreed to by Secretary Earl L. Butz. The proposals have been submitted to the White House and the Office of Management and Budget. But the proposals will not be sent to Congress until mid-December. The draft environmental-impact statements, expected to be ready last month, will not be completed for another month, he said.

Dr. Lynn said that the department's proposals are generous in setting aside national-park and wildlife refuge lands, and adequately "reflect the natural values of the state."

"There has to be some recognition that there are human beings living in Alaska, and that arrangements also must be made for them to share in the state's resources," Dr. Lynn added.

#### THE SOVIETS GET HELP IN INDUSTRIAL DESIGN

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. ASHBROOK. Mr. Speaker, while the House was voting on prohibitions on Soviet trade, a press conference was being held in New York City announcing a new United States-Soviet deal involving industrial design. Raymond Loewy, one of the American designers involved, has designed a number of things including, in the words of the Washington Post:

The inside of the Skylab; the latter was one of the things that interested the Soviets.

The text of the article entitled "Soviet Contract for Loewy" from the Washington Post of Wednesday, December 12, 1973, follows:

SOVIET CONTRACT FOR LOEWY—TO DESIGN EXPORT PRODUCTS, CONSUMER GOODS

(By Anthony Astrachan)

NEW YORK, December 11.—The Soviet Union has selected Raymond Loewy, the man who tried to make the Studebaker America's first compact car 20 years ago, for its first deal with a foreign industrial designer.

Loewy said at a press conference today that the Soviet had chosen his firm to do three things: make Soviet export products competitive so they will earn hard currency; improve the design of consumer goods for Soviet citizens; and give the 2,000 Soviet designers, "who don't see what's going on in the world," some idea of the way Americans solve design problems, including market research.

The biggest project in the agreement, signed Nov. 25, will be the design of a completely new car to be built in the factories that now produce the Moskvich.

The Soviets will give his designers the blueprints for all the running gear, Loewy said, and they will design the car around it, seeking mutual agreements on whatever modifications may be necessary to meet the Loewy standards.

It will be a challenge; at Studebaker, Loewy's motto was "weight is the enemy," and present Soviet cars are the heaviest per horsepower in the world. British consumer organizations are trying to ban sales of the current Moskvich, Loewy said. The British agent has to put in a new gear, a new bottom

and a new coat of paint before he can sell the cars that Moscow delivers.

Loewy added, however, that the Soviets seemed impressed with his philosophy, "It's time to come back to common sense in automobiles. I'm violently against the monstrous, bulbous, wasteful autos Detroit has built." Then he admitted that the American automobile industry is beginning to show some common sense under the stimulus of the energy crisis.

Other products that Loewy will design for Moscow include tractors, 120-passenger and six-passenger hydrofoils, sports motorcycles, electronic clocks, cameras and refrigerators.

Loewy designed the Frigidaire for 25 years for General Motors and the Cold Spot for Sears, Roebuck. He also designed the Exxon trademark, the U.S. Postal Service emblem and the inside of Skylab; the latter was one of the things that interested the Soviets.

Loewy, like many American businessmen who have done business in Moscow, was full of praise for the two men who made his deal possible: Dzhermen Gvishiani, vice chairman of the State Committee on Science and Technology, and Nikolai Smelyakov, the deputy minister of foreign trade.

Smelyakov recently published a book in Russian praising the simplicity of American business method compared to Labyrinthine Soviet ways.

Loewy said he had learned what Smelyakov meant the hard way. His 25 years of dealing with General Motors were covered by a one-page contract, but the Soviets had thousands of details to spell out when they started negotiating seriously last March.

"They were very tough," Loewy said of the men from Licensintorg, the Soviet license-negotiating agency, who represented the All-Union Research Institute of Industrial Design.

Loewy was tough, too, and walked out in March and again in July when the Soviets kept insisting on unacceptable clauses. He gave one example: they wanted to hold the designer responsible for patent or design infringement suits. He finally brought them to the Western system of the designer guaranteeing there are no infringements as of the date the design is delivered. The manufacturer is responsible for lawsuits after that.

Most of the work will be done at the offices of Raymond Loewy/William Snaith, Inc., in New York, plus some at its Paris subsidiary. The firm will not open an office in Moscow.

Loewy and Snaith said the deal was "big," and for "more than two years," but would reveal no specific figures. They will be paid in dollars.

#### MR. LEO BOLLER HONORED FOR HIS EFFORT ON UNITY DAY

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. WOLFF. Mr. Speaker, I would like to take this opportunity, as we enter into the holiday season, to honor the efforts of a constituent of mine, Mr. Leo Boller, of Little Neck, New York, who is the chairman of the Fort Wadsworth Committee for a Living National Park Memorial. This committee has been active in the recognition of the contribution of Fort Wadsworth, in Staten Island, N.Y., the Nation's oldest continuously manned military installation.

The committee has been actively promoting June 24 of each year as a day for silent meditation and honoring of



Congressional Medal of Honor Day and Unity Day. Acting in the knowledge of our Nation's approaching bicentennial anniversary, the committee has adopted the slogan "200-Plus Acres for our Nation's 200th Birthday."

The declared intent of Congressional Medal of Honor Day and Unity Day has been to encourage all Americans to express unity by joining in 1 minute of silent meditation at 2 p.m. for "our bravest of our brave" and all past, present, and future servicemen and service-women who have served and will serve this great Nation in war and peace.

In recognition of this worthy effort, Mr. Boller has received proclamations from the following States: Alabama, Arkansas, Florida, Georgia, Hawaii, Illinois, Kansas, Louisiana, Missouri, Nebraska, Nevada, New Jersey, New Mexico, Ohio, Rhode Island, South Dakota, Tennessee, Utah—declaration-proclamation, Washington—statement-proclamation, Wyoming, and Wisconsin. Statements of recognition have been received from Alaska and North Dakota, and messages have been received from Ohio and New York.

The work of Mr. Leo Boller and the Fort Wadsworth committee is typical of the outstanding efforts of many Americans to recognize the unique traditions of our Nation, and he is to be highly commended for his extraordinary dedication.

#### HOW AND WHY THE PLUMBERS GOT INTO BUSINESS

#### HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES  
Monday, December 17, 1973

Mr. YOUNG of Georgia. Mr. Speaker, it seems to me that one of the most ominous events revealed in the Watergate scandals was the creation of the "plumbers" unit in the White House—virtually a secret police operation beholden to no law and answerable to only one man.

It is therefore of considerable interest that the New York Times has been probing more deeply into this matter. On December 16, the Times published a summary of the investigative reporting of its correspondent Seymour M. Hersh, on the "plumbers." I submit that summary for the RECORD:

#### HOW AND WHY THE PLUMBERS GOT INTO BUSINESS

Four worried men, the President and three of his top aides, are in a helicopter flying from Los Angeles to San Clemente. The New York Times has just printed a secret Pentagon history of the Vietnam war, and the fear in the White House is that Daniel Ellsberg, the former Defense official who says he turned the documents over to the press, may give still more vital secrets, such as the American nuclear targeting plan, to the Russians. The four leaders discuss setting up an undercover operation, bypassing the F.B.I., to find out all about Mr. Ellsberg and stop all leaks.

From this scene, as placed in a long two-part report in The New York Times last week by investigative reporter Seymour M.

Hersh, there unfolds a tale of the origins and workings of the White House "plumbers" that raises sharp new questions about the Watergate scandals. According to the Hersh articles:

One of the participants in the airborne discussion in mid-July, 1971, was John Ehrlichman, and his sworn testimony that he never approved burglarizing the files of Mr. Ellsberg's psychiatrist, and that he had learned of the break-in plan only after it was implemented, has now been contradicted by one of the plumbers, David Young. Deciding to cooperate with the prosecutors, Mr. Young is reported to have testified to detailed discussions with Mr. Ehrlichman on plans for the break-in before the burglary took place on Sept. 3, 1971. The question is whether Mr. Ehrlichman, to avoid a long jail sentence he could face for his alleged role in the break-in, may decide to cooperate himself. Considering how much the former domestic affairs adviser is believed to know, that could be the worst news for Mr. Nixon since the former White House counsel, John Dean, began talking last April.

Another participant in the July, 1971, conversation was Henry Kissinger, and his sworn testimony before the Senate Foreign Relations Committee that he "did not know of the existence of the 'plumbers group' by that or any other name," and that he finds the whole idea "deplorable," is characterized by an unnamed former White House official as "bull." The four men aboard the helicopter (the fourth was H. R. Haldeman) are reported to have agreed to transfer Mr. Young from Mr. Kissinger's National Security staff to the plumbers group. This disputes Mr. Kissinger's testimony that he did not know that Mr. Young "was concerned with internal security matters" after the transfer. According to one Hersh informant, "Henry was climbing the walls" after the Pentagon Papers began appearing in print. According to another, "Henry went on and on about Ellsberg," with whom he had worked over the years, painting a picture of "a guy who could have been an agent." The question is whether this picture of a Kissinger who knew and approved of the plumbers operation could damage him now as Secretary of State.

Mr. Nixon himself emerges from the Hersh report as a man who put the plumbers in business out of a sense of genuine alarm over the Ellsberg episode, which he equated with the Alger Hiss case, and over other leaks in that summer of 1971. "I want every son of a bitch in the State Department polygraphed until you find the guy," he is quoted as having said after a leak about the SALT (strategic-arms) talks with the Russians. When the legality of such methods was questioned, he is reported to have said, "I don't give a good Goddamn about that; it's more important to find the source of these leaks rather than worry about the civil rights of some bureaucrats."

The report goes into the specific reasons for the White House alarm and finds them to be on the thin side. There was never any evidence that Mr. Ellsberg had even considered passing information to a foreign power; the information in the SALT "leak" had already been given by Mr. Kissinger to Soviet Ambassador Anatoly Dobrynin; a Russian acting as an American counterespionage that the White House sought to protect against possible exposure by a Watergate inquiry is described by intelligence sources as a "washed-out character" of dubious loyalty and value; and so on. Yet as late as last spring Mr. Nixon was citing national security as justifying his decision to set up the plumbers unit and keep it secret. The question is to what degree other factors began to motivate the President's actions after the initial alarm. A Democrat with close ties to the intelligence community is quoted as saying: "The issue involved here isn't national security; it's Nixon security."

#### CATHOLIC BISHOPS' BOYCOTT

#### HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES  
Monday, December 17, 1973

Mr. KARTH. Mr. Speaker, the Most Reverend Leo C. Byrne, archbishop coadjutor of St. Paul and Minneapolis, in the Washington Star-News on December 14, defended his participation in the national boycott campaign currently being conducted against the antiunion Farah Manufacturing Co., of El Paso, Tex.

I am pleased to include in the CONGRESSIONAL RECORD his rejoinder to columnist William Buckley which so well summarizes the position of a number of the American Catholic bishops in support of Farah strikers.

The article follows:

#### CATHOLIC BISHOPS' BOYCOTT

SIR: In a recent column William Buckley took issue with a number of American Catholic bishops, myself among them, for supporting the consumer boycott of Farah slacks and jeans.

It is a long time since I have been classified among the "restlessly indignant," but I welcome the label. Obviously a bishop cannot speak out on every issue of social injustice, but some issues are of such magnitude that action becomes necessary. Such an involvement is not another post-Vatican II innovation; Amos, Isaiah and Jeremiah, prophets of old, spoke out against the social and secular injustices of their day, and I suspect they too were told to limit their concerns to the purely religious.

Buckley makes the argument that the Farah workers, some 9,000, mostly Mexican-Americans and mostly women, in factories located in the Southwest, do not want to be represented by a union. In that assertion he echoes the argument of their employer, Willie Farah, and a publication written by Dr. Paul Newton Polling entitled "For the Defense of Farah Workers." In that assertion Buckley also ignores the fact that Farah still refuses to abide by a National Labor Relations Board's order to bargain with the Amalgamated Clothing Workers of America, as the result of an election in 1970 won by the union. The company has consistently ignored many other orders from the NLRB.

#### INTERVIEW-STUDY

Last October Bishop Sidney Metzger of El Paso wrote to all Catholic bishops of the country sharing the results of an elaborate and careful interview-study of nearly two thousand Farah workers and strikers. For over thirty years he lived and worked in the Diocese of El Paso and he knows the problems well. His study documented the workers' complaints: drastic production demands, no job security, no negotiated production standards, no negotiated wage increases according to a definite schedule, inadequate maternity insurance and negotiated leaves for illness. Average take home pay at Farah Manufacturing Co. is \$69 per week (\$3,588 per year), compared to \$102 per week for the same work in a union plant in El Paso (\$5,304 per year). Grievances such as these can be remedied by collective bargaining.

In March Bishop Metzger wrote a second letter to the bishops rendering a progress report on the strike. He reaffirmed the grievances of the workers. They are insufficient assurance of job security, reasonable and negotiated production quotas, and a fair wage

scale. "Without these three basic requirements there is no social justice," he wrote. I agree.

The one tool that can bring about fair representation and assure collective bargaining is a massive consumer boycott of Farah products. To this end, I wrote in June to the management of Dayton's, Donaldson's, and Powers, three large retail clothing stores in the Minneapolis-St. Paul area, asking them not to "re-order Farah products until that company recognizes its employees' right to organize for collective bargaining." I did not, as Buckley claims, "urge the boycott of local merchants."

#### BOYCOTT EFFECTIVE

The boycott of Farah slacks is having its effects. The company's quarterly report for fiscal 1973 shows a \$9.1 million drop in sales over the previous year's comparable period. On November 1 the company announced the closing of two plants because the boycott is hurting, one in Texas and the other in New Mexico. But I do reiterate my support of the consumer boycott of Farah slacks produced by Farah under this and many other labels.

The Church has a long and respected tradition espousing the right of the worker to organize in a union and to enjoy the protection of collective bargaining. America's own James Cardinal Gibbons defended the rights of this nation's working persons to join the "Knights of Labor," the forerunner of today's great labor organizations, demonstrating forever the deep concern of the Church for economic justice for the worker. I can do no less today.

The workers at Farah Manufacturing Company have been on strike for 16 months for the right to bargain collectively. With Bishop Metzger I stand with them in their just demands. With him I consider it both a duty and a privilege to act on behalf of justice for the poor and the oppressed.

Most Rev. LEO C. BYRNE,

Archbishop Coadjutor of Saint Paul and Minneapolis.

REPRESENTATIVE LEONOR SULLIVAN: AN ADMIRAL OF THE OCEAN SEA

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Ms. ABZUG. Mr. Speaker, last week in New York City one of our distinguished colleagues added another title to her long list of awards and accomplishments. Representative LEONOR SULLIVAN was made an "Admiral of the Ocean Sea."

This award is given annually by the American maritime industry to a person who performs distinguished service to American Flag shipping. There can be no doubt that for the last 20 years Representative SULLIVAN has performed such service. There can be little doubt that as head of the House Merchant Marine and Fisheries Committee Congresswoman SULLIVAN has continued her outstanding work in the rebuilding of the American maritime industry.

As a Representative whose district runs along the Hudson River with its docks and piers and its role in the Port of New York and all American maritime industry I commend the gentlewoman from the landlocked State of Missouri.

#### PRESS OMBUDSMAN

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. FISHER. Mr. Speaker, in recent years the public has become increasingly disenchanted with the big press and some other media.

In response to this trend the Washington Post has, to its credit, placed a man on its staff to act as a buffer between complainants and the editors. His office is called "ombudsman," and he is to receive complaints and, so far as he is able, resolve them impartially.

This is an encouraging development but it would inspire more confidence if the ombudsman were not on the payroll of the newspaper whose news treatment he is to judge.

Mr. Speaker, I have received a copy of a letter of complaint made to Mr. Robert Maynard who occupies the position of ombudsman for the Washington Post. It is an interesting letter because of the nature of the complaint and also because I am informed that after six months the letter has gone unanswered.

The letter, written by O. R. Strackbein on March 30 is self-explanatory. I think Members of this body will find in it something on a subject that will be quite enlightening. I offer it at this point in the RECORD:

MR. ROBERT MAYNARD,  
The Washington Post,  
Washington, D.C.

DEAR MR. MAYNARD: Some days ago I sent you a copy of a letter, one of several, that I had written to Mrs. Katherine Graham, publisher of the Post.

Naturally I did not expect a reply from you. However, I assume that you read the letter.

The post of ombudsman, which I understand your function to be, attached to a newspaper staff is rather intriguing. I do not know what function your apparent forerunner, Mr. Harwood was expected to perform, or for that matter, Mr. Bagdikian, who has departed the Post's premises; but Mr. Harwood did write some trenchant articles, some rather critical of the Post in some respects. The question that most bemuses me is how anyone who is on the payroll of someone else can be expected to perform effectively the office of critic with respect to the source of his employment and salary. In the field of government such an arrangement would unquestionably attract not only skepticism but derisive commentary, such as who seeks to pull the wool over whose eyes.

In any event let us give full credit at least for the tacit admission that a newspaper may not always be right and that some complaints about press performance may therefore have merit.

I will assume that you are not familiar with the whole of my complaint, because it goes back some years, not only against the Washington Post but a great part of the press. My selection of the Post is no accident. First, let me say, I have also complained to other individual newspapers. Second, in the beginning, over ten years ago, I addressed my complaint to the American Society of Newspaper Editors (A.S.N.E.), of which Mr. Russell Wiggins was then the president. I asked to appear before the A.S.N.E. Board. At first they said my complaint

was too general. Then when I supplied material they said it was too voluminous. In the end the A.S.N.E. Board directed its Secretary to write me to the effect that the Society has no authority over its members that would permit it to entertain a complaint of the kind I had presented. If I had a complaint I should take it up directly with individual newspapers. After that, I believe, was the first time that I wrote to the Post and thereafter to several others, including that A.P. and U.P.I.

Thereafter I wrote to the American Newspaper Publishers Association, and they took refuge as did A.S.N.E. on the grounds that they were not authorized by their membership to process complaints against news practices, or words to that effect.

Now comes the ombudsman. A year or more ago I tried Mr. Harwood. He concluded that after spending an unspecified amount of time on my complaint, it was unfounded. The Post had printed a number of my letters, as if that were a substitute for coverage in the news. Evidently I should have been grateful. I believe, however, that you will agree that news coverage and letters to the editor are not synonymous.

My contention all along has been, supported by adequate evidence, that the "protectionist" side of the trade issue, an issue that of itself was given abundant space in the press, was severely neglected or avoided. I was the head of what was recognized as the leading element of opposition of the national trade policy. Neither I nor the organization for which I spoke received the attention to which any opposed side on a widely publicized national issue is entitled. It would be generous to say that we received as much as 5% of the space devoted to the subject.

The discrimination was indeed gross in nature. Seldom was our reasoning exposed to the public even though I made a point of presenting rounded expositions of our position. The other side, the liberal trade element, lacked nothing in print so far as their philosophy and reasoning was concerned. They were given space to the point of saturation. Moreover, governmental spokesmen, from the President and Secretary of State down through the Cabinet were widely and often quoted. At public hearings before Congressional committees (Ways and Means, and Finance) the other side from us, i.e., the nongovernmental witnesses from industry, labor, etc., was always given first billing after the governmental witnesses.

When I came on and the many witnesses who set forth our side of the case only a skeleton crew of the press was left and we were served the meager left-overs in press coverage. The spectacle was appalling to anyone who believed in the fairness of the press and who took seriously the "right of the public to know." It seemed unbelievable at first, but after a steady diet of this style of treatment over the years the treatment became expected and commonplace, though not acceptable. When we achieved some publicity now and then it was always a remarkable breakthrough.

My conclusion was that when big government and big press were in agreement in this country there was little to distinguish our news treatment from what would be expected in Russia. Only if newspapers disagreed with each other and when strong elements of it disagreed with the government was there a likelihood that issues would achieve a proper airing. We were in neither fortunate position. The press and government were in a monolithic state of agreement.

The press, which dislikes very much to be criticized, did not take kindly to my complaints which, to repeat, I sent individually to several of the leading newspapers, the press services, as well, in a few instances, to the leading television systems.



For a decade or more we strongly attacked the abdication by Congress of its authority and responsibility over the tariff and the regulation of foreign commerce, both of which are clearly enumerated in the Constitution. We deplored the handing of this power to the President. Our complaint hand in hand with that of many members of Congress found no echo, none at all, in the press. This was the same press that in recent times has become so highly exercised over excessive concentration of power in the Executive!

How many different standards are there to which the press may have recourse at will?

In 1966 we repeatedly called attention to the misleading character of the official governmental trade statistics. In response, the Senate Finance Committee held two days of hearings and extracted a promise from the Department of Commerce to give the true statistics to the public. The press did not take up the cause of truthful governmental information as it did with great fervor in other instances. The newspapers and press services were deaf and blind and made non-news out of the complaints and hearings. The Department of Commerce did not keep its promise. Who would know the difference except those who did not have the ear of the press?

Our imports were being valued at their foreign value with no addition of ocean freight, marine insurance, etc.; thus resulting in an undervaluation estimated at about 10% by the Tariff Commission. On the basis of the 1972 imports this would have represented an undervaluation of about \$5 billion. Our exports by contrast were over-valued by some \$2½ to \$3 billion by the device of including shipments under A.I.D., Food for Peace, etc. as true exports, i.e., as if they reflected our competitive capability. This practice caused a distortion on the side of optimism while the treatment of imports greatly understated our competitive weakness in the home market, vis a vis imports.

The Chairman of the Senate Finance Committee repeatedly called attention to this distortion in strong terms, as well as to its unfortunate effect on trade policy-formulation. He might as well have kept his complaint to himself. We ourselves repeatedly gave out statements to Congress, before committees and through press releases. Only on very few occasions, far apart, and not as headline items, was mention made of this subject in the press. The public was left in gross ignorance on this front.

Again, this treatment was astounding. Where was that great public service known as investigative journalism? It was evidently hibernating far underground. The press can see evil in governmental practices apparently only when it serves its particular partisan or other purposes or at best when it elects to see it. It is as good at cover-up as any expert at public concealment can possibly be, and much more effectively so because it controls the lines of communication (when the press is internally agreed.)

An indictment could hardly be more complete in point of culpable omission, violation of the public's right to know, with resulting distortion of public opinion and perversion of the truth, than the press record in these premises has inflicted on itself.

It was six years before the government finally yielded on the trade statistic and then only after the tide of adverse trade balances was such that the facts could no longer be concealed, and even then it continued to minimize them. Thus the actual 1972 trade deficit was more nearly \$13 billion than \$6.4 billion as reported.

From July of this year, i.e., after nearly seven years of error trade statistics will apparently be recast and disseminated toward a belated but more faithful reflection of our weak competitive position in the world. Meantime much damage has been done, and

we are not yet out of the woods because of the past nonfeasance of the press in its headstrong refusal to inform the public.

The responsibility of the press is very heavy indeed in the drift of this country into financial difficulties on the foreign front, leading to two devaluations of the dollar in less than two years.

The press is indeed as capable of being a culprit as any other institution composed of human beings. Yet it insists on hiding in a protected fortress from which it can fire at will against any who dare attack it or even question its purity. It runs up a bloody flag of repression, intimidation, the whistles with the other hand practicing more repression and culpable omission, and more favoritism in a week, than is in the power of any group or organization of private citizens to encompass in a year. It has the necessary weaponry and can fire at will any number of rounds (depending on circulation), day after day, without fear of being effectively called to account. (Let me say, as I have from the very beginning, I am a strong believer in the freedom of the press; but I would want it to be free on all sides, not only from possible governmental encroachment. Press freedom is equally vulnerable to another encroachment, one that is actually in being in varying degrees; namely, from the side of the editors and publishers themselves. Neither the government nor the editors and publishers should have a decisive or final voice over the question of press bias.)

I will be interested in your reaction in your new and, in this country, seemingly pioneering outpost of ombudsman for a leading newspaper. Will you take my case?

Sincerely,

O. R. STRACKBEIN, *President.*

#### THE EMERGENCY PETROLEUM ALLOCATION ACT

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. O'NEILL. Mr. Speaker, the Emergency Petroleum Allocation Act, passed in November of this year, required the President to promulgate a program for mandatory allocation. Section 4(c) (1) of that act required that "to the extent practicable and consistent" with the priorities for allocation specified in the bill, allocations to each marketer or refiner during each allocation period should correspond to the marketer or refiner's supply during the corresponding period in 1972.

The choice of 1972, rather than 1973, as a base period is very important to New England and to the Midwest. New England and the Midwest are more dependent on supplies from independent fuel dealers than are any other part of the country. In 1973, the majors tried to squeeze the independents out of the market by limiting their supplies. Thus, allocation on the basis of 1973 supplies would mean counting the majors' squeeze on the independents against New England and the Midwest.

Furthermore, 1973 was an unusually mild winter in both New England and the Midwest. Allocation on the basis of 1973 use could deprive both areas of the fuel necessary to get through their normally severe winters.

What makes the base period in the Emergency Petroleum Allocation Act all the more important is that it would also apply to rationing authorized under this Emergency Energy Act.

Last week, the gentleman from Minnesota (Mr. NELSEN) offered an amendment to allow the adjustment of the historical period that serves as the base period for allocations. His fear was that allocation on the basis of 1972 use would hurt those industries and other users that expanded, or initiated, their use after 1972.

But the Emergency Petroleum Allocation Act allows departure from allocation on the basis of 1972 use for a number of reasons, including "the promotion of economic efficiency, and the minimization of economic distortion, inflexibility, and unnecessary interference with market mechanisms." Thus, the President had the power, in issuing allocation regulations, to grant necessary special treatment to those users who increased or initiated their fuel demand after 1972.

In his original allocation regulations, the President failed to do so. But the latest allocation regulations, issued by Mr. Simon only last week, do provide that people who were "not in business" or who have "had substantial expansion of fuel requirements since 1972" may apply to State and regional offices for special allocations.

Clearly, the administration has made provision for the legitimate concerns of the gentleman from Minnesota. Now, failure to delete his language would invite doubts as to our desire to retain a 1972 base period, even with a measure of flexibility. Otherwise, this language is redundant.

The consequences of scrapping the 1972 base in favor of a 1973 base period might well mean the difference between an uncomfortable and an unbearable winter for the people of New England and of the Midwest. So as to leave no doubt as to our wishes, I urge opposition to the Nelsen amendment.

SOIA MENTSCHIKOFF: A DISTINGUISHED LAWYER, A REMARKABLE WOMAN

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Ms. ABZUG. Mr. Speaker, the current issue of the Columbia Law Alumni Observer contains a front page article about Soia Mentschikoff, a distinguished lawyer, a renowned legal scholar, and the newly appointed dean of the University of Miami School of Law.

Professor Mentschikoff was a graduate of my alma mater, Columbia Law School, and went on to a career of great accomplishments. The article from the Observer mentions many of these achievements but I would like to note in particular one that I find most impressive.

In 1971, Professor Mentschikoff was

recommended by the National Women's Political Caucus as a possible nominee to the U.S. Supreme Court. She would have made a fine jurist and I hope that if another vacancy occurs her name will be at the top of everyone's list.

I commend the following article to the attention of my colleagues:

UNIVERSITY OF MIAMI NAMES SOIA MENTSCHIKOFF LAW DEAN

SECOND WOMAN DEAN AMONG 152 ACCREDITED LAW SCHOOLS

Soia Mentschikoff '37L, University of Chicago law professor and first woman president of the Association of American Law Schools, has been named Dean of the University of Miami School of Law, effective June 1, 1974.

In 1971 Professor Mentschikoff was one of 10 women suggested by the National Women's Political Caucus as possible nominees of the United States Supreme Court.

In 1947 she was the first woman appointed to the faculty of the Harvard Law School. Four years later she became the first woman to teach at the University of Chicago Law School, and was a professorial lecturer there for 11 years before being named professor of law in 1962.

Known as an expert on commercial law, Professor Mentschikoff has represented the United States at several international law conferences on international sales and transport. Sargent Shriver appointed her to serve on the national advisory committee on law and poverty, a part of the War on Poverty.

She is a director of the National Legal Aid and Defenders Association, a member of the Commission on Uniform State Laws, consultant to the American Law Institute, member of the International Faculty of Comparative Law, the Council of American Society of International Law, Council for the Study of Mankind, and Council of the National Endowment for the Humanities.

Born in Moscow in 1915, she moved to the United States with her family three years later. Before their marriage she studied with Professor Karl N. Llewellyn at Columbia Law School.

With her late husband, she was one of the principal drafters of the Uniform Commercial Code that has been adopted by all states except Louisiana. She is consultant and permanent editor of the board of the UCC. Last year she became one of the first two women to be appointed Trustees of the Rand Corporation.

She is co-author (with Nicholas Katzenbach) of *Unification of Private International Law*, 1961.

In an interview Professor Mentschikoff once said that she didn't know what it was that made her become or want to be a lawyer. "When I was 12 years old," she recalled, "a girlfriend and I put down what we wanted to be on a piece of paper and sealed it in an envelope."

"Years later, after I moved and was in law school, I came across the envelope and opened it. The piece of paper was still inside and mine said: 'I want to be a lawyer.' So I guess I must have made up my mind about it when I was 12 years old, but I still don't know why."

Professor E. Alan Farnsworth, for 20 years a friend of Professor Mentschikoff's, recalls being a student in Professor Karl Llewellyn's first-year contracts class. Professor Llewellyn used to invite the students to their Morning-side Heights apartment, where both he and his wife would hold forth. Although she was not a faculty member, her audience was as big as her husband's. Indeed, Professor Farnsworth says that she is at her most extraordinary when standing in front of a large group of people. "She has one of the most remarkable stage presences of any person in law teaching; she's in total command of the subject matter . . . a person who conveys

enormous assurance . . . has an extraordinary ability to organize when she talks."

Professor Farnsworth relates the story of Professor Mentschikoff's first day as a student in Professor Llewellyn's contracts class (before they were married) during which Professor Llewellyn talked mostly about the Bible. She thought that wouldn't be very interesting, so she stayed home and played chess. When she decided it would be wise to attend once more, it turned out that he was again talking mostly about the Bible, so she stayed away for the rest of the course.

Judge Nanette Dembitz '37L has been a close friend of Professor Mentschikoff's since student days when they were both living in Johnson Hall. At that time Kent Hall had beautiful iris beds, which the two young women students would admire as they strolled in the moonlight, relaxing after examinations.

One year during the middle of examination period Nanette Dembitz came down with influenza. Soia Mentschikoff persuaded Professor Llewellyn to proctor the exam for her friend in the infirmary, because she felt that more women should be on Law Review and wanted to make certain that Nanette Dembitz—a top student—would complete the studies necessary to make Law Review. Nanette Dembitz wrote her exam, propped up in bed with pillows, while Professor Llewellyn sat nearby correcting papers. Judge Dembitz reminisced about this incident as an example of Soia Mentschikoff's practical mind.

What were the influences on Soia Mentschikoff's career? She herself can't say. Judge Dembitz cites Professor Margaret Spahr of Hunter College, who encouraged her young student, and Professor Mentschikoff's mother, who—although an old-world type—inspired her daughter by pride in her academic accomplishments. In those days, says Judge Dembitz, they were poor; instead of going to Europe in the summer they got work with professors. "Whatever the reasons for Professor Mentschikoff's career," Professor Farnsworth remarked, "she seems so well suited to what she is doing."

#### FORMER CHIEF JUSTICE WARREN ATTACKS SECRECY IN GOVERNMENT AS "INCUBATOR FOR CORRUPTION"

HON. WILLIAM S. MOORHEAD  
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, at the Annual Drew Pearson Prize luncheon last week at the National Press Club former Chief Justice Earl Warren made one of his unfortunately rare public appearances and spoke out on timely topics relating to Government secrecy and the Watergate.

Some of Mr. Warren's remarks were first-time personal recollections about his relationship with the late Drew Pearson and about some of his experiences on the bench when first appointed in 1953 by President Eisenhower as Chief Justice of the United States Supreme Court.

However, Mr. Speaker, I would like to call special attention to Mr. Warren's most incisive observations on Government secrecy. He said:

It would be difficult to name a more efficient ally of corruption than secrecy. Corruption is never faunted to the world. In Government, it is invariably practiced through secrecy. That secrecy is to be found

in every level of Government from city halls to the White House and the Hill, and if anything is to be learned from our present difficulties, compendiously known as Watergate, it is that we must open our public affairs to public scrutiny on every level of Government . . .

So if we are to learn from the debacle we are in, we should first strike at secrecy in Government wherever it exists, because it is the incubator for corruption . . .

The Congress has labored at great length on the subject, and in 1966 enacted the Freedom of Information Act. That Act recently was accorded a somewhat restricted application by a sharply divided Supreme Court in the case of *EPA v. Mink*, 410 U.S. 73. The dissenters wrote that the decision "wholly frustrates the objectivity of the Freedom of Information Act," and that "It is on its way to become a shambles." Fortunately there was no decision of constitutional dimensions, the Court holding that the Act did not authorize the relief sought in the case. This would appear to leave the extent to which secrecy in Government might still be proscribed as one for legislative action . . .

Mr. Warren continued:

What I mean to emphasize is that whatever secrecy is to be permitted concerning governmental records in the highest as well as in the lower echelons should be fixed by law. As I have just reported, the law is now in a state of flux and more refinement is called for. The importance of the problem cannot be overstated. It must be obvious to all by this time that secrecy in high places spawned this great tragedy of our time, and that continued secrecy has prolonged the judicial inquiry into admittedly illegal conduct to a point which erodes the rule of law . . .

Mr. Speaker, the Foreign Operations and Government Information Subcommittee, which I am privileged to chair, has been intimately involved in the investigation of Government secrecy since its work during the 1950's under the leadership of the gentleman from California (Mr. Moss). This work gave life to the Freedom of Information Act in 1966 (5 U.S.C. 552).

During the past several years, the subcommittee has held more than 50 days of public hearings on all aspects of the operation of the Freedom of Information Act, culminating in the issuance of House Report 92-1419 and House Report 93-221 on a unanimous vote by the House Government Operations Committee. These two reports document cases of violation of the act, excessive Government secrecy, and other abuses by the executive bureaucracy. They call for amendments to the Freedom of Information Act to make it stronger, eliminate loopholes, and more effective in protecting the public interest.

I am hopeful, Mr. Speaker, that our committee will soon report such legislation to strengthen the Freedom of Information Act so that all Members of this body may have the opportunity to do something positive to deal with the pervasive problems of excessive Government secrecy that Mr. Warren so eloquently described.

I congratulate the winners of the annual Drew Pearson Award for excellence in investigative reporting. They have performed outstanding service to the right of the American public to know the truth about wrongdoing in high places. They are Mr. Jerry Landauer of the Wall Street Journal, Clark Mollenhoff, Washington bureau chief of the Des Moines Register



and Tribune, Mr. Ward Sinclair, of the Louisville Courier-Journal, and to CBS reporters Edward Fouhy and Robert Pierpoint. Mr. Sinclair and Mr. Mollenhoff have both appeared as witnesses during our subcommittee's hearings—the latter on a number of occasions.

Mr. Speaker, at this point I include the full text of Mr. Warren's speech and an article from the Washington Post on the Drew Pearson Award luncheon.

ADDRESS BY HON. EARL WARREN, DECEMBER 13, 1973

It has been a long time since I spoke from this rostrum, and I am happy that this Drew Pearson Awards Luncheon affords me the opportunity to renew my valued association with the members of the National Press Club, so many of whom I helped install as President of your Club during my active years on the Court. Those were happy experiences for me. I had all the fun of starting in motion and none of the worry involved in administering the affairs of an organization as individualistic as the National Press Club.

And I suppose in its long history there was no one more individualistic than the man for whom this Award is named. In fact, for a long time, I have thought that the young people probably had him in mind when they coined the phrase about a person "doing his own thing."

He was unabashedly provocative. Some people thought he was divisive. But I remember the first time I met him was after World War II. He conceived the idea and organized the Freedom Train to rekindle the flame of patriotism in all Americans, not by urging them to go to war, but through the exhibition of the founding documents of the Republic and explanation of their meaning to our free way of life in order to inspire confidence in our institutions and strengthen our resolve to preserve them for ourselves and for those who are to follow us.

I was Governor at the time, and when Drew brought the train through California, I rode with it the length of the State, giving such help as I could to the cause which it represented. It was a good cause, and I am sure it was helpful in generating pride in the goodness of our institutions and the necessity of preserving them as the sheet anchor of our freedom. There was no hyperbole, no exhortation, no jingoism in the undertaking. It was a gentle appeal to real patriotism and in every respect was unifying.

I do not recall seeing him again until I came to Washington in 1953 as Chief Justice. That was a time of complete change of life style for me in my relations with the news media. For over thirty years in California, I was in politics and, like most politicians, if the news media did not approach me I would approach them. Believing in the right of the people to know what their public officials are doing, and also believing that it would help me in their appraisal of my work, I held two open press conferences each week of my eleven years as Governor. It was a mutually satisfactory arrangement, and relieved the necessity for a lot of investigative reporting on my administration.

Having been in and about courts all my adult life, I realized my press relationship in political life was not a proper stance for a judicial officer.

Believing there was no partial way of changing my relationship, I decided, in coming to Washington, to make a complete one hundred and eighty degree change of approach, and decline to discuss any of the judicial aspects of the Court work with the media. I did it promptly, and after the amenities relating to my induction into office were concluded, I submerged myself in another world. It was not only a strange but a difficult way of life for me after thirty years of free-wheeling with the press. And

although I have never told the story publicly before, I will say to you today that at the outset it triggered for me the most traumatic experience of my more than fifty years in public life.

When I came to Washington the first week in October 1953, there was in progress an election for Mayor of New York. There was brewing at the same time a prison scandal over the influence used to effect the release of a notorious racketeer from a New York penitentiary. The two became enmeshed, and the names of a number of high public officials became involved in the scandal.

Mr. Robert F. Wagner, the eventually successful candidate for Mayor, only a few days after my induction, held a press conference concerning the prison scandal and naming certain persons implicated in it.

In the course of it, he also stated that one of the highest legal authorities in Washington, whose word was sometimes taken for the law, was enmeshed in it. He declined to name the official, and you can imagine what probing that unleashed. Reporters insisted on talking to me about the matter, but I instructed my secretary to say I was not available.

They waited at the entrances to the Court Building, but I entered the basement by car, and declined to recognize or halt for reporters at the entrance. I cut off the telephone in my hotel room, ate, and remained there until morning each day. As the weeks passed, some of the reporters wrote or wired me asking for an interview and saying they wanted to be helpful.

My name was not mentioned in the press, and I relied on the fact that it would not be without evidence to connect me with it. On the other hand, I felt sure that if I gave anyone an interview, there would be a story to the effect that "Warren denies he is implicated in prison scandal," and that would be an excruciating way to start off the proceedings on my confirmation as Chief Justice. So I sat tight and suffered in silence. My wife was not even with me, she having remained at Sacramento to move from the Governor's Mansion where we had lived for eleven years with our six children, and which I had left on four days' notice to open the 1953 Court Term in accordance with my interim appointment by President Eisenhower.

On the Saturday night before the election, I was in my hotel room alone having dinner, and turned on the television. It happened that Mr. Wagner was holding a press conference at the time, so I listened. During the course of it, one of the reporters said, "Mr. Wagner will you tell us if Chief Justice Warren is the man you referred to as being implicated in the prison scandal?" He replied, "Oh, no, I understand he is a fine man, and I am sure he would not be involved in anything like that." What a relief!

I did not know him or anyone in his organization at that time. In fact, my politics had always been in the opposite party. I later met him as Mayor, and our trails occasionally crossed at public affairs. He was always friendly and spoke well of the Court.

I never heard another word about this nightmare, but I assure you it was a baptism of fire.

In keeping with my policy of not discussing the affairs of the Court with the media, I never saw or talked to Drew Pearson as a journalist, but, like most Washingtonians, I read his daily column in the Washington Post.

I did, however, come to know him a different way that culminated in a cherished friendship between Drew and Luvie and Nina and me. We were all blessed with the friendship of the late Agnes Meyer.

For several years, she would arrange a Summer cruise in some exotic part of the world—the Fjords of Norway; the Dalmatian Coast, the Greek Islands; the ancient cities of Asia Minor; the perimeter of the Black Sea; the Hawaiian Islands, etc. On these

cruises, the Pearsons, the Bill Atwoods, Adlai Stevenson, Clayton Fritchey, always some members of the Meyer family, and Nina and I were included. They were wonderful experiences, and it was on these cruises that I came to know Drew Pearson.

Walking along a Hawaiian beach, a Norwegian Fjord, the ruins of Troy, the Carpathian Mountains, or in the Greek Islands afforded me an opportunity to learn his trend of mind. It was not there focused on muck, but on understanding. I sat, and without participating, listened to him and Agnes Meyer discuss world affairs by the hour with personalities such as the King and Queen of Greece; Chairman Khrushchev of Russia; President Gheorgiu Dej of Romania; President Tito of Yugoslavia; Mayor Ake of Istanbul, and others. He was searching for and probing for reportable material—not to aggravate or increase the tension of the Cold War, which was so dominant in the Joe McCarthy days, but to see if some measure of accommodation could be found to enable the nations of the West and the East to find a way to live and let live alongside of each other.

He was a Quaker, as you may know, and in keeping with his faith, immediately after World War I, he undertook a mission into little Montenegro which had been overrun and devastated by the central powers in the War. His mission there had been designed to build homes and restore family life in the devastated villages. On one of our cruises along the Dalmatian Coast from Athens to Venice, he decided to travel overland from the Yugoslavian port of Split to the interior of Montenegro where he had performed his mission. I agreed to go with him. It was a unique experience, and one that warmed his heart because we not only found in use the homes he had built a half century before but also some of the people who had worked for him and who were still living in them. The trip over the "Black Mountains" in a small car for several days was, indeed, a rough one, but it was enlightening to see life only a few miles from the eastern border of Albania almost the same as it was in Biblical times.

At home, Drew, as you all know, was a ferret for conflict of interest in Government. I suppose he made more enemies than any journalist of his day in pursuing that objective. He not only fought corruption but also the secrecy in Government which makes corruption easier. I have often conjured how he would have thrived on the opportunities for investigative reporting in these almost unbelievable times. He would have dug deep and fought secrecy in governmental affairs with a vengeance.

It would be difficult to name a more efficient ally of corruption than secrecy. Corruption is never flaunted to the world. In Government, it is invariably practiced through secrecy. That secrecy is to be found in every level of Government from city halls to the White House and the Hill, and if anything is to be learned from our present difficulties, compendiously known as Watergate, it is that we must open our public affairs to public scrutiny on every level of Government.

Some will say that it is the duty of public authorities to ferret out and prosecute conflicts and defilement of the public interest. But this falls short of the mark. Law enforcement officers are not equipped to follow the daily work of our public servants, and I doubt if we would want them to be constantly looking over the shoulders of our people in public life just to see if they are performing their duties honestly. It is not the American way, and the practice could eventually lead to a police state.

But we do have the right to compel our public officials to keep the avenues of information open so the public can know and evaluate the character of their work from day-to-day. Then it would be the respon-

sibility of the news media to inform the public of both the accomplishments and the derelictions of their officials.

It is an enormous job to alert the public because there are 2,872,000 Federal civilian employees, 2,832,000 state employees, and 7,612,000 in local government, making a total of 13,316,000 in 1971. All of them perform some duties for the Government, and often some obscure public official unknowingly even will perform some act that, if disclosed, might change the course of history.

As an illustration, conjure for a moment what a nation shattering service the house policeman and the city policemen whom he summoned rendered in making public the Watergate burglary. Had they succumbed to the blandishments and importunities of the burglars, all of the subsequent disclosures of conduct debasing our institutions might have remained a secret forever.

A similar occurrence could come under the scrutiny of anyone of these millions of public employees and if not disclosed might deprive the American people of a much needed opportunity to cleanse some level of our Government.

But even such a failure of disclosure might not be the fault of the particular employee. It could well be a lax method of accounting for official conduct or even a strict policy of secrecy imposed by the policymaking authority.

Such policies, whether they stem from indolence or design, are cancerous to the body politic and must, if our Government is to remain "of, by and for the people," be curbed by adequate legal guidelines and then by scrutiny of the people for use in the electoral process. The fulfillment of the latter, however, depends on the preservation and stimulation of a free press, because the people cannot be adequately informed by the Public Relations Departments of the numerous agencies which justify their activities through news releases and subtle propaganda.

The Pentagon alone is asking for \$25,023,000 this year for that purpose. The General Accounting Office, however, has objected to the amount before Congressional Committees on the ground that much more has been concealed for the purpose in other parts of the budget. That amount alone for public relations in the one Department, however, is over four times the total requested budget of the Supreme Court of the United States this year.

And with that amount of money, presumably to inform the public of the activities of the Pentagon, the Cambodian bombing was deliberately concealed from the American people until about two years after the fact.

There is but one protection against such deception, and that is the accessibility to inspection by the citizenry of public records on every level of Government, thus making them available for the news media.

We must realize that when we open up Government files and documents, we are not according the press any preference, but that we are making available to all citizens alike the opportunities to know what their Government is doing. It is then that the press becomes free through investigative reporting to inform the people of the actual state of affairs and put its interpretation on it. If it does the job well, the people are the beneficiaries.

The investigative reporting of the past year is entitled to high praise and the gratitude of every American. Without it, its disclosures of fraud, bribery, perjury, conflict of interest, obstruction of justice, etc., would probably have passed without official action.

So if we are to learn from the debacle we are in, we should first strike at secrecy in Government wherever it exists, because it is the incubator for corruption. One would think this should be an easy thing to accomplish, but as in most public questions there

are many facets to it, and as the old hillbilly from Arkansas said, "No matter how thin you make a pancake, there are always two sides to it."

The Congress has labored at great length on the subject, and in 1966 enacted the Freedom of Information Act. That Act recently was accorded a somewhat restricted application by a sharply divided Supreme Court in the case of *EPA v. Mink*, 410 U.S. 73. The dissenters wrote that the decision "wholly frustrates the objectivity of the Freedom of Information Act," and that "It is on its way to become a shambles." Fortunately, there was no decision of constitutional dimensions, the Court holding that the Act did not authorize the relief sought in the case. This would appear to leave the extent to which secrecy in Government might still be proscribed as one for legislative action.

In order to appreciate that a free press is a basic element of a free society, one need not subscribe to the aphorism of Thomas Jefferson that if it should become necessary to dispense with either government or a free press we could better afford to give up government.

Every thoughtful American knows that some of our most cherished rights stem from the First Amendment—speech, the press, religion, assembly, and the right to petition the Government for a redress of grievances. To exercise these rights effectively, the people must know what the Government is doing. On the other hand, the increasingly complex world and nation in which we live undoubtedly call for some degree of confidentiality in the decision-making process, but to recognize that fact one need not subscribe to the bizarre contentions of the administration for boundless secrecy under the guise of executive privilege and national security.

Nor need one believe that this should curtail the rights of the press to explore, probe and report to the public what its explorations reveal.

What I mean to emphasize is that whatever secrecy is to be permitted concerning governmental records in the highest as well as in the lower echelons should be fixed by law. As I have just reported, the law is now in a state of flux and more refinement is called for. The importance of the problem cannot be overstated. It must be obvious to all by this time that secrecy in high places spawned this great tragedy of our time, and that continued secrecy has prolonged the judicial inquiry into admittedly illegal conduct to a point which erodes the rule of law.

Only a rule of reason will solve the dilemma we find ourselves in. This is not an easy thing to evolve in these days when the solution of so many issues is polarized to the point of frustration. Yet the importance of this issue is so great that I would think there is sufficient acumen and patriotism in the elements of our society most intimately connected with the affairs of Government to solve it.

We are spending billions of dollars today to induce the Israelis and the Arabs to settle their ancient differences through reason. In recent years, we have spent upwards of 200 billions and lost 50 thousand of our young men to achieve what is denominated as "peace with honor" between two small countries on the other side of the world.

In light of these experiences, would it be reasonable to expect the professions of journalism, law and political science, together with their professional schools and representatives of federal and state government, all properly sanctioned, to be able jointly to study and define the essential areas of confidentiality in Government, leaving the rest open to public scrutiny so that "Even he who runs may read?"

I would think it should be and perhaps

it might be the best way to avoid another Watergate which we can ill afford, and thus fulfill our Constitutional obligation to keep it possible for the people to govern themselves.

Finally, my congratulations to all of today's awardees. They have honored their profession by their investigative reporting, and in doing so have fulfilled in the finest sense the responsibility of a free press to the people it serves.

[From the Washington Post, Dec. 14, 1973]

#### REPORTING AWARD IS CONFERRED

(By Linda Newton Jones)

A reporter from The Wall Street Journal was awarded the 1973 Drew Pearson Foundation prize in investigative reporting yesterday for his articles on the alleged receipt of money for favors by former Vice President Spiro T. Agnew.

Jerry Landauer accepted the \$5,000 prize for excellence in investigative reporting yesterday, which would have been the late columnist's 76th birthday, at the Pearson Foundation's third annual awards luncheon at the National Press Club.

In making the award, Mrs. Drew Pearson said Landauer's "persistence in digging out the evidence was a prod to the prosecuting authorities."

Honorable mention prizes of \$1,000 were presented to Ward Sinclair, a reporter for the Louisville Courier Journal, for his reporting of the affairs of the United Mine Workers and CBS reporters Edward Fouhy and Rober Pierpoint for their investigation of Charles (Bebe) Rebozo and the circumstance surrounding the granting of national bank charters in Key Biscayne, Fla.

Clark Mollenhoff, Washington bureau chief for the Des Moines Register & Tribune, received a special \$1,000 prize for sustained contributions to investigative reporting.

Former Chief Justice Earl Warren, the featured speaker at the luncheon hailed the investigative work of the reporters as prime examples of the responsibilities of a free press.

He told the 300 people gathered for the presentations that areas of confidentiality in government must be jointly studied and defined by journalist and government representatives. He said the amount of secrecy allowed in government must be defined by law. "It must be obvious to all by this that secrecy in high places has spawned this great tragedy of our time . . ." Warren said of the current Watergate scandals.

#### THE POLITICS OF RATIONING

#### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. ASHBROOK. Mr. Speaker, pressure seems to be mounting for the imposition of a rationing system. Before embracing the concept of rationing as a solution to our energy problems, however, we should carefully consider the consequences of such a decision. These consequences are vividly described by Anthony Harrigan in his nationally distributed newspaper column. Harrigan writes that rationing will mean a vast expansion of the Federal bureaucracy, pervasive corruption and a substantial lessening of economic and individual freedom. The following is the text of Harrigan's column:

#### THE DISASTER OF RATIONING

Because of a shortage of petrochemicals, the United States is moving in the direction



of an economy of scarcity. It is important, therefore, that Americans realize that economies of scarcity usually are controlled societies.

Demands for new controls are being heard every day. The proponents of rationing are eager to introduce this most corrupting and hurtful system. Dr. Paul W. McCracken, former chairman of the President's Council of Economy Advisers, rightly stated Nov. 26 that "economies that are managed by license and edict and coupon books are also economies with pervasive corruption and graft."

Americans who are old enough to remember the rationing system in effect in World War II recall that it produced widespread injustices, blackmarkets in fuel and food, and a variety of under-the-table deals. Instead of being a fair system, rationing is the most unfair plan that can be devised as it introduces pervasive corruption. The advocates of a controlled society ignore this fact. The New York Times, for example, declares—in the face of massive evidence to the contrary—that "rationing is the only fair way to distribute short supplies."

Rationing means a vast expansion of the federal bureaucracy. Dr. Gordon Tullock of the Center for the Study of Public Choice at Virginia Polytechnic Institute, has noted that approximately one-third of working Americans are employed by governments at the federal, state or local level. This is a terrible burden on taxpaying citizens. Introduction of rationing would create a new army of government employees to administer the system.

It is amazing that Americans should be so trusting of economic controls in view of the dismal record of controlled economies. The Soviet Union has a totally controlled economy—and it now depends on the capitalist United States for grain to feed its people. In recent months, we witnessed the economic and social collapse of the Marxist regime in Chile which endeavored to substitute a controlled economy for a free economy. Great Britain is in perilous straits these days because of its post-World War II decision to go with the concept of a controlled economy, as against the free economy adopted by West Germany and Japan.

The American people may be reaching a major turning point in their economic history. They can allow themselves to be stampeded into rationing and other new controls or they can utilize free economic principles to solve their problems.

Prof. Milton Friedman of the University of Chicago, the distinguished proponent of a free economy, recently told Vanderbilt University students that rationing will result in long-term market dislocations. He urged that Americans let the price mechanism work to solve problems. If prices for fuel are allowed to rise, for example, producers will have the incentive to open new oil wells.

The effect of rationing is to depress economic activity. Business will not commit new capital for products that are to be sold under a rationing system. Thus rationing, which starts out a temporary protective measure for the public, ends up by drastically restricting the goods the public needs. This is the age-old history of rationing.

The proponents of rationing can be counted on to do their best to conceal the truths of economic history. After all, many of them want a government-directed economy. Indeed the petroleum shortage is likely to turn out to be a Trojan horse for the neo-socialists.

Already, we are hearing demands that the federal government become directly involved in the search for oil through the creation of a petroleum TVA-type organization. The Independent Coal Operator recently warned that efforts be made to nationalize coal mines. "We are rapidly approaching a time and place," said the magazine, "when those

desiring a federalization of the mines could begin their cry of: 'The industry refuses or, is incapable of producing the coal needed'. Let the government take them over and let bureaucrats run them."

Nationalization of coal mines or similar activity would be the road to national disaster. Ultimate control measures of this sort, ordered in Great Britain, led to that country's shocking decline. The way to block the final destructive economic measures is to begin with strong grassroots opposition to rationing, the first step towards a condition of permanent scarcity.

### LIVING HISTORY—CAN IT REALLY WORK?

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. EILBERG. Mr. Speaker, for too many of us the history of our country is an intangible subject which is grudgingly learned in school and half forgotten in adulthood.

However, a group of young men in my city, Philadelphia, are operating a program which makes one segment of the Revolutionary War a true-to-life experience for young boys who live in and around the city.

The Shackamaxon Society, which has been restoring Old Fort Mifflin, a strong point during the colonists' defense of Philadelphia, is now using the fort to depict the life and crafts of the colonial period.

One of the more ambitious programs is a recreation of the life of the soldiers who defended the fort and the hardships they faced.

At this time I enter into the RECORD an account of this activity.

### LIVING HISTORY—CAN IT REALLY WORK?

During the summer, fall and winter of 1973, The Shackamaxon Society, under the direction of President Robert I. Alotta, implemented one of their Bicentennial ideas: take young boys and men out of their everyday life and return them to a time two hundred years ago . . . and see what happens.

The Revolutionary Appreciation Program (RAP) took place on three weekends—spaced far enough apart to let the individuals involved digest what had been experienced.

Bivouac I (6/29-30/73): Members of The Old Fort Mifflin Guard—The Society's reenactment group—were invited to spend a weekend living at the Fort as their military predecessors had done 196 years ago. All modern-day niceties . . . like radio, television, newspapers . . . were excluded. They dressed in Continental Army uniforms, drilled, worked and experienced what it must have felt to be a soldier in Washington's Army.

During the night, Society Vice President A. C. Ferreira and his Explorer Post No. 170 from Cherry Hill, N.J., the "British," attacked the Fort. The members of the Guard, commanded by Alotta, repelled the attackers.

Following this night problem, everyone gathered in the Soldiers' Barracks to discuss what had been learned and experienced. The knowledge was frightening. The men and boys learned what it was like to guard an important facility as Fort Mifflin. They forgot where they were and actually thought they were back in 1777.

Bivouac II (8/18-19/73): The same "re-

turn to basics" was the order of the day for this encampment. The major change was a different night problem. This time, the officer cadre ambushed the entire Guard while they were on night patrol.

The boys and men experienced another insight into history. A small lad—12 years old—felt he was never going to see his mother and family again. He remarked that he could look left and right and only see three-cornered hats and riflemen's frocks. For a minute, he was actually at the Fort during the Revolution. Other boys had the same impression. Also, they felt the need for more training—much as Washington knew and felt back in 1777.

Bivouac III (11/10-11/73): The new night problem this time was the commander of the Fort had been captured by the British and the men in the Fort had to rescue him.

Alotta was found by his men within an hour of being captured. The boys in the Guard, most no older than 18, used their native intelligence and their cunning to by-pass six (6) adults on the road leading to the prison site. Only three (3) boys out of 35 were detected.

They all learned what it must have been like before progress took over. After the night problem, they sat down and discussed what they had learned. What most came up with was a philosophical concept of discipline over fear. The consensus was no matter how scared you are, you have a mission to accomplish and that should over-ride any fear you have while scurrying through the woods at night.

These programs, as you might suspect, will continue during the months leading up to our nation's Bicentennial.

In summary, what has been accomplished with weekend encampments in history?

1. All who have participated have learned a very valuable lesson . . . "A man can do more than he thinks he can do."

2. They experienced the life of the soldier, including the different types of food eaten by soldiers in Washington's army . . . most of which they cooked themselves over an open fire. They realized his life was not an easy one. Yet, with all the hardships, they could see why the Continental Soldier did not give up.

3. They learned the topography of Old Fort Mifflin. They found its assets and its shortcomings. They could see how the Fort could be taken—and how it should be defended.

4. They participated in the "War for Independence" as no other man today has. As if a time machine transported them back, they lived.

5. They were not completely satisfied with only three such experiences. They want more. Now, they want to plan the night problems. They want to participate and use the knowledge they've acquired. And, they're reading books on colonial strategy. They want to try and see if it works.

We're going to let them do it. It is Alotta's feeling that "do-it-yourself" history can be one of the most effective means to expand knowledge of the Revolution. The knowledge acquired by The Old Fort Mifflin Guard will be put to good use at the Fort—in their capacity as guides.

### PERSONAL NOTE

#### HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. ANDREWS of North Carolina. Mr. Speaker, I would like to explain my reason for missing the vote on Senate Joint Resolution 180. I was present on the floor and was engaged in conversation with

the dean of the North Carolina delegation, the Honorable L. H. FOUNTAIN. Inadvertently, I allowed the time to expire before I could vote. If I had voted, I would have voted "no."

## GRAND JURY TO INVESTIGATE KENT STATE SHOOTINGS

**HON. JOHN F. SEIBERLING**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. SEIBERLING. Mr. Speaker, last week, 3½ years after four students were killed and nine others wounded at Kent State University, the Justice Department announced that a Federal grand jury will be convened to investigate the shootings. The Akron Beacon Journal, which was awarded the Pulitzer Prize for investigative reporting for its coverage of Kent State, contained the following editorial last Thursday, December 13, 1973:

NEW TRY FOR THE TRUTH OF KENT STATE  
IS WISE

It is good that the Justice Department at long last has decided to open a Federal grand jury investigation of the 1970 Kent State tragedy. And Sen. William Saxbe showed good judgment in his announcement that as attorney general he would stay out of the case.

There is little solid basis for expecting that a new grand jury probe will either open up "the whole truth about Kent State" for the public or culminate in a great sheaf of criminal indictments. But that is not the point.

In the 44 months since an Ohio National Guard fusillade brought death to four Kent State University students and wounded nine others May 4, 1970, ending a several-day passionate and sometimes inexcusably destructive antiwar demonstration on and around the campus, there have been countless efforts to unearth the full truth about the event.

A grand jury in Portage County, the FBI, the Scranton Commission, this newspaper and others, television newsmen and a parade of investigative writers have dug out and tried to sort and make sense of every available scrap of evidence bearing on what happened there and what led up to it.

Yet the air remains still full of troubling unanswered questions about it.

The grand jury proceedings, conducted in an obvious atmosphere of local anger and tension, resulted in 25 indictments, mostly of students and faculty, and a report castigating the university administration and the demonstrators and exonerating the Guardsmen.

The indictments resulted in one conviction, two guilty pleas, one acquittal and dismissal of the charges in the other 21 cases. A reviewing court condemned the jury's report as improper and ordered it destroyed.

The Scranton Commission reached the conclusion that the firing by the Guard was unjustified and improper, and several members of the commission urged Federal legal action.

A massive Justice Department report incorporating the findings of the FBI—never made public although newsmen learned of parts of its content—also characterized the shooting as unjustified.

Yet a year after the event John Mitchell, then attorney general, closed the files on the case and ruled against convening a Federal grand jury. His announced reason: There

was insufficient evidence of Federal crimes to justify trying for indictments.

This, of course, didn't make the unanswered questions go away—and left many troubled by the feeling that there was no official desire to get at the truth and try for even-handed justice. Fruitless petitions signed by thousands of KSU students and others, pleas for further investigation from the university's new president and accusatory theories published by several writers have added to this feeling.

Now a Federal grand jury investigation—even if its findings are never made public, and even if it fails to produce so much as a single indictment—will at least stand as evidence of the government's willingness to try to get at and deal with the truth here.

Saxbe, who now seems highly likely of early confirmation as attorney general, had too many links with the event to be regarded by the suspicious as open-minded about it. He has made statements hostile to the idea of further investigation. He was close to James Rhodes, the governor who ordered the Guard in. He is a former Guard officer.

So his announcement of "hands off" intentions is good business.

## NIX COMMENDS INDONESIAN GOVERNMENT AND LEADERSHIP FOR THE DEVELOPMENT OF ITS OIL RESOURCES IN COOPERATION WITH ALL NATIONS

**HON. ROBERT N. C. NIX**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. NIX. Mr. Speaker, on the occasion of the opening of the Indonesian Government's National Oil Company Office in New York City on November 6, 1973, Dr. H. Ibnu Sutowo, president-director of Pertamina, addressed himself to the subject of the "Future of American-Indonesian Economic Relations."

I think it is important enough as an address to be included in the RECORD today, which I will do at the conclusion of my remarks.

This address is important because it makes clear that the future of American policy in Asia depends on the success and growth of Indonesia.

Indonesian oil may insure the free nations of the world against oil blackmail as its production expands from its present 1,300,000 barrels a day—160,000 barrels of which are delivered on our West Coast every day.

Indonesia welcomes our investment in their country. Indonesia needs very little help from the outside world in maintaining the freedom of its people, a population of 150,000,000—the fifth largest in the world.

Indonesia's domestic investment in its own country matches that of other nations and Indonesian investment at home will increase. Indonesia's territory from farthest island to farthest island is comparable to the distance between New York City and San Francisco, and as a large country, its freedom is vital to the free world.

Yet, our press is filled with the continuing traveling and toasting of our Secretary of State, while we see very little about a nation which is so vital to the

security, freedom and prosperity of the free world. The energy crisis will compel us to learn more about Indonesia and my subcommittee, The Asian and Pacific Affairs Subcommittee of the House Foreign Affairs Committee, will do exactly that this coming session of Congress.

Mr. Speaker, at this time I insert the remarks of Dr. Sutowo, a great man representing the future of a great nation, at this point:

## THE FUTURE OF AMERICAN-INDONESIAN ECONOMIC RELATIONS

(By Lt. Gen. Dr. H. Ibnu Sutowo)

Mr. Ambassador, all of our many distinguished guests, ladies and gentlemen:

It is both a pleasure and a privilege to have this opportunity to participate in celebrating the sixth anniversary of Pertamina's New York office. Thank you for paying us the honor of your presence. Welcome to our little birthday party!

Six years old is still a very young age. Pertamina itself is sixteen years old. The independent Republic of Indonesia is twenty-eight years old. And the Borobudur temple in Central Java to which our Company is contributing support is well over a thousand years old. Pertamina's New York office is still a mere infant by comparison. But inasmuch as I am still a medical doctor, I can tell you that it is a healthy child, already big enough to stand on its own, and to stride forward, and to help its older brother in Jakarta. We are very proud of our little infant!

As many of you know, I have had the pleasure of addressing these informal birthday celebrations in previous years as well. I have utilized these occasions to bring you up to date on Pertamina's record of economic accomplishment. And what a record it is today:

Under Pertamina's management, Indonesian oil production has nearly tripled since 1966, reaching 1,300,000 barrels daily this year.

We have become the eighth largest oil exporting country in the world.

We supply among others 160,000 barrels of crude oil a day to the West Coast of the United States.

Oil now accounts for not thirty percent of Indonesia's total export earnings, as it did in 1966, but almost 50%; and it is expected to contribute over 50% of this year's government revenues.

We at Pertamina have signed 50 innovative and harmonious production-sharing agreements with foreign contractors covering one quarter of Indonesia. Since 1966, 58 new oil and gas fields have been discovered, offshore and onshore, by these foreign oil companies and Pertamina.

We at Pertamina are also producing liquefied propane and butane gases and carbon black for the domestic and world markets; and, of major significance, we are now developing large natural gas fields in North Sumatra and East Kalimantan into important sources of liquefied natural gas, LNG, for the United States, for Japan and for other markets.

We have recently signed a contract with Pacific Lighting International Inc. to deliver North Sumatran natural gas to the West Coast of the United States in the form of LNG beginning in 1978.

Finally, Pertamina now owns and operates refining facilities with an aggregate capacity of approximately 400,000 barrels per stream day. In addition, a new refinery of 100,000 barrels daily capacity is under construction at Cilacap on the South Coast of Central Java, and is expected to be in operation in early 1976.

I could go on and on, for we are very proud of this record. We are grateful for the part many of you have played in building this record. But tonight the times are too critical to dwell on the past, as I have done



on previous occasions. Tonight we must look to the future. It is not enough to tell you what we have done. This is a time for us to talk about what we are going to do together.

For we meet in a time too serious for reminiscing and boasting about what we have accomplished, too serious for the usual words of self-congratulation and comfortable reassurance. We meet in a time of world economic crisis—not one crisis but many—a world energy crisis, a world monetary crisis, a world food and commodity crisis, to name only those most prominently before us. This we must realize above all: no nation on its own, not Indonesia and not even the United States, can hope to either solve or escape these crises. Tonight, this week, this year, therefore, is a time not, for words but for action—cooperative, reciprocal actions that benefit all mankind.

It is in that spirit that I address you tonight. It is in that spirit that I have the honor and duty to set forth tonight for you and for all Americans, in Government, in industry, in finance and all other walks of life, the principles which characterize American-Indonesian economic relations.

Let me make our position perfectly clear at the outset. My statement speaks only of Indonesia's own policy and performance, seeking to set the record straight on those matters where we believe our policy may not have been clearly understood by all.

Our approach can be summarized in six basic principles:

First, in this time of shortage, I want you to know that Indonesia is endeavoring to increase its petroleum production and exports.

Second: Whatever concern or adverse report American investors may have had about Indonesia in years gone by, I want to make it clear that we now welcome American businessmen with genuine respect and friendship.

Third: I do not come tonight to plead Indonesia's poverty. I come to tell you of Indonesia's wealth—a wealth of natural resources, raw materials and willing workers that await your capital investments.

Fourth: We in Indonesia are not sitting back dependent on foreign investment. Under Government incentives for savings, we have already surpassed foreign investment in Indonesia, as extensive as it has been, with our own domestic investment.

Fifth: Our policy in Indonesia today is clearly one of collaboration, not expropriation.

Sixth, and finally: We do not ask foreign investors to come to Indonesia to make a gift. We expect you to come to Indonesia to make a profit.

Ladies and Gentlemen: In your newspapers and other publications, general, governmental and professional, I have read many anxious analyses of the American energy crisis. They speak of political developments in one part of the world, and they speak of the production situation in another part of the world, and they speak of economic conditions in still another. But rarely if ever do they speak of Indonesia.

Indonesia, the eighth largest oil exporting country in the world, one of the oldest oil producing countries in the world, is largely overlooked. Indonesian crude, with the particularly low sulphur content that is so urgently sought in your country today for environmental reasons, is largely forgotten. Indonesia's capacity to more than double its production and exports of petroleum in the next several years, and its capacity to send you and other countries LNG, and its capacity to supply your petrochemical producers and consumers with critically short products, are all largely ignored. For reasons I cannot comprehend, almost no one in all these studies, speeches and reports ever thinks of Indonesia.

Tonight I ask you, your government, your press, your business colleagues, to think of Indonesia, in your interest as well as ours, not merely with respect to petroleum but regarding business investments and opportunities of every kind.

Think of Indonesia—not a far away, out-of-the-way little country, but a nation of more than 120 million people, one of the 5 largest in the world, located strategically in the international crossroads of one of the busiest shipping routes in the world; and the coming of the ultra-large crude carriers will make your East Coast and every other place on earth within economical range of our ports.

Think of Indonesia—not merely the land of Bali and lovely tourist attractions, but also a nation of bustling and building industrial development, with highly motivated low-cost labor, and a rapidly expanding infrastructure in communication, transportation, power, housing, recreation, medical facilities and other basic needs for foreign investors.

Think of Indonesia—not merely in the traditional terms of oil and rubber and tin, but also in terms of steel pipe, cement, paper and textiles, in terms of the vast mineral, agricultural and timber resources waiting to be tapped, in terms of the abundance of our other raw materials, and the wide range of potential manufacturing and agricultural enterprises so likely to be successful when undertaken.

Think of Indonesia—not as unstable, unpredictable, inhospitable economy, as you may have heard long ago, but a nation which has, under the new leadership of President Suharto, eased the inflation that was raging in 1966, increased the Gross National Product by an average rate of 7 per cent a year, achieved a surplus in its balance of payments, increased its ability to absorb foreign capital, established a widely respected Central Bank, and offered to investors from all over the world several investment incentives, joint ventures, flexible foreign investment statutes, political guarantees, a high degree of worker productivity, successful employee training programs, a modern telecommunications system, an efficient sea transportation network, a belief in the free market system, and above all genuine hospitality to foreign businessmen and investors.

So I ask you—think of Indonesia—and then come to Indonesia. We can help you; and we need your help, both private and governmental. We need your capital, your managerial skills and your industrial organization. We offer you in return virtually unprecedented and virtually unlimited business opportunities:

An opportunity to participate through production-sharing contracts in the expanded exploration and production of our known oil and gas potential;

An opportunity to help build the additional refinery capacity that we will need to meet our domestic as well as foreign demand by 1978;

An opportunity to help build a multi-million dollar integrated petrochemical complex that will start producing in 1978 a wide variety of materials needed to meet the shortage of plastics;

An opportunity to participate in the unique \$400 million project for the development of Batam Island into a major industrial, urban and seaport complex that will generate net foreign exchange earnings, according to plan, of some \$90 million a year;

Mining opportunities in the 53 huge blocks of potentially mineral-bearing land which the government has opened up for applications from foreign and domestic investors;

Timber, paper and pulp opportunities in a country that has multiplied its timber exports more than 50 times in six years and still has under concession only about half

of the great forest lands suitable for continuous timber production;

Agriculture-related opportunities to achieve our Government's major goal of self-sufficiency in food, giving high priority to projects for foreign investment in agricultural estates, husbandry, fishing, fertilizer plants, rice mills, agricultural equipment, and fishery cold storage and canning factories;

And finally, opportunities in tourism, in transportation, in manufacturing, in a long list of other industries and areas; for I have cited only a few leading examples, and because Indonesia intends more and more to process its raw materials at home by adding value before export, and because we intend also to diversify the productive base of our economy, we are moving toward more new industries and investment opportunities than ever before.

Pertamina plays a leading role in all this because Pertamina is more than an oil company. We are a fully rounded development company, a development company for the entire nation; and we are also, let me stress, undertaking community activities and civic construction and cultural preservation projects throughout our country as well. We invite foreign investors to join us in any or all of these other efforts, for experience has shown that they make possible the kind of human and public relations that can cement a long-term partnership.

So I repeat: come to Indonesia. You will not be turned away; and you will not be disappointed. We can help each other; and in a world economy beset by crises, that is what friends should do.

I do not pretend that all is easy or rosy, that our country is free from problems or imperfections, or that there will be no struggle, no risk and no effort required in the months and years of collaboration that lie ahead. But Indonesians have been struggling for their political and economic independence and development, and for a decent life for themselves and their children, for hundreds of years. We are not discouraged. We are not afraid. We will not give up. With your help, and with God's help, we will make our nation a land of opportunity for all, for those of you from abroad who join hands with us, for those of us at home who have struggled so long, and for our children and their children who make this struggle worthwhile.

#### F-15 FIGHTER

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. SYMINGTON. Mr. Speaker, earlier this year I addressed the chamber after the House Armed Services Committee had reduced the authorization for the F-15 program from 77 to 39 aircraft. I expressed my disappointment with that action and was most pleased that the conference committee saw fit to restore the full authorization. I am addressing my colleagues today because of the subsequent action on the appropriations measures. The House approved appropriations for 68 aircraft, while the Senate reduced that to 60.

In the light of Soviet capabilities and recent actions, the need for realistic production programming of our new air superiority fighter seems clear. At a time when we are searching for ways to economize in every segment of the budget, we are actually increasing the

unit price for the F-15 by reducing the total buy.

If Congress had followed the optimum production line curve recommended by the Air Force the unit price for the 77 requested F-15s would be \$10.4 million. The unit price for the 68 aircraft as recommended by the House becomes \$11.1 million and the 60 aircraft unit cost as recommended by the Senate is \$11.6 million, a full \$1.2 million more per aircraft than if we had been producing the F-15's at the rate suggested by the Air Force.

The point at issue is not whether the Congress wants the F-15 air superiority fighter in the Air Force inventory. We have been funding research and development on this aircraft for 5 years. In fiscal year 1973, Congress fully supported the Air Force request for the initial 30 aircraft.

Now, we have even more specific data than we had a year ago to prove the excellence of this aircraft. Since the first flight in July 1972 there are now 11 research and development aircraft flying. These aircraft have accumulated over 1,100 flights without a major incident and this equates over 2,200 hours of engine time—again, without a major incident affecting the engines. This empirical data provides proof that many of the problems alluded to as the logic behind these reductions are without real substance. The F-100 engine which powers the F-15 aircraft successfully completed the 150-hour endurance test in October; this was the most stringent and demanding test ever conceived for an aircraft engine. In a study conducted by McDonnell Douglas, the airframe manufacturer, which was based on the results of this endurance test, it was concluded that the expected operational life of the F-100 engine should be slightly over 4,000 operational flight hours. In the past, fighter aircraft have entered the operational inventory with less than 1,000 equivalent flight hours of expected engine durability.

Over the years which we were funding well over a billion dollars for the development of this airplane we relied on computer data to justify the continuation of the program. Now, Mr. Speaker, we have actual flight data proving that the F-15 can do the job for which it was designed. I feel we must do our duty to provide American pilots with the finest aircraft available. Therefore, I would urge the House conferees to stand firm on the 68 aircraft approved by the House.

#### WASTING GASOLINE—EXAMPLE NO. ONE MILLION AND ONE

#### HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. WYMAN. Mr. Speaker, indicative of mounting public wrath in the better than three-quarters of this country having no significant air pollution from automobile emissions, at being required to pay hundreds of dollars more in car costs and operating expenses for such

controls with their consequent gasoline wastage, is a letter appearing in the Cleveland, Ohio Plain-Dealer on Thursday, December 13. It tells but one aspect of an increasingly dismal and annoying story of congressional bumbling in enacting and not now repealing the unreasonably stringent and wasteful requirements of emissions standards required by present law.

The letter follows:

#### GET 1966 MILEAGE ON 1974 CAR

The purpose of this letter is to urge every auto owner to write, phone or tell our legislators at every level to repeal the emission-control laws, which serve only to choke our car engines with unreal mileage performances.

I have knowledge of a 1974 model U.S.-make car, with standard V-8, two-barrel carburetor, air conditioning, automatic transmission and power steering that has been restored to the 1966 era of economy and performance:

At a very small parts change cost.

With 35 minutes labor by an experienced mechanic.

Without removing any existing emissions equipment.

Using "regular" gasoline from the neighborhood filling station.

The car immediately achieved:

An increase from 11 to 18.48 miles per gallon.

An increase in horsepower performance rating.

Slower, smoother idling speed, and a cooler engine temperature at all speeds.

Having been a witness to this not too difficult revision, it was infuriating to know that we have been too long subjected to the worthless, lying ecology nonsense that has cost our car owners untold millions of dollars.

Let's all help get rid of the governmental penalty that forbids owners, mechanics and licensed car dealers to adjust, remove or alter the emission control equipment which is aborting the full potential of our automobiles.

PAUL L. STOCKERT.

#### ENERGY EMERGENCY ACT JEOPARDIZES POWER TO PROTECT PUBLIC HEALTH

#### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. BROWN of California. Mr. Speaker, the Energy Emergency Act, H.R. 11450, that the House passed early Saturday morning, contains many provisions that will adversely affect the public health. It will even prevent local governments from being able to give proper protection to the health of their citizens.

I protested at that time the contents of this bill. Now I would like to insert in the Record a few of the communications that I have received that confirm my belief that this bill should have been amended along the lines suggested by these organizations.

The Planning and Conservation League wrote:

We do not want any Clean Air amendment allowing suspension of state and local air standards.

Norton Younglove, president of the Southern California Association of Governments, telegraphed:

The Southern California Association of

Governments urges that in amending the Clean Air Act that basic health standards not be endangered and that state and local governments be allowed to enact stricter standards than those at the federal level.

The Clean Air Constituency said:

We ask for your no vote on H.R. 11450. We are deeply concerned that H.R. 11450 would completely demolish all the gains made in clean air since 1970 and destroy the authority of the EPA. We do not want mandatory conversion to coal unless air pollution controls will also be required. EPA must retain the power to enforce clean air standards while meeting energy needs. Clean air and fuel conservation must both be our goals.

And the American Lung Association urged adoption of amendments to H.R. 11450 so that—

(1) No variance would be granted for a period exceeding two years; (2) conversion to coal from oil or gas would be discretionary, not mandatory; (3) no activity implemented pursuant to this act which results in an adverse impact would be exempted from the NEPA environmental impact statement; (4) no variance shall violate primary air standards; (5) energy needs would be documented and plans to conserve would be available to the public; (6) an eight day supply of low sulfur fuel for pollution episodes would be reserved at every power plant utilizing high sulfur fuel; and (7) where variances are granted, a statement on the probability of adverse health effects would be required and monitoring would be carried out if necessary.

In addition to these comments, I think the Members of this body will find of interest an article from yesterday's Los Angeles Times which dramatizes the effect of this legislation. The key figure in the article, the Los Angeles County Air Pollution Control District, has often been at odds with environmental groups. Nevertheless, it is now one of the few public agencies still attempting to protect the public's health from air pollution. If the House-passed version of this bill becomes law, the air pollution control district will be powerless to act. This is one reason why I could not support the final passage of the Energy Emergency Act.

The article from the Los Angeles Times of December 16, 1973, follows:

#### APCD VOWS TO OPPOSE VARIANCES FOR CITIES BECAUSE OF FUEL CRISIS

(By Jerry Cohen)

An Air Pollution Control District officer threw a wrench Saturday into a meeting designed to help major Los Angeles Basin cities find a "common approach" to their energy problems.

The meeting, chaired by Sen. Alan Cranston (D-Calif.) dealt principally with the near-exhaustion of supplies of relatively clean oil in Los Angeles, Burbank, Glendale and Pasadena and with the cities' attempts to obtain variances to permit burning fuel with a higher sulfur content.

The man who introduced dissidence into the otherwise placid discussion was slight, white-haired Robert M. Barsky, deputy chief of the APCD.

Barsky said his agency "is as cognizant as everyone of the need to keep the lights on," but he said the "APCD is not going to roll over and play dead" because of the energy crunch.

Instead, he vowed, the control district will play an "adversary" role in the bid by the cities to obtain variances from the county's Air Pollution Hearing Board, a five-member tribunal.

"The moment of truth has come in Los Angeles," Barsky said. "For 25 years, we have been fighting for clean air in Los Angeles."



Until the Arabs turned off the spigot, it probably was topic A here."

By opposing variances during hearings before the board, Barsky added, "We'll be trying to get at the truth—the truth of why the shortage developed, how we got here, what happened."

By accepting an adversary role, Barsky said, the APCD will really be trying "to bring out the truth—then it will be up to someone else (the hearing board) to decide what it is."

Then, in a more conciliatory vein, Barsky conceded the need for variances might be demonstrated at upcoming hearings.

In that case, he said, urgency may override the prospect that "large numbers of people will be seriously inconvenienced, suffer a nuisance and that there may be some effect on health."

Barsky's remarks came after Los Angeles Mayor Tom Bradley told participants about assurances he had received from national leaders in Washington Friday that urgently needed fuel oil would be diverted to Los Angeles' electric power generators.

The mayor named Russell Train, head of the Environmental Protection Agency, as being among those with whom he had talked.

Barsky said the Air Pollution Hearing Board, not the EPA, is the proper "tribunal to consider variances" in Los Angeles County. "We don't think it is in the interest of the community for that jurisdiction to be preempted," Barsky said.

"It must be played out in the open on a local level, not by some federal bureau thousands of miles away back in Washington."

By playing an adversary role during hearings here, he added, the APCD will have the privilege of cross-examination. "Cross-examination," he said, "is the greatest weapon for getting at the truth."

Barsky's comments drew a rebuke from Fred Llewellyn, president of the Los Angeles Area Chamber of Commerce and a member of Mayor Bradley's special committee on energy conservation.

"I'm dismayed when the APCD says it will have to act as an adversary," Llewellyn said, "The district attorney acts as an adversary only when he is sure he is on the right course."

The APCD's adversary position, he added, suggests "the cities are acting wrongly."

Llewellyn also dismissed the notion that burning of high-sulfur oil would constitute a health hazard.

He contended that automobiles account for 90% of the pollution in the basin and said that high sulfur oil does not "give off the same kind of pollution" as that emitted by cars.

The oil, he said, "does not contribute to the oxygen problem at all."

Besides, he said, with oil, "air contamination is local." A Glendale or a Burbank, he said, "should have the right to say" that, in the interest of obtaining energy, its citizens are willing to live with pollution produced by burning of high-sulfur fuel.

The exchange between Barsky and Llewellyn never disintegrated into acrimony. Following the meeting they chatted jovially and agreed they shared mutual concern about the energy shortage.

#### "MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 59

**HON. MICHAEL HARRINGTON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. HARRINGTON. Mr. Speaker, murders committed with handguns in

the course of robberies have become a daily occurrence in our cities. In Queens, N.Y., last week, John Partee, a 50-year-old carpenter, became another statistic in this continuing tragedy. While he tackled and detained a holdup man at his neighborhood bar, he was shot and wounded in the abdomen. Two hours later, while the gunman was charged with, among other things, "illegal possession of a dangerous weapon," he died.

I urge my fellow Congressmen to consider fairly the events described in the article included below, and ask themselves if John Partee would still be alive today if strong handgun control laws had been in effect. Congress can pass these laws. Until Congress does, the responsibility for this tragedy and thousands like it will lie partly on our shoulders.

Included below is the article from the December 9 New York Times:

#### QUEENS MAN DIES OF GUN WOUND SUFFERED IN CAPTURING A BANDIT

A 50-year-old Queens man tackled and helped the police capture an armed robber in a tavern holdup late Friday night, but he suffered a gunshot wound in the struggle and died early yesterday, less than two hours after the incident.

The police said the victim, John Partee, a carpenter who lived with his wife, Ruby, at 33-22 106th Street, Corona, was a patron in a neighborhood bar, Big George's Tavern, at 108-15 Northern Boulevard, when the gunman entered at 10:50 p.m.

In response to the gunman's demands for money, the bartender, Martha Davis, gave him \$96. But as the gunman walked out the door, Mr. Partee tackled him and the struggling men spilled out onto the sidewalk as other patrons called the police.

During the struggle, the police said, Mr. Partee was shot once in the abdomen, but he managed to detain the suspect long enough to allow arriving police officers of the Astoria Precinct to arrest him.

Mr. Partee was taken to Queens General Hospital in Elmhurst, where detectives said he died at 12:30 a.m.

The alleged gunman, identified as Thomas Nelson, 51, of 936 Stebbins Avenue, the Bronx, was charged later in the day with murder, armed robbery and illegal possession of a dangerous weapon.

#### FRIGHT: A FLASHBACK

**HON. JOHN H. ROUSSELOT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. ROUSSELOT. Mr. Speaker, since the House of Representatives and the entire Congress has been asked on many occasions to delegate substantial powers to the executive branch, such as fixing wage and price controls, imposing fuel allocations and establishing so-called emergency programs, I thought my colleagues would be interested in this week's U.S. News & World Report editorial entitled "Fright: A Flashback," by Howard Fieger. This editorial in U.S. News & World Report relates and outlines for us some of the actions that led to Germany's Nazi dictatorship of the 1920's and 1930's. I encourage my colleagues to review these startling events from the past as they might well serve as admonitions and warning flags to our legisla-

tive body and the entire Nation. I only hope that we do not make the same mistakes.

[From U.S. News & World Report, Dec. 24, 1973]

#### FRIGHT: A FLASHBACK

(By Howard Fieger)

Something is out of whack when a construction worker is taking home \$400 a week, after two 6 per cent raises this year, and is worried about the future.

The worker puts his concern succinctly:

"Everybody is frightened."

Frightened? What follows is a story that makes the fear come alive:

Kurt Lachman is an old friend—an American citizen who grew up in Germany and lives there now. He has spent many years on the staff of this magazine.

Kurt lived through the inflation that all but devoured Germany 50 years ago. When he talks about inflation, the word is not an abstraction. It takes on the characteristics of human futility—like flood, famine, plague.

"In 1921," he said the other day, "the rise in the value of foreign currencies and in domestic prices in Germany came steadily, and gained momentum."

Sound familiar? He went on:

"The situation helped businessmen who were in foreign trade, and it helped those who were allowed to raise prices. But it didn't help at all the people living on fixed salaries and incomes. And it didn't help retailers who had to sell their goods at controlled prices while the cost of restocking with the same goods rose constantly."

"Harsh laws were being applied to retail trade that prevented the marking up of goods beyond a certain percentage above cost. Under this system, only those merchants who broke the law could survive."

"Blue collar workers got raises. But these lagged behind the rise in prices. White collar employees, civil servants and professional people dropped even further behind. It reached the point where the pay of a university professor was down to that of a doorman."

By 1923 the runaway was at full gallop.

"Printing of federal money was being farmed out," Kurt recalls, "because the state presses couldn't keep up with the job. Some cities began to print their own money."

Paper currency grew more plentiful with each passing day—and more worthless.

At that time Kurt was an assistant editor of one of Germany's leading newspapers, the "Frankfurter Zeitung." Listen as he describes a payday in 1923:

"Large laundry baskets filled with paper money had to be carried into the editorial conference room where the editors would sort it out, count it, and distribute the pay."

"As soon as somebody got his bundle, he'd rush out to buy whatever he could. Anything was more valuable than money."

"More and more people turned to speculation and blackmarketing in cloth, precious metals, foreign bills and so on. The result was that the output of industry sagged."

"Because of price controls and rationing, goods were scarce in the cities. Foraging in the countryside became commonplace. The railroad stations were jammed with people going out to the peasants to bargain for food."

Kurt speaks about those days as though he still finds them hard to believe.

"A feeling of frustration seized many people," he says. "To get out of the country—even out of life—became a widespread desire. Hopelessness is the word."

In this atmosphere an obscure politician named Adolf Hitler set off a theatrical putsch in Munich—a failure, but a harbinger.

German currency reached 4.2 billion marks to the U.S. dollar. Finally, it was brought down to earth with a thud—by stripping off the ciphers and revaluing the mark at 4.2 to

the dollar. If you had 4 billion marks that morning, you only had 4 by sunset.

Ugly story, isn't it? There is an unreal quality about it. But it happened.

Who is to say it could never happen here?

# ST. FRANCIS HOSPITAL OPENS NEW 210-BED FACILITY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. WOLFF. Mr. Speaker, on December 8, 1973, the St. Francis Hospital of Roslyn, N.Y., began a new era of even greater service to the community with the opening of the hospital's new 210-bed facility. I had the honor of being present for the dedication of the modern and medically sophisticated new St. Francis Hospital.

Meeting the needs of the community has been the concern of the Sisters of the Franciscan Missionaries of Mary since the hospital's early days as a camp for disadvantaged children. Since then, with the generous help of people of all religious faiths, the camp has grown to become a world-renowned center for heart surgery. The hospital has a remarkable record of meeting the needs of the community for ambulatory care and general medical and surgical care. The facility has already performed more than 4,000 heart operations, and, with this new facility, the hospital will be able to continue its great record of service to the people of Long Island and the New York City area. Special acknowledgement should go to the Most Reverend Walter P. Kellenberg, D.D., Sister Marcella Zaepfel, F.M.M., Sister Gertrude McGann, F.M.M., and Sister Joan Kister, F.M.M. for their efforts in making this new addition to the hospital possible.

I insert the following article about this new facility for the attention of my colleagues:

"This long-awaited event" said Sister Joan Kister, F.M.M. administrator, "will enable St. Francis to expand its services to the public in both our traditional area of heart care and in general medical and surgical care." The new 210-bed St. Francis Hospital was built to provide outstanding health care in a remarkably low-cost and efficient, yet fully equipped physical plant.

Because of the unique methods employed in the construction of the new facility, more than one-third of the \$10 million total cost of the project could be devoted to providing the building with the most modern, sophisticated medical equipment now available.

The three-story plus basement-level building was erected under the revolutionary "Combine Construction Concept," which separates the structure into "design packages." Under the leadership of a project coordinator from the hospital staff a design team of architect, engineer and builder began construction before completion of design documents. The result was not only a considerable savings in time, but a built-in efficiency, allowing the latest medical equipment to be installed. Work began in January, 1972. In only a little more than a year and a half, the first patients were admitted to the main floor.

An intrinsic part of the new building is its increased emergency room capacity. The

new St. Francis features a ten-bed Emergency Center, with the sophisticated apparatus and equipment to care for a wide range of general medical cases on an immediate basis.

Among the specialized patient care facilities in the new St. Francis will be a 26-bed intensive and coronary care unit, six operating suites, modern radiology and clinical laboratory departments, two cardiac catheterization laboratories and a section for the medical and surgical care of the retarded.

## A MATRIX OF PEACE IS PROPOSED

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, it is often difficult to step back and view old problems from a different perspective. Such a situation is evidenced in the forthcoming peace negotiations for the Middle East. While the territorial dispute between the Arab nations and Israel has long been a cause of abrasion, the major peace keeping proposals have hinged on possession of land and the consequential defining of state boundaries.

A distinguished resident of my district, Dr. Vincent Judson, has presented a novel approach to a traditional source of the Arab-Israeli tension. His practical experience includes having served several years abroad as an official of the organization of American States—OAS—and as an author of books on Latin America. More recently he has served in the European headquarters of the North Atlantic Treaty Organization and in Viet Nam.

In Dr. Judson's opinion, all people—in their hopes, aspirations and outlooks on life—are more alike than different, and it is therefore essential that each person—and by extension each nation—be able to maintain a high level of dignity and not be made to lose face. In an essay entitled "Matrix of Peace," Dr. Judson advances an idea to resolve the boundary line problems in the Mideast. Perhaps his essay can illicit a new dimension to the search for a stable world.

The essay follows:

### MATRIX OF PEACE

(By Vincent Judson, Ph.D.)

#### BOUNDARIES: FICTION VERSUS FACT

With few, if any, exceptions, it is fiction, not fact, that nations have definite boundaries. In practice, they may be so indefinite that one refers to them as "imaginary" or as "no-man's land." It should surprise no one that there may be considerable give-and-take when the boundaries of a nation are in question. Consider, for example, how many lot owners in any city know with absolute certainty the boundaries of their properties. Often, indeed, when the question is raised, a new survey may show that the "real" boundaries differ from those previously accepted. Uncertainty that any boundary is "absolutely accurate" is so prevalent that property owners, if they wish to live in peace and friendship with their bordering neighbors, lean over backwards not to insist upon too specific demarcations between lots.

If there may be question about the exact boundaries of your individual piece of real estate property, consider the possibilities of

even greater uncertainties about the locations of boundaries between cities, between counties, between states and, above all, between nations.

At the moment, for example, the boundaries between Israel and Syria and the boundaries between Israel and Egypt are extremely fluid. Even before the opening of the October 1973 hostilities the boundaries could hardly be described as absolutely accurate and definitive.

#### HYPOTHESIS OF INTER-NATION BOUNDARY SPACE

For a statement of my hypothesis of inter-nation boundary space it makes no difference whether a boundary be considered so accurate and exact that it has a describable existence as of one-millionth of a millimeter in width or whether it be the width of a Suez Canal or the width of a Sinai desert.

Hypothesis: If there be a boundary between two nations, i.e., where the territory of one nation leaves off and the territory of the other nation begins, then the *inter-nation boundary space* is, in theory, if not, indeed, in fact, *international territory*.

Furthermore, even though the inter-nation boundary be of razor-edge thinness, at sea level or at ground level, the international territory above the interface or finite inter-nation boundary increases its dimensions (in extent and width), proportionately, with the increase in distance from Earth outward toward deep space.

Even assuming that a nation "owns" or has "rights of possession" of the air space (and Deep Space space) over its national territory (I do not accept this *in toto*), it does not own and it has no rights over the air space or the Deep Space space over the international territory above the inter-nation boundary.

#### LAW OF FREEDOM OF THE LANDS COMPARED WITH LAW OF FREEDOM OF THE SEAS

If there be freedom of the seas between nations—from the interface of a nation, outward-seaward, to the interface, outward-seaward, of another nation—the same principle may be said to apply to the freedom of the lands between nations—i.e., from the interface of a nation, outward-landward, to the interface of an adjacent nation, outward-landward.

Freedom of land space on land is equivalent to freedom of sea space at sea. If there be an international Law of Freedom of the Seas, there may be an equally valid international Law of Freedom of the Lands.

Such land spaces or sea spaces of the nature described, *ipso facto*, should be recognized as being endowed, automatically and inherently, with the qualities of universal peace. *Guaranteeing peace in all such spaces would form a matrix of interlocking, non-penetrable peace zones around the world.*

#### EXAMPLE: APPLICATION OF LAW OF FREEDOM OF THE LANDS TO THE MIDDLE EAST SITUATION

If we agree to accept the foregoing, we open the doors immediately for an almost instantaneous solution of the war in the Middle East.

Acting under the terms of the Hypothesis of Inter-Nation Boundary Space (or the Law of Freedom of the Lands), an internationally minded and peace-purposeful nation—necessarily, a nation of great power, and having the necessary potential or actual force—could, if it wished (acting alone, or with another great nation), (1) take station at one or both ends of the boundary, and (2) occupy the international territory above the boundary (or, if the boundary be wide, the territory at or below ground or sea level), and state, categorically: "Having occupied, temporarily, and for peaceful purpose, this international territory by reason of superior and overwhelming force, any violation of this territory by an adjacent (or others) nation by any means whatsoever is prohibited as of this moment (time stated)."



It would be a violation for anything of a material or physical nature to cross or to be made to cross the boundary from one nation to the other, in either direction. This would include personnel and any and all kinds of military material. In violation, also, would be certain stated electronic or electromagnetic emanations.

The international-minded, peace-purposing nation would use every available means (e.g., radar, flights of planes and helicopters, and satellites—all from within the international zone of peace) to detect violations.

The international-minded, peace-purposing nation would specify in detail exactly what would be done in the case of each and every violation of the international zone of peace. Instant, forceful, and utterly effective action would be applied in case of a violation. Or, promised future action might be indicated. There would be no limit to the action that might be taken.

(Currently, as must be recognized, either of the two superpowers [the U.S.A. or the U.S.S.R.] would be capable of performing the peace-guardianship functions outlined above.) One must assume that, at this point in world history, the potential guardian nations believe (for whatever reasons) permanent peace to be preferable to war, and that a world-wide optimism of goodwill can replace pessimism and mistrust.

*Note this important differentiation:* while a warring nation violates a boundary in anger and passion, and with selfish, destructive war-purposes as its goal, our hypothetical guardian of the international peace zone acts not in anger, but impersonally, dispassionately, and is motivated only by unselfish peace-purposes.

#### PEACE RESULTING FROM APPLICATION OF LAW

The war in the Middle East has cost Israel and the Arab nations hundreds of lives and billions of dollars in materials. Now, I believe, each nation would be glad to have an excuse to disengage.

In my opinion, given a chance to save face—as my proposal would do by taking Israel and the Arab nations out of the war willy-nilly—the opposing nations in the Middle East would accept the “Do not violate this international territory space!” fiat. They would stop fighting instantly, and would not—except for what I prefer to call accidental violations—further engage in aggressive acts.

Face would be saved for, at least seven reasons:

- (1) No one nation would have to quit first; all would quit at the same instant.
- (2) Each nation would know, and the world would know, that no nation quit because of anything an enemy nation did, but only because of what a friendly (impersonally so) nation might have done—but, didn't have to do.
- (3) Because all quit under the compelling sanction of a new international law, each would gain a gold star in world esteem and in self esteem.
- (4) The historians of each nation could claim that it would have achieved ultimate victory if it had been able to continue to a conclusion, and that it quit only because it was unable to refuse under pressure of an irresistible and overwhelming force.
- (5) Each nation would save great numbers of lives and vast treasure.
- (6) Time, the healer, would permit peaceful, future settlement of boundary locations.
- (7) Each nation would receive an outright, no-strings-attached gift of one-half billion dollars payable over a period of fifty months.

#### ADDITIONAL POST-PEACE BENEFITS

If an international-minded, peace-purposing nation could end the war, it could, then, get itself off the hook of having to “favor” one side or one nation over another. It could

become as impersonal in its dealings with the nations, post-war, as it was during its international peace zone guardianship.

Not only would this be of benefit to the internationally-minded nation, but it would, in fact, be more advantageous for the nations of the Middle East in their dealings with one another and in their dealings with all other nations—particularly, with the two larger nations with which they have felt forced to align (or not to align) themselves in the past.

#### BOUNDARY LINE SOLUTION

Dr. Vincent Judson, in his latest (October 10, 1973) book, *Solution: PNC and PNCLAND* (published by Apex University Press, P.O. Box 1338, Oshkosh, Wisconsin 54901) advances the idea that the Middle East problems may be solved with the creation of a Pseudo-Nation Corporation (PNC) to which Israel and the Arab nations give a long-term lease to all territory in dispute in the Middle East. On this territory, PNC brings into existence a new Corporation-Nation. PNCLAND is a buffer nation-corporation, aimed at bringing economic benefits as well as peace to the Middle East.

Dr. Judson shows that PNC is the historical descendent of the Hudson's Bay Company (1670) and the Dutch East India Corporation (1602), chartered to “discharge all functions as if a government”. Touching every aspect of an individual's life in a new democracy, PNC, Judson's utopian nation-corporation, presents the thought-provoking challenge that “Good international corporations can do anything a nation can do—and do it better.”

#### WILL 1974 BE THE YEAR FOR VALLEY AMTRAK CONNECTION?

**HON. ROBERT B. (BOB) MATHIAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. MATHIAS of California. Mr. Speaker, there has never been a better time than now because of the energy shortage to implement the starting of rail passenger service for the San Joaquin Valley in central California. I have supported and urged the valley route from the beginning. This passenger service would greatly benefit a great many people as well as every community in the San Joaquin Valley. A recent editorial in the Fresno Bee expresses the sentiment of all the towns the Amtrak route would service.

The editorial follows:

#### WILL 1974 BE THE YEAR FOR VALLEY AMTRAK CONNECTION?

It is still too early to break out champagne or drive a golden spike, but the portents appear to be good for restoration of rail passenger service in the San Joaquin Valley next year.

Congress has appropriated funds to cover the first-year operating deficit—estimated at about a half-million dollars. That was done once before, however. What is more important, officials of the National Rail Passenger Corp. (Amtrak) are sending out signals the administration will not repeat its earlier refusal to use the money appropriated for the valley route.

Rep. B. F. Sisk of Fresno and other members of the valley congressional delegation who have worked so hard to get service restored will be crossing their fingers until the decision to spend the money is nailed down.

They have heard a good deal of administration double-talk on this issue.

But assuming the best, an Amtrak spokesman says the passenger trains will start running this spring, for the first time in three years. There will be daily service between Bakersfield and Oakland, with bus connections to San Francisco and Los Angeles.

The spring target date seems optimistic, considering the extensive preparatory work which will be needed. The important thing is to do it right, to make a strong start, to generate as much community support as possible—and to wipe out the sour memory of what train service was like in the declining years of Southern Pacific's old San Joaquin Daylight.

Here, too, there is room for optimism. Amtrak seems to be finding its footing after a shaky and money-short start. It has sharpened its management skills. The new appropriations legislation gives it more control over its own budget and includes such helpful provisions as a requirement that passenger trains get operational preference over freight trains. Passenger volume is rising dramatically.

Because of congestion, air pollution, the vagaries of the weather and—it hardly needs saying—the fuel shortage, it makes no sense for the heavily traveled inland corridor to be deprived of this vital public transportation alternative.

The bitter-end cynics will continue to talk as if passenger trains are anachronistic, a position which gets sillier with the passage of time.

And for corporate short-sightedness and small thinking, it would be hard to top Greyhound Bus Lines' apparent sponsorship—as noted recently by Sisk—of a letter writing campaign by its employees against restoration of train service in the valley.

Fortunately, most local public officials lined up with the congressional delegation to take the broader view. Let us hope their efforts are about to pay off.

#### 1973 HOUSE RULES COMMITTEE REFORMS BUDGETMAKING

**HON. RAY J. MADDEN**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. MADDEN. Mr. Speaker, after years of wishful thinking and postponement, the 1973 House Rules Committee pioneered legislation on the first major congressional control of the Federal budget and the haphazard operation of loose Federal expenditures which has been annually gravitating under the jurisdiction of the executive department.

As chairman of the Rules Committee, I have cooperated with the members of the committee in launching the movement of this reform. The committee members are indeed grateful to Speaker ALBERT and Minority Leader FORD, as well as to the leadership on both sides of the aisle along with the vast majority of both parties in the House for their support and vote to successfully enact this legislation restoring the financial responsibility to the 435 congressional districts where it belongs.

The Chicago Tribune of today, on its editorial page, records an article by Congressman MORGAN MURPHY from the Second District of Illinois and a member

of the Rules Committee, outlining in more detail the major provisions and changes incorporated in H.R. 7130, known as the Budget and Impoundment Act of 1973. All the 15 members of the House Rules Committee after months of hearings and continuous work sponsored this great legislative reform in the 1st session of this 93d Congress.

The article follows:

**SLIPPING CONGRESSIONAL POWER: REFORM  
U.S. BUDGETMAKING**

(By Congressman MORGAN MURPHY  
of Illinois)

For many years, Congress has watched as Presidents chipped away at congressional authority over the federal budget. Since early in this century, the chief executive has been responsible for submitting to the Congress an annual budget proposal outlining goals and programs. It has been the responsibility of Congress to determine how much money should be spent and how it may be spent.

Unfortunately, the actions of the Congress were splintered among several committees with no particular control over the entire budgetary process being invested in one committee. The effect has been that less than 50 per cent of the budget is considered by the House Appropriations Committee. While one committee may be appropriating money, another may not be prepared to offer methods of raising revenue to cover the new appropriations.

Additionally, there have been problems in the last few years with the impoundment of funds by the executive branch as well as pronouncements of congressional irresponsibility and overspending.

Through impoundment many programs have suffered, programs for which Congress had lawfully authorized proper amounts of money. In a sense, Congress has lost control over fiscal policies and relinquished its right to determine how programs are to be funded.

And so we are faced with this dilemma. How can the Congress regain its ability to control the federal budgetary process and at the same time insure that vital programs are funded without interference from the executive branch?

A search was begun by the Rules Committee to find methods for improving congressional budgetary control using the report and recommendations of the Joint Study Committee on Budget Control as a guide. These recommendations resulted in a comprehensive measure, H.R. 7130, "The Budget and Impoundment Control Act of 1973," cosponsored by all 16 members of the House Rules Committee and passed by the House.

The solution it offers is to return to the Congress the power to set forth budget programs and then, with the assistance of a newly created Budget Control Committee, insure that the proposed budget is followed as good sense allows.

The House Budget Committee [it will have a counterpart in the Senate] will consist of 23 members including members from the present Appropriations Committee, the Ways and Means Committee, and several other standing committees.

This new committee will be required to report to the House a concurrent resolution which tentatively outlines the projected spending for the coming fiscal year. This resolution will contain information supplied by the House committees most concerned with budgetary matters. What has been fragmented in the past will become a consolidated procedure.

Following the necessary hearings and deliberations, the Congress must report another concurrent resolution by Sept. 15, which will contain a revised outlook on the original budget proposals. This resolution may contain provisions for rescinding or amending any appropriations already authorized as well as calling for tax adjustments.

A Legislative Budget Office will be established securing information the committee will use to base its projections for the coming fiscal year. This office, comparable to the Executive Office of Management and Budget, will enable the Congress to have more precise data.

The purpose of the act would be short-sighted indeed if it were not for the enactment of Title II of the measure. This section deals with the impoundment of funds. The current administration has impounded more than \$12 billion in appropriated funds during the last two years to force the curtailment of many needed social programs.

This method of determining the budget will place a "target" on outlays and insure that no appropriations are made which violate that "target" set by the Budget Committee.

The new measure will also change the fiscal year to begin on Oct. 1, 1975, to allow three additional months to consider the federal budget. This suggestion, offered by the comptroller general, would not disrupt state or local governments and fits into the congressional work schedule.

Title II requires that any impoundment of funds by the executive branch must be reported to the Congress. If the Congress finds that the impounded money is being held without sufficient cause, the chief executive must release it for its specified purpose within 60 days.

Such are the substantive portions of the "Budget and Impoundment Control Act of 1973." Senate approval of the bill, expected early next year, will enhance the budgetary process and restore to the Congress its constitutional authority of the power of the purse. It will restore that authority with a greater degree of cohesion and less likelihood of inflationary spending and runaway fiscal policies.

It will substantially reduce the overlapping functions of many congressional committees to smooth the way for preparing an annual federal budget which is responsible to the needs of the American people.

**WHOSE TO BLAME FOR THE OIL  
SHORTAGE?**

**HON. WILLIAM S. MOORHEAD**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Brit Hume, in a recent issue of the Pittsburgh Post-Gazette, has written a very interesting and disturbing article on the actions of the major international oil companies since the conclusion of the 1967 Arab-Israeli war.

As the Congress works its will on a number of energy bills, I think my colleagues will find Mr. Hume's work of considerable worth.

The article follows:

[From the Pittsburgh Post-Gazette, Dec. 10, 1973]

**WHO'S TO BLAME FOR OIL SHORTAGE?**

(By Brit Hume)

In September, 1972, supplies of home heating oil in the United States were dangerously low and stocks of crude oil, from which heating oil is refined, had fallen to their lowest level since World War II. A serious fuel shortage seemed inevitable as winter approached. Nixon authorized the petroleum industry to import more foreign crude oil. It was the second time in five months he had increased the allowable imports of foreign oil, which had been under tight government restriction since 1959. A few weeks later,

General George Lincoln, head of the White House Office of Emergency Preparedness, which had charge of oil imports, strongly urged industry leaders in a speech to the National Petroleum Council to crank up their refineries to full capacity to head off a heating fuel crisis. At the same time, the Interior Department sent telegrams to the major oil refineries urging them to do the same.

The response of the major oil companies, which control most of the nation's fuel production from the wellhead to the retail dealer, was to import only one third of the additional crude oil the President had authorized and to run their refineries well below capacity. "This," concluded a staff study made for the Senate permanent investigations subcommittee, "was the beginning of the first peacetime petroleum shortage in the United States."

In light of the present national fuel emergency, it might seem inconceivable that a major American industry would willfully contribute to the shortages which left this country vulnerable to the Arab oil embargo. But the major oil companies' conduct prior to the spot shortages of last winter is consistent with their behavior over the past three years.

The present decade began on a note of uncertainty for the larger American oil companies, despite burgeoning energy needs which made demand for their products greater than ever. The environmental movement was gathering momentum and promised to become an important political force in the country for years to come. Already, offshore oil drilling, such as that which caused the disastrous spill in the Santa Barbara Channel, the burning of high-sulphur oil and the construction of the trans-Alaska oil pipeline were facing stiff environmental resistance. In the aftermath of the 1967 Middle East War, the Arab states were taking a much more nationalistic attitude toward their massive oil reserves. In the past, the sheiks had been content simply to collect huge royalties on the oil and let the multinational petroleum companies control its production and export. Now, though, they were threatening to use oil as a political weapon. For the first time it seemed possible that the five giant American oil companies which for so long had dominated the world petroleum market might lose their grip on the richest oil fields on earth.

At home, Congress reduced from 27½ per cent to 22 per cent the oil depletion allowance, which allowed the industry to write off for tax purposes a sizable chunk of its receipts from crude oil production. Moreover, the major oil firms found themselves losing an ever-larger share of the domestic market to smaller, so-called "independent" firms which were attracting business by doing something the majors rarely did—competing over price. Costs were rising rapidly, but competition from the independents was holding prices down. The balance sheets of the major oil firms showed record sales, but declining profits.

In addition, there were strong indications that domestic oil production, which had always been more than enough to cover the nation's needs, was at last peaking and would soon be outstripped by consumption. The President's cabinet task force on oil import controls recommended abolition of the existing quota program and substitution of a more liberal tariff plan. The industry was bitterly opposed. It had always contended vehemently that the tight restrictions were vital to national security. Unrestricted imports, it was argued, would discourage domestic exploration and allow the country to become dependent on foreign oil which, however cheap and plentiful, could be instantly shut off.

Oilmen also invoked national security in support of the numerous other tax breaks and production restrictions which they have wangled from government over the years. The fact that these measures have also kept



the domestic crude oil price well above the world price, increased profits and cut tax bills to the bone has been given less emphasis in the industry's arguments. The task force's advice was ultimately rejected by President Nixon, but the administration did announce it would allow a small increase in the allowable imports of foreign crude oil in 1970.

The petroleum industry in the United States is dominated by 18 large firms which are, in the language of economists, "vertically integrated." This means that they operate in all phases of the oil business—exploration and production, transportation, refining, distribution and marketing. These 18 generally are known as the "majors," although the term is used more often to refer to the top 10 oil companies. The majors produce about 70 per cent of the domestic crude oil, control some 80 percent of the refinery capacity and market about 72 per cent of the gasoline sold in this country.

In addition the largest among them also dominate the production of natural gas in the United States and have made heavy investments in the coal industry in recent years. Despite this heavy concentration of a relatively small number of companies in all phases of domestic fossil fuel production, the major oil companies vigorously resist any suggestions that they are not fully competitive. Nevertheless, they cooperate rather than compete in a wide variety of ways. It is common for several oil companies, for example, to submit joint bids on leases of government-owned oil reserves and to pool resources for joint exploration ventures seeking crude deposits. Most of the huge pipelines which are the principal form of transportation in the oil business are jointly owned by several companies. Major firms frequently engage in exchange agreements under which one will supply the other's market in one area where it lacks facilities in exchange for a similar favor in a different region. Reciprocal processing agreements among major firms are also frequent. Under these, one company will refine another's crude oil in one place in exchange for having its own crude processed in another.

Perhaps the most obvious sign of the state of competition in the oil industry is its national advertising. The majors spend heavily to gain recognition for their brand names, promote product ingredients and to advertise giveaways. Instead of bargains on gas and oil, the consumer hears about Tony the Tiger, platforme, free drinking glasses and NFL trading cards. Sunoco station owners who "can be very friendly" and Texaco stations where "You can trust your car to the man who wears the star."

In contrast, the independents advertise little. Their stations are low-overhead operations which offer almost none of the mechanical service and auto supplies such as tires and batteries available at the majors' outlets. They stick to high-volume sales of gas and oil at prices below those at major stations. And, although their share of the market was growing rapidly in the early part of this decade, the independents were still at a disadvantage.

The reason is that they are not vertically integrated. Independent refiners have had to rely on the majors for a large part of their crude oil. And independent marketers must turn to other independents or to the majors to obtain refined products. What's more, the oil depletion allowance has encouraged the majors to push all their profits into crude oil production where a large portion of it could be deducted. To do this, the majors kept crude prices as high as they could and cut profit margins on their refining and marketing operations to the minimum. For them, this involved only bookkeeping transactions since they were selling their crude to their own refineries and their refined products to their own marketers, or engaging in reciprocal arrangements with other majors to achieve the same results. But for

the independent refiner, high crude oil prices represented a real additional cost. And since it was necessary for independent refiners to show a profit on refining, prices for their finished products tended to be pushed upward still more. This left the independent marketer in an even more difficult position.

Nevertheless, the independents were resourceful and innovative and they found ways to cut costs and prices and gain ground on the majors steadily through 1970. After that, though, things began to change rapidly.

Although there could be no doubt that demand for oil products would continue to boom in the early 1970s the majors decided not to increase their refinery capacity significantly. An efficient refinery costs about a quarter billion dollars to build and this has generally meant that only the majors have been able to afford new ones in the past 20 years. The majors' spokesmen have insisted that uncertainty about government policy on oil imports was the reason behind their reluctance to expand refinery capacity. Whatever the reason, there was no uncertainty about the result it would have. By early 1971, "Oil and Gas Journal," the most authoritative of the industry's trade publications, reported that the nation might be on the way toward a shortage of refinery capacity.

In August, 1971, President Nixon imposed wage and price controls. Gasoline prices were frozen at seasonal highs and heating oil prices at off-season lows. Gasoline was already more profitable to produce, but the freeze made it more so and created a strong disincentive to the production of heating oil. The freeze was lifted in November, but oil prices were not decontrolled. In February, 1972, the Cost of Living Council refused to grant the industry a price increase for either crude oil or gasoline and heating oil. For the first six months of 1972, profits fell almost 5 per cent, although sales were up by an even greater amount.

In early 1972, industry journals were reporting that oil production in both Texas and Louisiana, the two biggest oil states, was declining. While this was apparently true, it is difficult to know whether it was caused by an actual decline in reserves or by the industry's failure to produce as much as it could.

There are several indications the industry, or at least a large segment of it, might have been deliberately slowing production. The Texas Railroad Commission requires the oil companies which do business in the state, which includes nearly all the larger firms, to report "desired" levels of crude oil stocks.

The commission's records show that the top 10 oil companies "desired" smaller stocks of crude oil to feed their refineries in 1972, than they had had in 1971, even though demand for petroleum products had risen about 7 per cent. Their actual crude oil stocks were also less than they had been the year before. The commission's records show that the drop in "desired" levels was reported only by the top 10 oil companies, with the next 15 reporting increases in their desired levels. But since the top 10 account for about three quarters of the oil production among the top 25, it averaged out to an overall drop in the "desired" stocks of crude.

In addition, testimony before two Senate committees has indicated that about 10 per cent of the oil and gas lands on the Outer Continental Shelf which have been leased to the petroleum industry have not been put into actual production. At times, according to the testimony, as many as 1,000 oil and gas wells in the Gulf of Mexico alone have been classified as "producing" but "shut-in."

Moreover, an investigation by the Federal Trade Commission has turned up evidence that the natural gas reserves reported by the nation's oil and gas companies are smaller than the actual reserves. "From the documents received," James Halverson, chief of the FTC's Competition Bureau, told a Senate subcommittee, "it appears that there has

been serious under-reporting of proved natural gas reserves." The natural gas situation is important for two reasons. One is that the major oil companies are also the major gas companies. The other is that a shortage of one kind of fuel places added pressure on the others.

Besides seeking small crude oil stocks last winter, the petroleum industry was also running its refineries well below full speed. Most experts agree that an oil refinery can maintain its operations at at least 92 per cent of capacity. But in the first six months of 1972, the top 25 companies ran at only about 85 per cent, well below their performance during the same period in any of the past three years. They increased their refinery runs in the third quarter of 1972, largely to avoid a late summer gasoline shortage.

As a result, their supply of home heating fuel was well below normal by fall. And, as was earlier mentioned, the industry did not heed the government's pleas to step up imports and refinery runs in the last months of 1972 to avert a heating oil crisis. When the crisis came, the industry did increase refining to take up the heating oil slack. But this, naturally, got the oil companies behind in gasoline production, so that shortages of gasoline became inevitable when the summer driving season of 1973 arrived.

Meanwhile, a number of the majors had begun shutting down operations in certain areas, apparently to withdraw from their least profitable markets. Industry spokesmen insist they were merely liquidating "uneconomic" operations. But to some students of the oil business, it looked suspiciously as if the big oil companies were carving up the domestic market to share among themselves. A Federal Trade Commission report on the industry completed last summer explained it this way: "All the majors can increase their regional market concentration simultaneously by pulling out of markets where their share is lower than their national average and selling their operations to those majors who remain."

"This strategy will only work, however, if the majors can retain or expand their regional market shares. To do so, they must prevent the further entry and expansion of independent marketers. Ultimately, the only way to contain or reduce the independents' market shares is through monopoly power at the refining or crude pipeline stages."

In fact, since the onset of the shortages, the majors have increasingly been telling independent refiners and marketers they could not supply them with either crude oil or refined products because they needed all they had for their own operations. Independent refiners have been forced to operate well below their normal capacity. The impact on independent marketers has been devastating. By May 30 of this year, more than 1,200 independent gasoline stations had shut down because of a lack of supply. Many that stayed open were forced to raise prices, wiping out their competitive edge. And the majors increasingly opened up so called "fighting brand" stations which emulate the high-volume, low-overhead, discount approach pioneered by the independent.

For the most part, the administration officials who have dealt directly with the heating oil shortages have agreed with the oil companies that price controls coupled with increased demand were to blame. Last November, the Interior Department's office of oil and gas concluded in a draft report that the best approach to licking the heating fuel problem was to raise the price. And the following month, in a memorandum to President Nixon, General Lincoln of the Office of Emergency Preparedness said the shortage was due "in large part to the pressures on refinery capacity coupled with the price control situation which has made gasoline production preferable to production of heating oil." Recently, the Cost of Living Council approved

an increase of 2 cents a gallon for heating fuel.

The Federal Trade Commission alleges that the eight oil majors have "maintained and reinforced" a noncompetitive market structure in the refining of crude oil into petroleum products. They have done this, the F.T.C. charges, by—among other things—"pursuing a common cause of action to abuse and exploit the means of gathering and transporting crude oil to refineries . . . participating in restrictive or exclusionary transfers of ownership of crude oil among themselves and with other petroleum companies . . . using their vertical integration to keep profits at the crude level artificially high and profits at the refining level artificially low . . . accommodating the needs and goals of each other in the production, supply and transportation of crude oil to the exclusion or detriment of independent refiners." The commission also charges that similar practices have given the eight firms "monopoly power" over the marketing of petroleum products. The industry has vigorously denied the charges. The case will take years to litigate.

#### IN OPPOSITION TO THE NATIONAL EMERGENCY ENERGY ACT

#### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. HARRINGTON. Mr. Speaker, last Friday, December 14, I voted against H.R. 11450, the National Emergency Energy Act. I would like to take this opportunity to explain my conclusion that the legislation, as amended on the floor of the House, will not satisfactorily address the critical energy needs we face today.

As I said in a statement last week, even before the adoption on the floor of several highly objectionable amendments, I felt ambivalent about H.R. 11450. While it was gratifying to me that Congress has reacted promptly to the energy crisis by designing ambitious programs, the vesting of enormous discretionary power in the hands of the Chief Executive, especially this Chief Executive, seemed to offer clear potential for abuse. In addition, I took exception to Congress decision, as reflected in this bill, to ask much less sacrifice of the major oil companies than of the consuming public.

My reservations still hold. This bill purports to address a national energy emergency without dealing with the problem of rising prices and resulting corporate windfall profits; an after-the-fact appeals procedure of questionable efficacy is the only recourse provided against the price and windfall profit situation. The bill also purports to address a national energy emergency by preserving the "production incentives"—the loopholes—in the phase IV price controls for petroleum, thereby insuring that consumer prices will continue to rise. Furthermore, the bill purports to address a national energy emergency by providing an exemption to the antitrust laws for oil company executives who agree to advise the Government in implementing the allocation program. The exemption is qualified and hedged by reporting requirements, but these safeguards, in turn,

are themselves qualified and do not apply to all situations.

In contrast to these concessions to the major oil companies, the bill purports to address a national energy emergency while omitting any funds to aid companies threatened with closing due to their energy needs, omitting any increase in funds to create public service employment programs, and omitting any funds to help economically marginal families who cannot afford to meet the increased price of fuel.

I am sorry to say that in several crucial respects the bill was amended in floor debate last week so as to make matters worse. For example, for the first 9 months of this year, the oil companies have reaped huge profits from the energy shortage, but none of these profits can be challenged through the appeals procedure to which I have referred; my colleagues adopted an amendment defining windfall profits as "profits earned during the period beginning with the enactment of this act—" thereby excluding all profits accrued prior to this month.

As another example, because of an amendment adopted on Thursday, the President now has the authority to withdraw 1972 as the base period for the petroleum allocations program. New England requires the use of a period no later than 1972 as the reference point for allocations, because early in 1973 the major companies began to cut off New England independent dealers. Use of 1973 as a base point for allocations, for example, would amount to adopting a wholly unsatisfactory period, in terms of supplies, as the standard for supply relationships in the future.

The House could have done much better. It seems to me that it has to do better, if the energy shortage is to be met, and I saw no reason to approve an inferior and perhaps dangerous bill. The problems of insuring equitable supplies, holding down prices, preserving jobs, and preventing runaway profits remain, and some of the most critical aspects of our current energy situation lie in precisely these areas. I sincerely hope none of my colleagues believe that passing this bill fulfills our obligation to address the energy and economic crises we face.

#### EMERGENCY FUNDING FOR ISRAEL

#### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 1973

Mr. MAZZOLI. Mr. Speaker, in view of the widespread interest in our Nation's diplomatic role in trying to bring about a just solution to the Middle East crisis, I have prepared the following statements outlining my thoughts on this crucial issue for the benefit of my constituents. I include the statements in the RECORD:

#### EMERGENCY FUNDING FOR ISRAEL

On December 11, the House of Representatives approved both the authorization and the appropriation of \$2.2 billion in emergency funding for Israel in connection with the Yom Kippur War.

These funds were requested by President Nixon in a message sent to Congress on October 19—three days before the current Middle East ceasefire was arranged.

With considerable misgiving and discomfort, I voted against both the above-mentioned measures. My decision to vote against the \$2.2 billion fund request was based on several factors. I shall attempt to state them briefly.

First and foremost, I am convinced of the absolute impossibility of achieving a satisfactory "military solution" in the Middle East. From Secretary of State Kissinger on down, everyone seemingly agrees on this. Thus, I cannot justify a continuation of these massive military shipments to Israel.

In this connection, testimony at the committee hearings on this legislation made it clear that only about \$1 billion was needed to completely rearm Israel to the level it enjoyed prior to the outbreak of the war in October.

I would have voted without question for a \$1 billion aid bill. But I could not—at a time when needed domestic programs are being cut back for lack of Federal revenues—vote for the additional \$1.2 billion expenditure for which no satisfactory justification had been presented to Congress.

A further factor which led to my vote is that an arms build-up in Israel can only serve as a signal to the Arab states, and the whole world, that the United States doesn't really anticipate a peaceful resolution of the Middle East problem.

This is a most pessimistic and negative footing on which to begin the Geneva Peace Conference.

Also, in my judgment, this unilateral infusion of aid to Israel can only harden the positions of the major power alliances in the Middle East, threatening a return of the "confrontation politics" of the Cold War era.

This runs counter to détente and to my belief that the United States and the Soviet Union should not be—and hopefully will not be—cordoned into opposing camps in regard to the incendiary issues presented in the Middle East.

One final—but extremely weighty—concern of mine with this legislation has to do with the historic War Powers Act adopted earlier this year. The spirit of the War Powers Act clearly calls for prior Presidential consultation with the Congress in decisions which can potentially involve our nation in war.

With regard to the October warfare in the Middle East, the President—without consulting with the Congress—extended \$1 billion of arms assistance to Israel in the form of credit sales. He then came to Congress—after the fact—for approval of his actions.

While this may not violate the letter of the War Powers law, in my judgment it does serious damage to the intent of this landmark legislation.

The Congress was in session during the Yom Kippur War, and I have little doubt that the President could have received quick Congressional approval to provide immediate aid to our ally, Israel.

But he did not ask prior approval, just as previous Presidents failed to seek or secure prior Congressional approval during early stages of American involvement in Southeast Asia. This situation disturbs me.

During the debate on the aid bill, Representative Paul Findley (R-Ill.) offered an amendment which would have directed that military assistance provided under the bill be used in support and implementation of United Nations Security Council Resolutions 242, of 1967, and 338, of 1973.

Unfortunately, the Findley amendment was defeated. Its inclusion in the bill, in my judgment, would have given notice that the United States, along with the rest of the world community, recognizes that all parties in the Middle East dispute have rightful interests and legitimate grievances.



The mutual recognition, by the United States and Russia, of the full spectrum of competing interests in the Middle East, to my mind, is essential to the establishment of a lasting peace in the area. And, upon such a "depolarization" of East-West rivalries, the very survival of the State of Israel may well depend.

Only through a joint and cooperative U.S.-Soviet undertaking can the Arab states be pressured into permanent recognition of Israel's right to exist in the Middle East as a sovereign state with defensible borders.

And, likewise, I believe it will take a joint U.S.-Soviet effort to persuade Israel to surrender—in whole or in part—Arab lands captured during the succession of Middle East wars.

I think that a resolution of these thorny political, religious, and military issues is possible. At long last, it is apparent that the citizens of the two super-power nations do not wish their lives disrupted, and possibly imperiled, by the disputes of far-distant nations.

And so, at this moment, a rare and fragile opportunity exists for an enduring Middle East settlement. I do not believe the chances of achieving such a peace are enhanced by awarding armaments assistance to Israel over and above her losses suffered in the Yom Kippur War.

It is my hope that the Middle East Peace Conference—which quite appropriately is scheduled to open during the Season of Peace—will produce, at long last, a permanent peace in this war-torn corner of the world.

(Following is a statement on the Middle East situation which I prepared prior to the vote on emergency assistance for Israel. Perhaps it will be useful as background material, even though it is somewhat dated because of intervening events.)

#### STATEMENT ON CONFLICT IN THE MIDDLE EAST

In an earlier statement on the Mid-East conflict, I expressed misgivings as to the appropriateness, in the 1970's, of the "balance of power" approach to world politics. This approach reached its zenith during the "Cold War" era of the 1950's.

I expressed the judgment that this policy—which divides the world into warring camps—has been counterproductive, both in Southeast Asia and in the Middle East.

In Southeast Asia, after enormous and tragic expenditures—human and economic—the United States has little to show for its efforts other than a precarious truce.

And, similarly in the Middle East today, all the U.S. has to show for its efforts is a precarious peace. This is so notwithstanding years of American financial and material commitment to Israel and despite Israel's bravery and superior battlefield skills.

And so, as an American citizen and as a legislator, I am deeply distressed by this state of events.

Since all the old ways have failed to bring peace to the Mid-East, the U.S. has no choice today but to "plow new ground"—to support new peace initiatives for this war-torn sector of the world.

In this connection, however, the United States must not be "blackmailed" by the economic pressures of the Arab oil embargo.

By relying on other sources of energy and by doing some belt-tightening, the U.S. can stand fast in its friendship to Israel while, simultaneously, ridding itself of the "albatross" of a dependency on Mid-East oil.

Nor should America's foreign policy be unduly influenced by the fact that the N.A.T.O. countries and Japan—nations almost totally dependent on imported oil—have "tilted" toward the Arab position as a result of the oil embargo. One cannot, however, benignly overlook these shifts. They are a hard reality.

Another reality is that neither Israel nor the Arab states gain from being exploited as pawns in "Cold War" confrontations—both diplomatic and military—between the United States and the Soviet Union.

Also a reality is that the Yom Kippur War of 1973 proved that, when the chips are down, the United States and Russia are not willing to be dragged into war over the Middle East dispute.

Regardless of what is said publicly by the parties, the interests of the "client" countries (Israel and Egypt) will always be subordinate to the interests of the "patron" countries (U.S. and U.S.S.R.) when the crunch comes. This reality is clearly evident in the resumption by the U.S. of diplomatic relations with Egypt.

It is prudent that all parties bear this—the relative order of Mid-East priorities—in mind when the critical peace conference convenes this month in Geneva.

The peace conference is vitally important. Out of it could emerge, at long last, an agreement on permanent boundaries for Israel—boundaries that will be recognized and accepted by neighboring Arab states.

A resolution to the long-festering problem of the Palestinian refugees also could emerge, and some progress could be made on the knottiest problem of them all: Jerusalem.

Of course, no set of geographic boundaries can offer physical security in this age of long-range missiles and high-speed aircraft.

Yet, the Arabs must seriously consider Israeli concerns with respect to a neutralization of the strategic sites at the Golan Heights, Sharm-el-Sheikh, and the land along the Jordan River.

It follows that the Israelis, too, must give every consideration to demands that Arab lands seized in the wars of 1967 and 1973 be relinquished.

But of more importance than the exact shape and location of boundary lines, however, is whether the United States and Russia, in a spirit of detente, really want their "clients" to reach agreement on permanent boundaries. If they do, the two superpowers can bring this to pass.

Frankly, unless such an agreement is hammered out, one cannot but fear for the long-term fate of Israel.

No matter how many tanks and Phantom jets and bullets and rifles the United States provides over the years, I am convinced that Israel will remain a nation besieged—unless and until agreement is reached in the Mid-East.

The coming weeks and months will be critical ones. There have been significant changes of position on the part of the Arab states in recent weeks. These changes could signal eventual Arab recognition of Israel as a sovereign state with a right to exist within secure, defensible borders in the Mid-East.

Israel's leaders must exhibit through these difficult and tense days ahead the same discipline, the same patience, and the same sense of destiny which have sustained Jewish people through golden era and pogrom alike.

When "breakthroughs" are signaled—in public talks or in private negotiation—neither Israel nor Egypt can afford to temporize. The moment must be seized.

But, in the final analysis, the options available to Israel and the Arab states are few—and shrinking fast. If either side drops its heels or digs them in, then the U.S. and Russia will undoubtedly apply irresistible pressure on the parties to reach settlement.

Pressures are inevitable because this—the quest for a Mid-East peace—is the true test of American-Russian detente. And, at stake is not just establishing a durable peace in the Mid-East—but, forging a durable peace across the globe.

ROBERT C. WEAVER REAFFIRMS THE NEED FOR A DECENT HOME

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. RANGEL. Mr. Speaker, in recent testimony before the subcommittee of the House Banking and Currency Committee on H.R. 10036, Dr. Robert C. Weaver, former Secretary of Housing and Urban Development during the Johnson administration, incisively analyzes and delineates the need for housing legislation that begins to deal with racial and economic separation in America. I would like to share with my colleagues the text of what Dr. Weaver said in the December issue of Focus, the monthly publication of the Joint Center for Political Studies. The text follows:

#### HOUSING POLICY FOR METROPOLITAN AREAS

(By Robert C. Weaver)

(EDITOR'S NOTE: Dr. Robert C. Weaver, who in 1966 became the first black cabinet member when President Lyndon B. Johnson named him the first secretary of Housing and Urban Development, recently testified before a subcommittee of the House Banking and Currency Committee on the proposed Housing and Urban Development Act of 1973.)

This bill, introduced by Congressmen William A. Barrett (D-Pa.) and Thomas L. Ashley (D-Ohio), would establish a program of community development and housing block grants by consolidating many of the categorical housing and urban development programs. Unlike President Nixon's special revenue sharing proposal, however, this bill would require localities to apply for funds and require them to meet certain standards. Moreover, it would hold open the possibility that some communities could keep the categorical programs if they find them necessary.

In addition to being a member of the faculty of Hunter College in New York City, Dr. Weaver is president of the National Committee Against Discrimination in Housing. Following are his remarks before the House subcommittee.)

In the following remarks I am guided, above all, by the national housing goal first enunciated in the landmark Housing Act of 1949: "A decent home and a suitable living environment for every American family." These goals were reaffirmed in 1968 when Congress established a ten-year program to assure its quantitative achievement. I take those words both seriously and literally. I also believe that success in meeting that goal cannot be measured solely by reference to numbers of housing starts and other traditional indices. Housing also is key to determining the quality of life our people lead and is crucial to facilitating full participation of all Americans in the mainstream of the life of the nation.

These are times of a housing crisis. Established housing assistance programs are now suspect. Some have been suspended. The value of the various legislative enactments over the past 40 years is now being called into serious question. The issue of what role the federal government should play in housing and urban development—if, indeed, any role at all—is being re-examined.

I believe that re-examination is a healthy thing. Programs should periodically be put to the test of analysis to determine whether they are worthwhile, and, if not, should be modified and, if necessary, abandoned. The

danger, however, is in over-reaction—in abandoning good, workable programs along with those that are not. In this connection, I believe it was most unfortunate to suspend precipitously all four low- and moderate-income housing programs last January, especially without first establishing new and better ones to take their place.

Change is necessary and I am not prepared to say that every program and every piece of housing legislation enacted over the past 40 years has worked as well as we had hoped. Through long experience, however, I have learned that if change is to be effective it must be evolutionary. We must make sure to preserve programs that work and modify those that can be made to work, rather than commit ourselves to wholesale abandonment on grounds that results have not quite been up to expectations.

I am gratified by the approach taken in H.R. 10036. Through the feature of block grants for community development and housing assistance, the bill would represent a departure from past federal programs in which the federal role was dominant, but it would not represent a sudden abdication of federal responsibility. The bill recognizes the need for balanced programs and recognizes also that housing and urban development are issues of national concern which cannot be met solely through local approaches. As Chairman Barrett has pointed out:

"The block grant approaches . . . are evolutionary in nature, moving gradually from a dominant federal role in the carrying out of community development and housing activities to one in which the community is the principal actor, and HUD exercises a more qualitative review and evaluation function."

The bill provides for HUD review of local programs.

There are many admirable features in H.R. 10036. I would like to limit my statement to mentioning some of the provisions I consider of particular importance, as well as some aspects of the bill which I believe are deficient. I would like to spend most of my time discussing what is, without question, the major housing and urban development problem facing metropolitan areas—the need to reverse the trend toward racial and economic stratification and to establish choice as the factor that determines where people will live. This is a problem recognized and addressed by the bill. But, in my view, not adequately.

I have long advocated a mix of production of new and better use of existing housing, and it is gratifying to note that this bill reflects adherence to that principle and policy. I believe it is important, however, either in the language of the bill or in the legislative history, to establish vacancy rate criteria for determining the mix between new and existing housing so as to avoid the inflationary impact of housing allowances in tight housing markets. I also fully support the bill's approach of coordinating housing assistance and community development grants at the local level, where such coordination can be most effectively achieved.

At a time when some advocate the demise of the Federal Housing Administration, it is encouraging to find the bill forcefully delineating the role of FHA and modifying the FHA program in ways that will enable that important agency to continue its essential participation in providing mortgage credit for residential construction. One modification is the establishment of prototype construction costs which would permit participation in FHA programs of communities which, because of high construction costs, are now effectively excluded. A second, which provides for reduction in interest rates for FHA insured mortgages in periods of tight money, would permit many middle-class households now priced out of the home purchase market to become homeowners.

No feature of the bill inspires greater support on my part than its recognition of the need to continue Sections 235 and 236, both during the period of transition until the housing assistance program commences operation and on a residual basis after the program goes into effect. Despite exaggerated criticisms of Sections 235 and 236 and inflated estimates of their costs, as well as demerits of administrative deficiencies in their operation, these subsidy programs do produce housing.

The new program authorizing modernization and renovation of existing public housing units is clearly needed and desirable. I also believe that there is a need for an increased volume of public housing in the years immediately ahead. As I read the bill, new public housing could be built, although the financing vehicle would be different from that provided under the existing public housing law. Local government obligations would be guaranteed by the secretary of Housing and Urban Development and what are now annual contributions could be financed by funds from the housing assistance grants. I believe there is considerable confusion as to whether additional public housing is contemplated by the bill and it would be helpful if this confusion could be cleared up.

I question some other provisions of H.R. 10036. It is proposed, in Section 201 of Chapter 3, that uniform standards be applied to all mortgage insurance transactions. No longer would there be special risk mortgages. I fear that this will have the effect of excluding deteriorated neighborhoods and the families that live in them from significant participation in FHA programs. Moreover, it must be remembered that lack of mortgage credit has been a long-standing cause of deterioration of property values and continuing deterioration of inner-city areas.

There is another major deficiency in this bill. It is the omission of provisions to delineate and help establish an urban land policy. We seem to be about to set up a national land policy, but its basic focus is ecological or physical; and while social consequences are involved, they are not the primary aim. What I am concerned about is orderly urban development. Involved would be an attack upon sprawl, encouragement of the use of mass transportation, and provision of greater opportunities for dispersal of lower-income housing.

Proposals for advanced acquisition of land for urban use were first made as long ago as 1937 and were defeated largely because of political concerns. But the arguments for it, both economic and social, are impressive. There has been some progress towards federal assistance for advanced acquisition of land by public agencies and it was achieved because proposed housing legislation faced the issue.

We have an open space program, subsidies for loans for advanced acquisition of land for public use, and financial assistance for new communities. If the federal government can encourage state land use plans for ecological goals, it should be able to assure that such activity does not vitiate necessary urban growth and establish a program which would encourage orderly urban development.

I would now like to turn my attention to the most critical feature of the bill. I am referring to the need to link housing assistance programs and community development programs in ways which not only will facilitate orderly urban growth, but also will facilitate availability of multi-priced shelter throughout the metropolitan regions of the nation for families of all incomes and races.

This, in my view, is the most pressing housing problem facing the country. Indeed, the bill recognizes it as such. Among the eligibility requirements for community de-

velopment grants is the formulation of a program which includes any activities necessary to provide adequate housing in a suitable living environment for low- and moderate-income persons who are residing in the community or who are employed in or may otherwise reasonably be expected to reside in the community. By the same token, one of the conditions of eligibility for housing assistance grants is "activities designed to promote greater choice of housing opportunities and to avoid undue concentrations of assisted persons in areas containing high proportions of low income persons." These provisions are salutary.

I fear, however, that the bill cannot achieve its express goal of promoting greater choice of housing opportunities for lower income families. There are several inherent weaknesses which, in my view, necessarily would prevent achievement of this essential goal.

First, community development and housing assistance grants would be made for the most part to individual localities in metropolitan areas. But the problems of housing and urban development in metropolitan areas are metropolitan-wide and can be resolved only on that basis. I recognize that in both the community development and housing assistance parts of the bill a priority would be given to two or more units of general local government which combine to conduct single programs. I doubt, however, that this would afford sufficient inducement to encourage metropolitan-wide proposals, particularly with respect to housing assistance programs.

Many suburban communities have exhibited strong aversion to taking the steps necessary to facilitate residence of lower-income families, especially those who are members of minority groups. To be sure, there have been some instances in which a number of jurisdictions in metropolitan areas have agreed to so-called "fair share" plans which would permit free access to housing for lower-income families throughout major portions of the metropolitan area. These, however, have been few and far between. Moreover, results have been spotty.

I believe these voluntary "fair share" approaches can achieve results and should be encouraged. As you undoubtedly know, last month Senator (Robert) Taft (R-Ohio) introduced legislation, "The Demonstration Housing Location Housing Act of 1973," that would provide such encouragement in the form of grants to local governments or local public agencies.

I do not believe, however, that sole reliance on voluntary "fair share" plans is the answer. Many suburban jurisdictions have taken extraordinary steps, such as adopting bizarre zoning laws and other land use controls, which necessarily have the effect—and often the purpose—of keeping out the poor. It is extremely doubtful that these communities can be counted on to participate voluntarily in "fair share" plans.

The basic approach of the bill is one of voluntary participation. Housing assistance grants would be made to suburban governments only if they elect to apply for them. In light of past experience, it is doubtful that many will so elect unless strong incentives are provided to persuade them to do so.

The only such incentive I can find in the bill is contained in Section 112(a)(3), which requires applicants for community development grants to formulate a program "which includes any activities necessary to provide adequate housing in a suitable living environment for low- and moderate-income persons who are residing in the community or may otherwise reasonably be expected to reside in the community." I believe this provision points in the right direction, but it is



not nearly strong enough. Under the bill as it now stands it is likely that affluent suburbs will receive their fair share of community development grants while providing little housing for lower-income people.

There is one additional provision which, it seems to me, necessarily would have the effect of concentrating most of the lower-income housing in the central city, where the poor already are strictly confined. Under the allocation formula for housing assistance grants set forth in Section 124(6) entitlements are based on three factors: population, extent of poverty (counted twice), and extent of housing overcrowding.

Under this formula and lacking a metropolitan approach, the great bulk of housing assistance funds necessarily would go to central cities. Even those suburbs that have the best of intentions would simply not be entitled to very much in the way of housing assistance grants if their populations are relatively low, if they are affluent, and if they have little housing overcrowding. This provision, in my view, is seriously flawed. It would have the effect of accepting the status quo of racial and economic stratification in metropolitan areas and assure that this pattern is perpetuated and even intensified.

The basic weakness lies in dealing with the housing problems of metropolitan areas on the basis of the individual jurisdictions that make up these metropolitan areas. The problem is one of people, not local governments, and it cannot be satisfactorily resolved through passive acquiescence to the status quo of the minority, poor central city surrounded by the noose of white, affluent suburbia.

Some way must be found to provide housing within the means of lower-income families on the basis of rational, practical considerations—such as the location of jobs—and to afford the poor something resembling freedom of housing choice throughout metropolitan areas. We must do this not merely for the sake of the poor, but in the interests of the well being of our metropolitan areas. They are, in fact, single social and economic units, not unrelated groups of local jurisdictions, and our housing programs must recognize this basic reality.

In 1971, Congressman Ashley introduced what I consider an innovative and creative measure that promised to do just that. Title V of the proposed "Housing and Urban Development Act of 1971" called for the establishment of metropolitan housing agencies which would have had responsibility and authority for developing long-range plans for the location of subsidized housing, based on a number of rational and sensible factors. Unfortunately, this proposal was abandoned before the bill left the committee. I commend it to your attention. I also recommend that to assure cooperation by suburban jurisdictions that otherwise might be reluctant to have lower-income families living within their borders, eligibility for community development grants be tied strongly to full cooperation with the metropolitan housing agency in developing and implementing its plan.

Having made this recommendation I must qualify it by admitting that it is not foolproof. Some suburban communities may have so strong an aversion to the poor that they are willing to forego federal benefits under community development grants so as to continue their exclusionary policies and practices. This will vary from metropolitan area to metropolitan area, and indeed, from suburban jurisdiction to suburban jurisdiction, depending upon their need for community development funds, the mood of the community and the strength of their leadership. In any case, it represents the best chance to reverse the pattern of racial and economic separation which is at the root of so many of the social and economic problems besetting metropolitan areas.

## LETTER FROM LONDON

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HUNGATE. Mr. Speaker, the New York Times magazine of Sunday, December 16, 1973, in an article entitled "Letter from London" by J. H. Plumb, contains some interesting comments on our Watergate and impeachment problems:

#### LETTER FROM LONDON

"... Watergate is like dry rot. Dry rot will crumble the strongest timbers with a dangerous speed, and the only cure is surgery. Even Dr. Kissinger's assurances could not obliterate the suspicion that placing American forces on a nuclear alert was an excessive overreaction by the President, intended to distract attention from his domestic problems. After all, Europe's memory is long and amply historical, and it was commonplace of the old absolutist monarch's policies to use foreign affairs to distract attention from domestic problems. After so many months of Watergate, the credibility of the Administration is at total risk, whatever dramatic action it may take. Not only experts in American affairs, but also ordinary men and women will now search for the hidden reason for dramatic actions. What is wrecking America's image is not whether the President has technically broken or not broken the law, but that a man so self-confessed in misjudgment of other men and their actions should still be in control of the world's most powerful nation. And the irony, for a British historian, is that no minister of George III, nor even George III himself, could have survived such a record of disaster. James II never broke the law, but he was chased from his kingdom. Many ministers in England have been impeached, or threatened with impeachment, for incompetence or for erroneous judgment, not for breaking a law or obstructing justice. Many Americans misunderstand the concept of impeachment, which is directly derived from English constitutional practice of the 17th and 18th centuries. It was a device developed by Parliament (the legislative branch) when it was weak, both in relation to the monarchy (the executive) and the judges—so that the king could be forced to part with ministers who were corrupt or incompetent, or whose policy Parliament loathed. It was a weapon, quite deliberately devised, to check the excesses of the executive; to bring not only criminals to justice, but also those who were bringing English institutions into disrepute.

If ministers or heads of state are removable only if they technically break the law, the prospects for absolutism and tyranny must be very bright—even in America. And to many Englishmen the debate about Watergate seems to move away all too quickly from the central issue to peripheral and fundamentally unimportant arguments—the tapes, the real-estate purchases, the income-tax payments, or prior knowledge of the burglaries. The glaring enormity is that a man who chooses one self-confessed grafter for his deputy, whose aides are indicted on charges of perjury, conspiracy, burglary and the rest, has not been compelled to give up office. In no other country, Communist or free would this be so. Not to recognize this, and not to recognize the intense harm that it is doing to America's image overseas, and therefore to America's power to influence the world, is the most dangerous of attitudes. At present, America's capacity to influence events depends upon one man and one man alone—Dr. Kissinger; an extraordinarily dangerous situation for a great power. There is a great deal of anti-Americanism in Europe

and elsewhere in the world, and now it has a glaring blemish upon which it can fasten and pump in its poison. Certainly Europe was developing a more independent attitude in economic and foreign affairs before Watergate, but surely no one can doubt that the process has accelerated since that debacle. And what should be realized is that Watergate is news, still headline news, in London, avidly read, avidly discussed day after day after day. Watergate is not a local, internal domestic affair. The schizophrenic attitude that American foreign policy sails on magnificently and effectively untouched by White House "horrors" or by the lies and evasions is a cruel delusion. Watergate is a cancerous growth eating at America's strength. Watergate is bad enough, but what worries America's friends far more deeply is the weakness of a constitutional system that renders a change of a President during his elected term almost impossible, except by death. This, in effect, becomes elected monarchy, and a monarchy far more powerful than George III ever enjoyed. The whole political and constitutional history of Britain centered on the Watergate problem—how to curb a monarch's bad judgment in choosing ministers; that is why we invented impeachment, and used it. And one longs to hear some voices on Capitol Hill stating loudly and clearly the central issue; that the responsibility of a President is not to a mandate given one year, two years, three years previously, but a daily responsibility to the people's elected representatives, answerable at all times and on all matters, not only for keeping the law, but also in choosing men of integrity and honor. If the trust committed to the President is not honorably discharged, removal is essential for the well-being of the country...."

## NIX DENOUNCES THE BESTIALITY OF PALESTINE GUERRILLAS

### HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. NIX. Mr. Speaker, the nature of the Palestinian cause was put in dramatic context by the murder of airline passengers in Rome and Athens in the past 24 hours. The indiscriminate terrorism by cold-blooded execution and haphazard firing on aircraft in crowded air terminals has accomplished only the refreshing of the disgust of the civilized world with Arab terrorism.

I would point out to the House as a delegate to this session of the United Nations General Assembly that a mere resolution on terrorism was shelved for 2 years by the General Assembly, because of the objection of those nations who seek profit in terrorism.

It is my understanding that some action of this kind was expected in a general way by Western nations since the Palestinian guerrillas hope to smash any hope of peace in the Middle East. They hope to abort any peace conference. They have chosen murder as their tool.

It is clear now that the United Nations can accomplish nothing as to terrorism, even if it had the will to do so.

What is required is that those nations who are opposed to having their citizens murdered, must form an agency based on bilateral agreements to track down and apprehend these killers wherever they hide themselves and bring them to jus-

tice. Transnational rulemaking as to extradition is not enough. A vast intelligence effort is required supported by civilized nations. Nations who care should act together, before peaceful travel collapses completely. Our own Government should take the lead in such an effort, because of the indifference of the United Nations.

I think it is clear that no one can now doubt that Israel's reluctance to include Palestinian terrorists as citizens of its government is reasonable. In this case it is not only Israel that is threatened by Arab terrorism but ourselves and all of the nations of the Western World. It should also be clear the energy crisis engineered by Arab governments differs only in kind from the motivations of Palestinian guerrillas.

Therefore if Western democracy is to survive, democracies must join together in nation-to-nation agreements and action. The time for such action is now, and the United States of America must lead the way.

#### A DARK CHRISTMAS

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. CARTER. Mr. Speaker, in these days of increasingly necessary energy conservation measures, many people have expressed dismay with the curtailment of decorative lighting during this holiday season. I believe that the following article by Lucy Albright, from the Glasgow, Ky., Republican, provides a measure of insight for all of us at this time:

#### LUCY'S LETTER

(By Lucy Albright)

#### Lucy's Letter:

If our theme song this year is "I'm dreaming of a dark Christmas", then we are listening to the wrong drum beat. It is true that due to the power shortage in America, the president asked the people to cooperate in this crisis, and the people have responded in a most complimentary manner.

For instance, the small town of Fountain Run will not have a lighted community Christmas tree this year. For the past several years, a tree that stands in natural beauty in the yard near the Methodist Church is illuminated with bright lights, some 400, during the Christmas season. It could be seen quite some distance, and many said it was the most beautiful Christmas Tree for many miles around. And it kindled a community pride. But this year it will be lightless, as will be most of the town's decorations. Of course this is only a drop in the bucket of conservation of electricity, but lots of drops make a whole, and there is a pride for cooperative spirit. We will keenly miss the bright decorations, but that does not necessarily mean that there will be a dreary dark Christmas.

If you are over 34 years of age and lived in Fountain Run before 1939 not only did you not have lighted Christmas trees, but there was no electricity for anything. On account of this, do you recall any Christmases that were sad, or bad? As I recall, the lack of electricity never lessened the joyful occasion. There seems to add extra zest to the spirit when we use our imaginations in

fashioning decorations for the tree. Tiny bows in color, strings of popcorn and cranberries, and tinsel. And if you choose to buy decorations there are a wide range of miniature decorations, musical instruments, fans, etc. And if you have a bird nest now that brings an extra zip of delight.

The spirit of Christmas comes from within. We can only expect the real glow of the occasion to come from our love of the Savior, whose birthday of December 25, is generally accepted by the Christian world, and by the love of our neighbor as ourselves, a brightness of joy and gratitude that will shine from within, as bright as the noonday sun.

#### MORE DRAWBACKS TO GASOLINE RATIONING

### HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ARMSTRONG. Mr. Speaker, during the last few weeks there has been much publicity given to advantages of gasoline rationing. But the serious drawbacks of any rationing scheme have been largely overlooked.

However, Dr. Milton Friedman's article in Newsweek, December 10, 1973, brings the basic inequity of gasoline rationing into sharp focus. Every member of the House will benefit from reading Dr. Friedman's sensible evaluation of the problem:

#### THE INEQUITY OF GAS RATIONING

(By Milton Friedman)

There is wide agreement that the most efficient solution for the energy-and-oil crisis is to let the free market reign—to let prices rise to whatever level is necessary to equate the amount people want to buy with the amount available. Higher prices would give each of us a private incentive to conserve energy, would give producers an incentive to add to the supply, and would assure that energy was used for purposes valued most highly by purchasers.

The one argument against this traditional free-market solution is that it is "inequitable." Any solution requires that we use less energy than we would like to use at present prices—that is precisely why we have a crisis. Any solution will therefore "hurt" all of us. But it is maintained that the free market imposes the burden disproportionately on the poor, that government rationing would avoid this "inequity" and hence should be adopted, despite all its defects—waste, bureaucracy, black markets and corruption.

The argument has a strong emotional appeal. But it has no rational basis.

#### THE ARITHMETIC OF RATIONING

Consider one scheme for rationing gasoline that has been proposed: give each family coupons entitling it to purchase a specified number of gallons a week at present prices, but then permit it to purchase additional gasoline at free-market prices. Since my concern is with equity, let me waive all questions about the feasibility of assuring that coupons would be honored and about the effects on production incentive. Suppose the allotment per family is 15 gallons per week, that every family uses its allotment, that the fixed price is 45 cents a gallon and that the free-market price, in the absence of rationing would be 75 cents a gallon for the same total amount of gasoline (I shall discuss below the reason for this condition).

The scheme is then precisely equivalent to sending each family in the United States a check for \$4.50 a week (30 cents times 15 gallons), financing the payment by a tax on the oil industry, and letting the free market distribute the gasoline.

Is there anyone who would favor such a national dividend, distributed regardless of need? If there be such a person, would even he favor having its size determined solely by the price of gasoline? If the scheme is bad when stated in its naked form, how can concealing it in ration coupons make it good?

Or consider another variant: distribute coupons covering all gasoline that will be available (say 20 gallons per week), fix the price at 45 cents a gallon, but permit the coupons to be sold in a "white" market. Assuming the same facts as in the preceding paragraph, the price of the coupons would be 30 cents a gallon. The scheme would be precisely equivalent to imposing a tax of 30 cents per gallon on gasoline and using the proceeds to send each family in the United States a check for \$6 a week (30 cents times 20 gallons). Again, stated nakedly in that way, does the scheme really have any appeal?

Note that I have considered the least inequitable schemes. Alternatives that would prohibit the sale of coupons or that would allocate coupons on the basis of number of cars or "normal" mileage driven rather than equally to all families are equivalent to sending larger checks to high-income than low-income families.

#### THE ECONOMICS OF THE MARKET

Because of my emphasis on "equity," I have omitted a major defect of these rationing schemes—the defect that required me to assume the same amount of gasoline. Both schemes would reduce the incentive of producers to add to the supply and would therefore mean less gasoline than under the free market.

The effect on production is important both in the current emergency and in the longer run. Suppose that shortages in any commodity or service are always met by taxes designed to absorb the increase in price. What incentive would that give private enterprise to provide excess capacity to meet such a possibility? As it is, the prospect of occasional bonanzas makes it profitable for enterprises to maintain greater productive capacity and larger inventories than are required under normal circumstances. With that prospect eliminated, the government would itself have to provide such reserves—a task it has hardly demonstrated the competence to perform.

The free-market solution is not only more efficient, it is also more equitable. True "equity" calls for making provision for special hardship cases. It does not call for raining government checks on all and sundry.

#### EFFORT TO CURB GOVERNMENT FORMS

### HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, December 18, 1973

Mr. HARRY F. BYRD, JR. Mr. President, an editorial citing the fine work of the able Senator from New Hampshire (Mr. McIntyre) was recently published in the Nashville Banner and subsequently republished in the Staunton, Va., Leader.

I ask unanimous consent that this editorial be printed in the Extensions of Remarks.



There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### **EFFORT TO CURB GOVERNMENT FORMS**

Editorial writers and public officials can write and say pithy things about the burgeoning bureaucracy of government, but the small businessman knows first hand. The paper work that accompanies bureaucracy is overwhelming, increasingly so for the businessman.

There is, however, a hint of good news. Officials with the Senate Select Small Business Subcommittee on Government Regulation and the White House Office of Management and Budget have agreed to take a more critical look at the 6,000 or so forms that the government requires businessmen to fill out.

Sen. Thomas McIntyre, chairman of the Senate subcommittee, estimates that it costs businessmen between \$18 million and \$50 million a year to complete the forms.

Congress passed in 1942 a "paperwork controls act" but it never has been enforced with any rigidity. At the prodding of the Senate subcommittee, Roy Ash, OMB director, has agreed to two things:

1. A virtual temporary moratorium would be placed on all new forms requested by government agencies.

2. A joint effort by the Senate Select Committee on Small Business and the OMB will begin to eliminate or combine as many of the 6,000 forms as possible.

"I complained about this burden for years when I was a businessman," Mr. Ash wrote to Sen. McIntyre, "and I am determined to do something about it now that I am working for the government."

That's one way to help ease the paper shortage and abolish needless bureaucratic paper-shuffling at the same time. The move, if successful, will bring cheers from businessmen, in triplicate.

#### **TRIBUTE TO DAVID BEN-GURION**

**HON. ELLA T. GRASSO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 18, 1973*

Mrs. GRASSO. Mr. Speaker, David Ben-Gurion found the Promised Land for his "people Israel" in Palestine. A man of epic proportion, he was the modern day Moses. Yet, unlike Moses, Ben-Gurion enjoyed the realization of his dream: the establishment and growth of the Jewish state.

Leaving his native Plonsk in Russian Poland at the age of 19, Ben-Gurion traveled to the Middle East—which was to become a stage for the many, remarkable accomplishments of his later years. He labored for years to provide a home for Jews in Palestine. His deep love and concern for his people is reflected in the legacy of hard work, diligence, and dedication that went into the establishment of the Israeli State and its development into the nation it is today.

After years of toil, Ben-Gurion saw the birth of Israel on May 14, 1948. That was a day of great rejoicing. It was also the beginning of a long road through war and peace to the present day.

Ben-Gurion was a statesman par excellence. He used his great skill as a negotiator to preserve a Jewish state in Palestine. He was also a scholar of great

renown and an author of numerous works, with a deep appreciation of the value of learning and study.

Above all, however, David Ben-Gurion was an Israeli patriot, and like George Washington, the father of his country. He was loved like a father not only by his countrymen, but by men and women throughout the world.

David Ben-Gurion was a humble man, as much at home working in the field or the kibbutz as he was negotiating with the great powers of the world. He was a person who expected of others what he gave himself and that was consistent excellence. The people of Israel answered his call and honored him as the founder of their nation, its Prime Minister for the first 15 years, and an active dedicated solon.

Though unafraid to fight to preserve his dream, Ben-Gurion was basically a man of peace. Since the beginning he realized that both Arab and Jew stood to benefit from peace in the Middle East, and he welcomed negotiation as a means of securing this peace.

David Ben-Gurion will be sorely missed not only by his fellow Israelis but also by all men and women who understand the greatness of the dream that was realized in his lifetime, and long for peace and freedom for all. May this valiant man enjoy the sleep of peace reserved for all great patriots.

Though he is gone his spirit lives on in his "people Israel."

#### **NATIONAL PRESS CLUB PRESIDENT DONALD R. LARRABEE'S REMARKS AT ANNUAL DREW PEARSON FOUNDATION AWARDS CEREMONY**

**HON. FRANK THOMPSON, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 18, 1973*

Mr. THOMPSON of New Jersey. Mr. Speaker, the Drew Pearson Foundation presented its annual awards for distinguished investigative reporting at a luncheon last week at the National Press Club. The top prize went to Mr. Jerry Landauer of the Wall Street Journal, with other prizes going to Mr. Ward Sinclair of the Louisville Courier-Journal, Mr. Clark Mollenhoff of the Des Moines Register and Tribune, and two CBS reporters, Mr. Edward Fouhy and Robert Pierpoint.

Much has been said in recent months about the role of the Nation's press in its diligent efforts to ferret out corruption in high places in our government. Administration apologists have attempted to blame many of the White House problems on the media. However, as the truth emerges and the extent of the corruption is becoming known, we should all take special note of our debt of gratitude to those courageous investigative reporters who have exposed wrong-doing wherever it has taken place.

In this connection, Mr. Speaker, the president of the National Press Club—

Washington news reporter Donald R. Larrabee—put into remarkable perspective the tragic events of the past year in remarks at the annual Drew Pearson Foundation luncheon. Mr. Larrabee, whose news bureau represents my hometown paper—the Trenton Times—among other leading papers, sets forth the crucial issues involved in the Watergate and related scandals of the Nixon administration, as seen in the eyes of the working press. I commend his remarks to our colleagues.

His speech follows:

#### **REMARKS OF DONALD R. LARRABEE, PRESIDENT**

Tomorrow, the National Press Club holds its annual election and the members won't have me to kick around much longer. In its 65 year, the press club has an unbroken tradition of not re-electing a president. This, I think, is good for the club and for the presidency.

Looking back on this year of trauma and trial for America, I can think of no time when those of us who report from Washington have had it so good, in terms of having a story to tell and telling it reasonably well. The story of corruption in high places is not an easy one with which to deal. It is unpleasant. People really don't want to hear the worst about their President and Vice President. And they tend to be suspicious of those who bring the bad news. But we have risen to the challenge and it has brought out the best in us. Our credibility has been somewhat restored. But we are not home free!

Lou Harris, in his poll commissioned for the Senate Government Operations Committee, reported last week that with just two exceptions, the amount of confidence Americans display in every institution has decreased since 1966. The two exceptions are the press—slightly up from its rating seven years ago—and television news which enjoys the confidence of 41 per cent of the people today, compared with 25 per cent in 1966. Public officials who were polled, I should add, have far less confidence in the press and TV news. So what's new?

What's new, of course, is that we are identified with the documented discovery that high public officials engaged in some low political practices in 1972. One year ago, we knew about Watergate but we didn't know much. We did not know the severe test to which our system would be put in the year that is ending.

On this rostrum last December, we applauded the Washington Post and its two bright young reporters for relentless pursuit of the Watergate story. But we took little note of the fact that most of us were very poor followers on this story.

We were, if you recall, still worrying about our skins—and I don't mean the football team. We were pushing for bills to shield the press. We were asking for special privilege in law. But, as the press began to find ready, confidential sources around every corner—as Drew Pearson and Jack Anderson always have done—we lost interest in special privilege. The mood changed. We stopped asking for a special privilege that could just as easily be taken away.

And now, unless I misread by colleagues, we are prepared for the most part to rely on the first amendment which remains one of the great freedoms that any government has ever bestowed on its citizens.

The first amendment looks good to those of us in public communications at this point in time—perhaps because we are on top in the power struggle. But I fear that we stand in serious danger of forgetting what we have gained if we fail to make prudent use of the power we now seem to enjoy.

There is much of which we can be proud

in our performance, to be sure. We have forced a Senate investigation which will inevitably lead to reforms in campaign spending laws and hopefully eliminate the source of corruption—not only in presidential politics but in the entire system, too much tainted money and too many people buying favors. We have alerted the country to the fact that the Presidency, right under our nose, has become larger than life in the past ten years—larger than the law.

And as former Attorney General Elliot Richardson has noted so well, we have driven home the proposition that whatever a public figure's instinct might have been to cook up some secret scheme, he had best proceed on the assumption that it was going to get out. If, said Richardson, politicians read that lesson, that will have been a long-term, perhaps even a permanent contribution to the political process.

All of this is true and good. I would inject only this note of caution. In our zeal to demonstrate the misuse and abuse of power in the executive branch, let us not be so ravenous to expose, so hungry ourselves for power that we become irresponsible, that we disregard fundamental rights.

My concern now is that we do not widen our credibility gap which, despite the good news in the Harris poll, still exists. Yes, we have gained in public confidence since 1966. But can we take comfort in the fact that six out of ten people still do not believe what they hear and read? Have we done our job that well? Are we asking not only the tough questions but the right questions?

In the last analysis, our interest—the public interest—lies in improving the flow of information between government and the governed. We cannot expect the hostility and distrust of public officials to disappear overnight but new laws will never solve an old communications problem. In Watergate, there may be a lesson for both public officials and journalists. Officials should accept the fact that their conduct must be submitted to continual scrutiny. For our part, we must be willing to conduct that scrutiny with an eye to information, as much as sensation.

As newsmen, I think we ought to keep in mind the words of the immortal bard, George Reedy, who suffered as a press secretary to a President and who now preaches the word to students of history and journalism. Says George: the Congressional Record and the White House record can be corrected. But not, at least at present, the record of the fourth estate. Thank you.

#### MY AMERICA

### HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HUNT. Mr. Speaker, last week was my first stay in a hospital in 30 years, having had a bad case of shingles of 60-day duration, my physician, in his wisdom, put me in the Woodbury Memorial Hospital at Woodbury, N.J.

One of the physicians at the hospital, Dr. Thomas Mervine of Haddonfield, N.J., sent me a copy of the Sunday, December 9, 1973, Bulletin from the Haddonfield United Methodist Church, located in Haddonfield, N.J., which contained an article by Charles A. Sayre depicting a short story entitled "My America." I am indebted to Dr. Mervine for calling this issue of the Bulletin to my attention and I commend Mr. Sayre for his wisdom. The article is frank and honest and the au-

thor emphatically points out the difference between the two Americas that we live in—one, as we know it through the newspapers and television—the other we live in as "Our America." I am enclosing the entire article and am hopeful my colleagues will, at their leisure, peruse it:

#### MY AMERICA

About once a month I have made it a point to walk through the lovely grounds about Independence Hall, now well along in preparation for 1976. Somehow I feel the need to keep the long perspective on America.

One day, during one of these walks, a strange realization came to me. There are really two Americas. One is the America reflected in our newspapers and television—the other is the America in which I live, and of which I am as proud as I am chagrined by the other America. How, I wondered, could there be two so very different countries within each other?

My America is filled with people who love the Lord and attend church. Their lives reflect the moral standards of good people. There is no press release to tell the world about them, and the only public attention they get is from "sociologists" who deny their existence. But in truth, these are the vast majority of Americans, with far more lasting influence than so many of our writers and communications people who live in isolation from the rest of us.

Public information tells the world that America is run by manipulators and criminals and that adultery is commonplace. I am sure that our communicators, where they live, do see a lot of such things. But I don't, and I am presumptuous enough to believe that the America I live in is a country mile larger than their America!

Perhaps that's why I love Independence Hall. All that it stands for its very real in my America.

#### LET'S REASON TOGETHER

### HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. GOODLING. Mr. Speaker, the American consumer has the privilege of buying the best quality foods at the lowest possible price, having a benefit that is shared by no other peoples in the world.

This is made possible by the miraculous production capacity of the American farmer, a production wizard who every year finds ways of coaxing increased harvests from his fields.

This genius for production springs from research, and it follows from this that if the farmer is going to continue increasing his production, and in the process, bringing down prices for the consumer, increased research will have to continue to go forward. As the song says, "You can't have one without the other."

The summary of the situation, then, is that if the American consumer is going to have the advantage of high quality foods at low prices, he is going to have to support research programs that produce this benefit. Just recently, Mr. Earl W. McMunn touched on this matter in an article which was entitled "Let's Reason Together," and which appeared in the December 1973 issue of the Ohio Farmer. Because this article is highly meaningful and significant where the

consumer is concerned, I insert it into the RECORD and urge that my colleagues give it their serious attention:

#### LET'S REASON TOGETHER

(By Earl W. McMunn)

Consumers of this country want cheap food. That is what they have had, although many are not aware of the fact. Rising prices of the past year threw many into a panic. Some ill-informed politicians, labor leaders, newsmen and others screamed that "people couldn't afford to eat!" This, in spite of the fact that in 1973 the average person is spending less than 17 percent of his income for food. That is still a real bargain when compared with other nations of the world, or for most other times in the history of this nation.

We have cheap food because of a combination of circumstances. Mostly it is the result of an abundance of technical information, use of commercial inputs, and freedom to operate under a profit-oriented economic system. Cripple any of these forces and food will become more expensive. This is a fact of economic life. But the sad truth is that too many governmental decisions are made by people who don't understand economics. Recent efforts to help consumers by controlling livestock prices are but one example.

The forces which provide our cheap food have been building up for at least half a century. We have had an abundance of land, a surplus of farm labor, and plenty of people who wanted to farm. Commercial suppliers provided the machinery, the chemicals and the other inputs. Our know-how was improved by a steady flow of information from both public and private sources.

During this same period, our economy was expanding and people were becoming more affluent. This made it easier for them to buy food with a smaller share of their total incomes. For instance, in the 20 years between 1952 and 1972, wages and incomes rose by an average of seven percent a year. Farm prices rose less than one percent. This is why many consumers developed the idea that they should get a raise every year, but they shouldn't pay more for food. That was the way it had been during most of their lifetimes.

All this has changed during the past year. Now it is becoming clear that food prices must rise when everything else in the economy is on the upswing. People must pay more if they expect to be well fed. And, there is ample evidence that eating is a habit which no one wants to give up. There is little reason to believe customers will need to make any real changes in their eating habits. At least, not so long as economic forces are permitted to operate. The trouble comes when we try to make economic decisions on the basis of politics.

Here may be our greatest danger. Some of the most critical decisions may be made without real understanding of the problem. This is an ever-present threat where agriculture is involved. It is a fact of life that most members of Congress and the regulatory agencies no longer have a farm background. Too few have even an understanding of agricultural matters. How can they be expected to know, for instance, that a decision which hampers the oil business may cut farm production and add to the cost of food?

As a nation, we haven't yet faced up to the fact that there's a difference between necessities and luxuries. Or, that necessities must come first when hard decisions must be made. We've been sold on the idea that we must have the luxuries, then we'll pay for the necessities if there's anything left over in the budget. This has been true for much of our nation planning, just as it has been in many a private household.

What is the value of aimless joy riding when fuel is needed to grow crops, transport them to market, and keep the nation's factories in operation? Look at the traffic clog-



ging our highways during non-working periods and it's easy to see where billions of barrels of fuel could be saved.

But, our system has offered little incentive for savings. Most of our policies have been in the opposite direction. Regulatory agencies attempt to impose arbitrary restraints upon retail prices. These work like a two-edged sword—and in the wrong direction. They discourage exploratory drilling, investment in refineries and everything else that is required to boost production. At the same time, low prices encourage consumers to use fuel for many purposes which are both foolish and wasteful.

Price may not be the most popular rationing tool, but a more effective method has not yet been invented.

Modern farming depends largely upon the use of commercial inputs. Anything which interferes with their availability is harmful to food production. Every farmer knows this, but it is not understood by many others.

Recent estimates indicate we are now using commercial inputs at the rate of \$50 billion per year. No longer is any farm self-sufficient as in the days of the pioneers.

High crop yields depend upon the use of chemical fertilizers, herbicides and pesticides. We must have fuel to cultivate land and dry the crops. Our rapid increase in labor efficiency is largely the result of abundant use of machinery and equipment. Modern farming would be impossible without vast amounts of capital.

We look to agribusiness for a wide array of production inputs. Other segments of agribusiness process crops into forms that are acceptable to consumers. How long has it been since you saw a consumer carrying a live hen home from market? Now, it's a tender, juicy broiler which is killed, plucked, cut-up, packaged and perhaps cooked in golden batter. The consumer never had it like this in the "good old days!"

And, if we're honest, who in agriculture would like to go to those good old days? They were the days when wood was cut to heat the house, you turned the soil with a two-horse walking plow, and you killed potato bugs by knocking them into a can of kerosene. No wonder that almost everyone knew something about farming. With the backbreaking work of those "good old days" most people of the nation were needed on farms just to get the farming done.

Consumerism is a popular cause. But some self-styled consumer advocates ignore the fundamentals of sound economics. All they accomplish is to make conditions more difficult for the very people they claim to help. You're not helping anyone when you tear down the agribusiness complex which has provided Americans with the best living ever enjoyed by any people in the history of the world.

Uninformed consumerists are fond of using "profits" as a dirty word. They would squeeze or eliminate profits while implying this helps consumers. What they don't understand is that profits are essential if consumers are to get the products—and this includes food.

No one goes into business expecting to take a loss. There must be a profit incentive before you buy land, build a plant or employ help. Without the profit incentive there is only one other way. This is the Communist method where the production assets are owned by the government and people are told what to do. But, compared with our system, that method has a poor track record!

So it is clear that some things are necessary if we are to retain our ability to produce an abundance of food and at reasonable cost.

Basic to everything else is that we retain the incentive pricing system. It is the governor which signals for more production when demand is great and a slowing off when demand is weak. Price ceilings are a signal to produce less—not more.

We must have adequate supplies of machinery, parts, fertilizer, fuel, chemicals and other commercial inputs. Already we have seen how farm production suffers when any of these is in short supply.

Unwise environmental regulations can seriously hamper our ability to produce. Some environmentalists would ban almost all insecticides, herbicides, antibiotics and fertilizer. They don't know, or refuse to admit, what this would do to the food supply. We in agriculture shouldn't be forced to defend against these irresponsible attacks. The people who will really suffer are consumers who want an adequate supply of wholesome food and at reasonable cost. This is what they have been getting. Ill-informed environmentalists should be their problem, not ours! The sooner they understand this fact, the better off we all will be.

Fuel and transportation place other limits on our ability to produce. If added acreage is farmed in 1974 it will take more gasoline and other forms of fuel. Extra rail and truck transportation will be needed to get the crops to market.

Adequate food supplies will require greater investments in research. Surpluses of recent years led some people to conclude that public research was no longer needed. At the same time, private research was discouraged by watch-dog agencies of government which made it increasingly difficult to bring a new product to market. Now we are learning the hard way that there is need for more research—not less.

It all boils down to one simple fact. If consumers want cheap food, they must support policies which make cheap food possible.

#### RADIATION LEVELS AND THE ENVIRONMENT: WHO DECIDES

**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 18, 1973*

Ms. ABZUG. Mr. Speaker, I am introducing into the RECORD an editorial contained in today's New York Times, which points out for public scrutiny the administration's recent decision to transfer authority for the policing of radiation levels of nuclear powerplants from the Environmental Protection Agency to the Atomic Energy Commission. The editorial clearly identifies the conflict of interest which exists between the role of the Atomic Energy Commission as regulator of the industry, and its role as a promoter of wide use of nuclear power.

This dangerous administrative decision comes at a particularly unfortunate time. Many aspects of our environmental law are under attack, wrongly in my judgment, as contributing to the energy crisis. We can solve our energy problems without stripping away all environmental protection, however. I commend the Times for bringing this issue to the public.

#### ENERGY RADIATIONS

The pressures brought about by the energy shortages to undercut the antipollution victories of the past few years are reflected anew in the Administration's decision to transfer authority for policing radiation levels of nuclear power plants from the Environmental Protection Agency to the Atomic Energy Commission.

Scientists honestly differ on what levels of radiation are harmless and what are dangerous to public health in the immediate or remote vicinity of a nuclear reactor. When the

E.P.A. had the task of setting radiation standards, the country at least had the benefit of relatively independent scrutiny and judgment. The A.E.C., by contrast, is both a regulatory agency for civilian nuclear power plants and the Government's chief promoter of their development. A conflict of interest is inherent in these two functions; and no one can be confident that the standards set by the regulatory side of the agency will be untarnished by the eagerness of its promotional side to go full speed ahead.

It is undeniable that constraints growing out of concern for the quality of the environment have played a part in hampering the rapid development of nuclear power and other domestic energy sources. But far greater constraints have been imposed by economic and technological considerations, as well as by the grievous lack of Government planning and foresight. It is hard to avoid the suspicion that some in the business of energy policy and production are setting up environmentalists as straw men, to divert scrutiny from their own shortcomings over past years.

As citizens, environmentalists share the nation's concern about growing energy shortages. But in the effort to alleviate the energy problem, it is unacceptable to ride roughshod over the progress already made to keep livable the environment in which energy will be consumed.

#### ENERGY CRISIS

**HON. JOSHUA EILBERG**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 18, 1973*

Mr. EILBERG. Mr. Speaker, the most startling aspect of the current energy crisis is the Nixon administration's apparent total lack of preparation for dealing with the shortage of oil.

It seems that every day a new group, industry or lobby, announces that it is on the brink of disaster, because it is not getting enough of its particular type of petroleum product and the following day the energy office or the White House states that the allocation system is being revamped to meet this particular need.

However, one of the shortages which has not been taken care of is the lack of adequate supplies of aviation fuel for passenger service. The result has been proposed cutbacks in service by the airlines. These reductions will bring about serious inconveniences for the traveling public and financial problems for cities which operate airports effected by the cutbacks.

My own city, Philadelphia, is in the midst of a multimillion-dollar enlargement and modernization of its International Airport. As in other cities this program was based on the belief that air traffic would continue to grow and since neither the Federal Government nor the oil industry gave any indication that fuel would be a problem this was a valid assumption.

Now, with the specter of a severe shortage facing them, some airlines have shown signs of panic and are asking for permission to cutback operations in areas where the need for their services is great.

At this time I enter into the RECORD a telegram sent by the mayor of Philadelphia, Frank L. Rizzo, to the Chairman

of the Civil Aeronautics Board opposing a proposed reduction in service and the city's statement about the situation:

CITY OF PHILADELPHIA,  
December 14, 1973.

Hon. ROBERT D. TIMM,  
Civil Aeronautics Board, Universal Building,  
Washington, D.C.

The City of Philadelphia vigorously opposes the application of Pan American World Airways in Docket 26210 for authority to suspend transatlantic service at Philadelphia and respectfully requests the Civil Aeronautics Board to take no action in this matter until Philadelphia has had an opportunity to be heard formally in accordance with the Board's Rules of Practice.

Total and unilateral suspension of transatlantic service by Pan American at Philadelphia is unreasonable, unjust and unduly discriminatory, will result in irreparable harm to the City of Philadelphia, and is not justified by any fair or reasonable approach to the fuel situation.

A detailed refutation of Pan American's proposal will follow.

Copies of this telegram being sent to Governor Shapp, Senator Scott, Senator Schweiker, area Congressmen, legal counsel, business and labor representatives of Greater Philadelphia.

FRANK L. RIZZO,  
Mayor.

#### MAYOR FRANK L. RIZZO'S NEWS RELEASE

Mayor Frank L. Rizzo today launched "vigorous opposition" to a move by Pan American World Airways that would discontinue the Airline's transatlantic service into and out of Philadelphia.

The Mayor sent telegrams to members of the Civil Aeronautics Board, Senators Scott and Schweiker, area Congressmen, business and labor leaders protesting the move and inviting concerted action to fight it.

In an application before the Civil Aeronautics Board, Pan American Airways proposed to suspend all transatlantic service in and out of Philadelphia for one year. The City's initial examination indicates that this would be an effective reduction of 82% of flights, several times the 15% service cutback that could be attributed to the fuel shortage.

A quick survey of airlines serving Philadelphia showed some cutbacks but the total number of seats available remains approximately the same.

In his telegram to the CAB and others, Mayor Rizzo said, "Total and unilateral suspension of transatlantic service by Pan American at Philadelphia is unreasonable, unjust and unduly discriminatory, will result in irreparable harm to the City of Philadelphia, and is not justified by any fair or reasonable approach to the fuel situation."

Mayor Rizzo instructed Director of Commerce Harry R. Belinger to analyze the probable effect of the energy crisis on air service at Philadelphia International Airport and to take action where appropriate to assure adequate air service for this region.

Belinger reported that the detailed examination of proposed January service by the airlines serving Philadelphia shows that most carriers are responding with reasoned caution in reducing flights due to fuel shortages but maintaining an adequate level of service to the public.

A check of thirteen international and domestic airlines serving Philadelphia indicates that four are planning modest reductions, six are planning no change, and one airline is adding service. One airline, Allegheny, is reducing service significantly, but is using larger aircraft so that substantially the same number of seats will be available.

The reductions are reported being planned by Eastern, United Alitalia and Delta. The six planning no change are National, Air Jamaica, Northwest, Air Mexico, Lufthansa and BOAC.

American is actually increasing its service. Belinger reported that Philadelphia will coordinate with the airlines that show a reasoned response to the energy crisis but will vigorously oppose carriers who overreact to the fuel shortage.

#### CHINESE COMMUNIST LIAISON OFFICE AND PAST RECORD

#### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ASHBROOK. Mr. Speaker, the Chinese Communists have recently purchased a hotel in Washington, D.C., to use for their liaison office in the United States. The activities of the Chinese Communists in Washington have been treated extensively in the society pages of Washington newspapers. We should not forget the record of the Communist Chinese merely because now they may be showing us their smiling faces in Washington, D.C. Looking at two periods in the past two decades may serve to refresh some memories.

In 1950 the Communists on the mainland initiated the beginning of their land reform, which was to eliminate so-called landlords, rich peasants, and middle-class peasants. Members of these classes were denounced by well-coached witnesses, "tried," and then many were taken out and shot. Landlords included those who owned as little as two-thirds of an acre. At one "trial" 30 individuals were convicted. None owned more than 3 acres, but they were defined by Mao as "landlords."

The middle 1960's showed more African countries breaking relations with Communist China, charging that the Communists were involved in fomenting revolt in their various countries. The Communist Chinese also began atomic tests. Aid to North Vietnam continued. Peking's hand was seen in an attempted coup in Indonesia. A new government in Ghana offered to show journalists a "guerrilla school" which had been operated by the Communist Chinese.

The year 1966 saw the beginnings of the Cultural Revolution, which was to result in further liquidations. The Cultural Revolution brought violence and strife to all sections of the mainland. Diplomats in Peking were also harassed during this time. The Commercial Counselor of the French Embassy and his wife were forced to stand in below-freezing weather for several hours. In Peking the British "Office of Charge d'Affaires" was burned. Peking continued support of guerrilla movements including giving support to a so-called Thai Peoples' Liberation Army whose purpose was to overthrow the government of Thailand.

Let us therefore not forget these actions of the Red Chinese.

#### HOUSING AND RELATED PROBLEMS

#### HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. MOLLOHAN. Mr. Speaker, for the past 2 years those of us from the First Congressional District of West Virginia have counted ourselves indeed fortunate to be able to turn to the Pittsburgh area office of the Department of Housing and Urban Development's Region III for help with our housing and related problems. Under the able direction of Mr. Charles J. Lieberth, this area office has consistently provided us with helpful and accurate advice and assistance. Furthermore, it has always demonstrated the human touch which makes Government a living entity rather than a cold bureaucracy.

Because of his unusual dedication and sense of responsibility, I was severely shocked to learn that Mr. Lieberth had been the recipient of punitive action for "mismanagement tantamount to insubordination."

For the information of my colleagues, I am including in the RECORD a copy of the letter I have written to Secretary James T. Lynn on this matter:

WASHINGTON, D.C.,  
December 17, 1973.

Hon. JAMES T. LYNN,  
Secretary, Department of Housing and Urban  
Development, Washington, D.C.

DEAR MR. SECRETARY: My reaction upon hearing of the punitive actions ordered against a number of HUD field officers was one of complete astonishment. Upon going further into the matter I was particularly dismayed to learn that the three ranking officials of your Region III Area Office in Pittsburgh are among those against whom "appropriate action" has been taken for allegedly violating an internal policy which would appear to be, in and of itself, of extremely doubtful legality.

If my information is correct, and to date I have had no reason to believe otherwise, the affected employees were "guilty" of complying with a Federal law which expressed the will and intent of the Congress, and which at the time of its enactment had the approval of the President. It, as surmised from your press release, the charge in this case stems from expeditious processing of applications for housing assistance prior to the effective date of an illegal deadline, it would appear that commendation rather than condemnation is more appropriate.

I am personally acquainted with Mr. Charles J. Lieberth, Area Director, having worked extensively with him on Federally-funded projects throughout my Congressional District. I honestly believe that many of the housing and public utilities problems confronting the cities and small communities of the First District, and indeed the State of West Virginia, could not have been surmounted had it not been for Mr. Lieberth's continual active interest and unfailing cooperation. The alacrity and dispatch with which his office responded to the needs of the people for emergency housing following last year's devastating floods throughout my State—most notably Buffalo Creek—is widely recognized and attests to the effectiveness of the operations directed by this man. In fact I have heard nothing but praise for him and his staff, which was characterized by a statement of the City Manager, of Wheeling,



West Virginia, as "the best people I have ever worked with in Government."

My personal observation is that Mr. Lieberth's actions have always reflected a dedication to his agency, the rules and regulations of that agency, and the people it is charged with the responsibility of serving, completely devoid of partisan politics or attempts for personal gain. All of this, coupled with his outstanding record in the management affairs of his office, causes me to believe it to be unconscionable to let stand the 30-day suspension levied against him and thereby prejudice the career of an outstanding public official.

It is entirely possible that this action was taken without your immediate knowledge, Mr. Secretary. I, therefore, hope that you will give it your personal attention and cause a review to be made of the circumstances surrounding the suspension and the decision to invoke it. I very much hope this can be done with the utmost promptness because, in my considered judgment, a grievous wrong has been done to a highly competent public servant.

Sincerely,

ROBERT H. MOLLOHAN.

#### PROTESTING THE ENERGY CRISIS

### HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. STEIGER of Arizona. Mr. Speaker, the energy crisis has become the principal subject of interest to my constituents, judging from the mail I am receiving. People are extremely concerned about the possible impact this energy shortage might soon have on their businesses and on their very way of life.

I would like to enter in the RECORD an editorial written by Mr. Bill Girard which appeared in the 1974 edition of *Relax* magazine. This editorial was sent to me by one of my constituents as representing the views of a sizable segment of the population of Arizona. The editorial follows:

I PROTEST!

(By Bill Girard)

The time is early December, 1973. The stock market has tumbled. Large companies have cut their working forces drastically. Gasoline rationing is being considered and is thought by many to be inevitable. A great hue and cry is being raised against all kinds of "gas guzzlers." Energy, the lack of it, has the country in turmoil. Big cars, recreational vehicles such as motor homes, and general aviation (private planes) have been particularly singled out as targets for the big energy-conserving axe that must swing in order to save us.

Perhaps all this will be academic by January, 1974. But Ben Franklin once raised a feeble voice of protest against injustice and ended up getting several free and highly enjoyable trips to France. I wouldn't mind seeing the Eiffel Tower, too.

So I protest. And since I don't own my own printing press like Ben did, I beg *Relax* to print my gripe.

To begin with, I protest my chief "un-American activity" of driving a big gas guzzler. In addition to myself, it usually carries my entire family of eight to work, and/or school and social affairs. I have nothing

against four-cylinder "thriflies," but show me one in which I can carry my crowd as though they were anything less than so many New Fangled potato chips in a cardboard container. And in case you are wondering, there isn't a bus within miles of my home, either.

As for equipping my family with bicycles, the wife and I are too old for that (or, at the very least, too worn out from previous activity) and several of the children are too young. Enough said for my four-wheeled "gas guzzler," except to add that it doesn't guzzle nearly as much as the three combined "economy" cars across the street which squeal past the house with one lone occupant each morning.

Then, of course, there are motor homes and trailers and other assorted recreational vehicles. Did you know that up until now 2/10th of one percent of gasoline expended for passenger use in the U.S. actually went into the tanks of recreational vehicles such as motor homes, truck campers, and cars towing travel trailers? Or that they averaged less than 3,000 miles per year, according to recognized research sources? And that they burned about eight miles of fuel per gallon? That means to me that the recreational vehicle is getting a symbolic shaft by the energy crisis . . . just like my car. By that I mean that the motor home, and other recreational vehicles as well, are the biggest symbol for energy loss in the country. But in the overall scheme of things, are they really?

If I were fortunate enough to own a motor home, for example, I see the following happening on those infrequent occasions when I would actually be able to use it: First, I would pile the crew into the unit and lock them in. Then I would turn out all the lights in my home. I would lock my gas guzzling car in the garage. I would postpone all deliveries and lock the front door. Then I would go back to the crew and take off . . . to the very nearest decent campground available. On the way, I would travel in traffic carrying 1973-model cars that average perhaps ten to eleven miles per gallon. And once at the campground, I would most likely stay put, while those cars kept right on going.

If this were for a long weekend, for example, my car would be locked in the garage, not guzzling fuel; my electricity would be turned off, not using up kilowatts, my furnace or air conditioner would not be operating, thus making similar savings for the good of the nation; in fact, the delivery boy wouldn't even have to burn fuel bringing all the unnecessary goodies my wife finds necessary when at home (another big savings).

Aha, you say. But you'll be burning kilowatts at the campground! The facts are, my friends, that the average RVcationing family uses about one-fifth the energy it uses at home. That's a well-researched fact, too! And when it comes to water, there are savings that can hardly be believed! Take one look at the grubby children (some adults, too) whom you see at the average campground and imagine the tons of water not being used to bathe all those would-be Daniel Boones.

When you really think about it, if every family in the nation had a motor home and all took a short trip some weekend, the energy crisis would get a heck of a jolt. In fact, if they all simply lived in a nearby motel or hotel (which would probably be heated even if vacant) think of the energy savings! By the way, do you know that flushing a toilet at home uses as much as six gallons of water, whereas the average motor home toilet uses only a few ounces? Think about that a little . . .

Now for the subject of general aviation. The President has asked that the allocation of fuel for private planes be cut as much as 50 percent. But do you know that most airplanes of the private gender get gas mileage that is fantastic compared to most auto-

mobiles? And have you considered that although they have their ups and downs, they travel in a straight line (as a rule)? Assuming, then, that all flights are for legitimate, business-like purposes, all Americans should own a private plane, right? They'd use much less fuel than if they made their trips by car. So I protest again.

Consider that the most-popular "family airplanes" such as the Cessna Skyhawk or Piper Cherokee carry four people and their luggage at a cruise speed of around 130 and 140 mph, while burning about eight or nine gallons per hour—that's 15 or 16 miles per gallon. And the larger, faster planes used by many families and professional people, such as the Bellenaca Viking or Beechcraft Bonanza, will cruise at 180 or 190 mph while using only 15 or 16 gallons per hour—that's 12 mpg, which is better economy than almost any full-sized new car. And they'll go to the great majority of places where you can't possibly go by airline, bus or any other much-heralded means of public transportation.

Now I have finished my protesting. I have obviously exhibited myself as no Ben Franklin. The Eiffel Tower will rust away before I ever get a chance to see it. Among other things, Ben discovered electricity. I just burn it. Besides, I will not go to France in a sailboat.

The energy crisis will not go away, either. And I'm the last one to say we shouldn't do our best to conserve energy in every way. In fact, I am strongly in favor of it. But when in panic, people are known to think in rather muddled ways; to strike out at symbols of their difficulties rather than the difficulties themselves. I submit that big cars (to those who need them), recreational vehicles (to those who use them wisely), and private planes (for legitimate reasons) are symbols that have been attacked unjustly. I have protested . . . and I'm glad. Thank you, Ben, wherever you are.

#### TRIBUTE TO BILL KEATING

### HON. E. G. SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. SHUSTER. Mr. Speaker, when William J. Keating resigned from Congress on December 6, this House, Ohio, and the Nation were the losers.

I must respect Bill Keating's decision because I respect Bill Keating. But I regret it nevertheless.

I spent 19 years in private enterprise and only one in politics. But I know this: Bill Keating is an uncommon man in any field. He is not only bright and competent, but compassionate as well. I shall never forget his taking the time to personally call on me upon my arrival here last January to offer his helping hand. What he could not know is that over these past trying months, his quiet example spoke volumes about the way a serious-minded young Congressman should comport himself.

Bill Keating certainly has my best wishes as he returns to private life. But I would be less than honest if I did not express regret and perplexity at the loss of this fine man to the public service. America and this Congress need more Bill Keatings, not less. I worry for my country when the Bill Keatings leave the public service.

## U.S. AIR FORCE ACADEMY

**HON. WILLIAM L. ARMSTRONG**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ARMSTRONG. Mr. Speaker, I recently read with great interest an article published in the Colorado Springs Sun by Brig. Gen. Hoyt Vandenberg, Jr. As you know, General Vandenberg is commander of cadets, U.S. Air Force Academy.

Since his article expresses the great pride many of us feel in the Academy, I thought it might be well to call it to the attention of my colleagues at this time:

THINKING OUT LOUD

(By Brig. Gen. Hoyt Vandenberg)

In view of the plethora of press coverage surrounding the United States Air Force Academy in recent months, residents in the area, of SUN coverage might be interested in some facts not usually surfaced.

An Air Force career is still a very popular way of life among our high school-age young men. Applications from young men seeking appointments to the academy have risen each year. For example, candidates for the class of 1976 totalled 7,424 and for the class of 1977 we processed a total of 8,017 candidates. Since each entering class is pared down to approximately 1,500 it is logical to ask why some cadets drop out when such a large pool is available from which to select. After close scrutiny of academic, physical and leadership potential, young men with the best composite scores make up the entering class.

The current state of the art, at best, cannot determine with certainty a young man's motivation to accommodate to the subtleties of the USAF Academy necessary to become an officer in the United States Air Force. Allowing for academy dismissal for cause (academic, conduct, etc.) the remainder of attrition figures are made up of those cadets who either decide that another field of endeavor would be best for them, and those who simply cannot adjust to the pressures and restrictions inherent in the training of professional, regular commissioned officers. In short, the academy receives some cadets who are not sincerely motivated and subsequently loses others after exposure to training.

The Academy is continually seeking solutions to both of these major attrition facets. Efforts are being made, for example, to improve the match-up of prior expectations to actual academy experience. While still maintaining standards of discipline and academic facility required by today's Air Force officer, the academy constantly reviews its training with a view toward excellence in all areas. The quest by academy officials is not for a school of the profession of arms that reeks of permissiveness and cadet-structured training, but rather one at which the quality of the product constantly improves. At the United States Air Force Academy the product is constantly improving!

The Air Force Academy is the only service academy at which the senior cadets manage their own training. They learn more, and faster, by taking broad guidance from senior authority and applying it, themselves, in the management of the cadet wing. Progress in this area has been steady.

I often wonder if citizens who reside in the vicinity of the academy realize that from among the men who are trained here will come great national leaders and household names—that our graduates are dedicated to service above self in their readiness to defend the ideals which made this nation free. Most certainly, their training is tough—they lead a very restrictive life compared to average national social mores—but they leave

sufficiently disciplined for the rigors ahead as well as taking with them the capability for continual growth and appreciation for the training provided them by the American taxpayer.

The average Air Force Academy cadet is a person that has the capability to make all those involved with his training feel twenty feet tall. They are the best this country has. They cannot and will not break the faith.

In summary—what you hear may be of passing interest—but what you see is what you get. At the United States Air Force Academy you see the best.

**DELCO ELECTRONICS DIVISION OF GENERAL MOTORS ENERGY CONSERVATION****HON. ELWOOD HILLIS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HILLIS. Mr. Speaker, this fall I have contacted nearly every industry in my Fifth Congressional District of Indiana urging them to form carpools among their employees as a means of conserving gasoline.

As a result, I am pleased with the response I have received and encouraged by the special actions which industry is taking to conserve energy.

Today I especially want to praise Delco Electronics Division of General Motors in Kokomo, Ind. This morning I received a letter from Mr. James M. Hall, director of manufacturing and engineering at Delco and he included a detailed report of the accomplishments they have made and those which they hope to achieve. At this point, I want to share the report with my colleagues here in the House:

**DELCO ELECTRONICS DIVISION OF GENERAL MOTORS ENERGY CONSERVATION**

Richard C. Gerstenberg, chairman of General Motors, set a goal in February, 1973, for a 15 percent reduction in the use of energy by September, 1974. Due to recent world events, in November he set a goal of 20 percent reduction during the high usage winter months ahead.

All General Motors plants are involved and a member of top management at each plant is given the responsibility to institute an effective energy conservation program. Mr. Charles Rine, general manufacturing manager, is responsible for the energy conservation program at Delco Electronics. Mr. Riggs, Delco Electronics' general manager, has submitted a summary of our program to G. N. Tiberio, director of energy conservation for the General Motors Corporation.

Under the direction of E. Roepstorff, manufacturing manager, and J. M. Hall, director of manufacturing engineering, energy conservation committees have been established involving a wide range of employees. These committees and their functions are described below:

1. Area Energy Coordinators—The plants and offices have been sectioned into nine areas and an Energy Coordinator has been appointed for each area. They will make recommendations for conservation in their particular area and monitor their areas to see that energy is not wasted. This group is under the direction of the manufacturing manager.

2. Energy Survey Committee—These committees have been established at each plant, are chaired by maintenance general foremen and supported by general foremen of

operating departments. Several weekend inspections have been conducted and followup actions are now being accomplished. Inspections during normal operating hours are also being conducted. The survey committee functions as an audit of our progress.

3. Permanent Control Committees—The plants have been "zoned" and plant engineers assigned as chairmen of these committees. These committees are considering energy conservation proposals and evaluating the feasibility of permanent automatic control devices, design changes for energy conservation and examining equipment operating procedures. The work of these committees is subject to periodic review by the Director of Manufacturing Engineering.

4. Energy Conservation Educational Committee—This committee functions under the Plant Engineering Superintendent and is responsible for developing and presenting energy conservation educational and motivation programs.

A number of specific actions have already been taken and there are many ideas under study to conserve energy. The following are some examples of our conservation action and plans.

1. Thermostats have been set to 68° during normal operations and lowered on weekends.

2. Exterior signs and non-essential building lights have been turned off. Switch gear will be installed to better control parking lot lights.

3. Work area lights are being reduced by locating light fixtures closer to the work places so that light levels are not reduced.

4. The hours for night cleaning of office areas have been changed to permit shutting off lights earlier.

5. Window panes have been replaced to prevent heat loss—also, closing of doors, weather stripping, etc. Energy conservation work orders are given priority in the maintenance department.

6. A capacitor bank has been installed for power factor correction at one of our plants and we plan to make similar installation at our other plants where it is needed.

7. We are investigating sequences on all air compressors for automatic shutdown during no load conditions.

8. We have an active program to examine plant air exhaust systems and makeup units for proper operations for energy conservation.

9. We are, in every way we can, changing our manufacturing processes to conserve energy.

In accord with Mr. Gerstenberg's request, Mr. Riggs has directed that drivers of company cars and trucks limit their speed to 50 mph. Mr. Riggs, in a letter on energy conservation to all employees, has urged all employees to limit their speed to 50 mph while using their personal cars.

**SOME ENERGY LEGISLATION CAN WAIT UNTIL NEXT SESSION****HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. DINGELL. Mr. Speaker, despite administration pleas to the contrary some so-called energy-related proposals can and should wait until next session.

One such proposal (S.J. Res. 176) would open the Naval Reserve at Elk Hills, Calif., within 60 days to the production of at least 160,000 barrels of oil per day.



Another (H.R. 11793) would establish the Federal Energy Administration which has already been established by Executive Order 11748 of December 4, 1973, and would be confirmed legislatively by the Energy Emergency Act which is now in conference. It surely should not be passed on the Suspension Calendar as is now being proposed.

The Elk Hills' proposal is of more dubious value because of recent orders issued by the Interior Department to take large quantities of oil from domestic use and give it to the military. As proposed by the administration, the Defense Department would get the Elk Hills oil, as well as civilian oil. I wonder if the public is aware of this.

I have written to the Secretary of the Navy and asked for a copy of the Navy's environmental impact statement on this proposal so that we can evaluate this proposal adequately and learn if the Defense Department needs both the Elk Hills' oil and civilian oil. My letter follows:

DECEMBER 17, 1973.

HON. JOHN WILLIAM WARNER,  
Secretary, Department of the Navy, the Pentagon, Washington, D.C.

DEAR MR. SECRETARY: On November 6, 1973, the Acting Secretary of the Interior, Mr. John C. Whitaker, promulgated a regulation (38 F.R. 30572) providing for the issuance of "directives" by the Office of Oil and Gas. The "directives" provide that oil suppliers, "regardless of other existing contracts and orders," will give "priority" to petroleum orders placed by the Defense Department.

It is my understanding that, pursuant to this regulation, orders have already been issued to direct 19.7 million barrels of oil from civilian use to the Defense Department for the period of November 1 to December 31, 1973. Possibly, some of this diverted oil will be used to replenish American reserves in the Pacific which are being depleted, according to a Pentagon spokesman, by shipments from those reserves of 22,000 barrels of oil daily to the South Vietnamese and Cambodian military forces.

On Wednesday, December 12, the Senate passed H.R. 11576, the supplemental appropriation bill for F. Y. 1974. Before doing so, the Senate added a sum of \$72 million for the "exploration, development, and production of the Naval Petroleum Reserves," subject to the enactment of an authorizing bill. Apparently, you have determined that the "defense of the Nation required the production of oil from the naval petroleum reserve at Elk Hills," California and, based on your determination, the President has requested the Congress to approve such production. I understand that, if authorized, this reserve will provide about 160,000 barrels of oil per day to the military.

Please provide to me by December 21, 1973, your response to the following:

1. Since the development of Elk Hills is a major Federal action significantly affecting the quality of the human environment, please provide to me a copy of your agency's environmental impact statement. If none has been prepared, please explain why not.

2. If Congress does approve development at Elk Hills, will the Defense Department then ask the Office of Oil and Gas to revise its earlier orders and release for civilian purposes a corresponding amount of oil now being diverted to military uses. If not, please explain why.

With every good wish,

Sincerely yours,

JOHN D. DINGELL,  
Member of Congress.

## EARTHQUAKE-DAMAGED STATUE REPLACED

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. DANIELSON. Mr. Speaker, recently, I had the pleasure of helping the United Spanish War Veterans of California replace a statue which they erected in 1950 and which was severely damaged by the great earthquake of February 1971. The statue, located in the Veterans' Cemetery at the Veterans' Administration Center in Los Angeles, was financed by the United Spanish War Veterans, Department of California, entirely from private donations. The veterans personally dug the foundations and poured the concrete for the base of the statue.

Upon completion, the statue was donated to the Veterans' Administration. Over the years, it became a landmark, as well as an object of pleasure and pride to veterans and their survivors visiting the cemetery. To the Spanish War veterans, however, the statue had special meaning. It was a symbol of their patriotism and a tribute to the tremendous sacrifices made by them and by other Americans who have served their country in time of war.

In February 1971, the great earthquake damaged the statue beyond repair, and the USWV was informed that it would have to be demolished, as it was a safety hazard. A suggestion by the department commander of the USWV that the VA replace the statue was rejected as too costly. The VA offered only to accept bids on a new statue, with expenses to be paid, once again, by the California Spanish War Veterans.

At that point, I was contacted by Mr. Frank Toczec, special services officer of the USWV. Mr. Toczec told me of the situation, explained the significance of the statue, and pointed out that the 132 remaining members of the California Spanish War Veterans could not possibly raise the money for a second statue.

I contacted the Veterans' Administration, emphasizing the fact that the original statue was donated as a gift to the VA, which by accepting the gift had also accepted the responsibility for its upkeep. The VA gave the case careful consideration and agreed to allocate \$10,000 for a new statue. That statue is now under construction and will be erected at the site of the original monument in about 2 weeks.

I think that the Veterans' Administration deserves to be commended for its decision to come to the aid of the California Spanish War Veterans. And even greater commendation and a great deal of admiration, as well, are due to the 132 remaining California Spanish War Veterans for their dedication and perseverance in obtaining a replacement for their statue.

## SCHMITZ AND THE ENERGY CRISIS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ASHBROOK. Mr. Speaker, during the years my good friend and former colleague, John G. Schmitz, served in Congress as a representative from California's 35th District, he often was able to anticipate national problems long before they happened. Representative Schmitz has been especially prophetic concerning the energy crisis.

In his Weekly News Report of October 4, 1972, Representative Schmitz stated that "we face an electric power crisis in the very near future." To meet this need, Representative Schmitz proposed that we "use atomic energy for generating electricity in the 'breeder reactor' or nuclear powerplant, which does not pollute the air at all."

I commend John Schmitz for his foresight in this matter.

The following is the complete text of the newsletter:

### THE NECESSITY OF NUCLEAR POWERPLANTS

During the course of this year, evidence has been rapidly accumulating to prove conclusively that we face an electric power crisis in the very near future—perhaps as soon as next year in some areas, almost certainly within three to four years. The demand for electric power in the United States is doubling every 15 years, while the construction of new power plants to meet this accelerating demand has virtually ground to a halt.

Electric power generation alone now takes one-quarter of all the oil, gas and coal consumed in the United States—and the demand for oil and gas needs can be supplied from American sources. For the other half, we will have to depend on imports from foreign sources which could be cut off in time of war or for political reasons.

Many Americans have become so accustomed to the constant availability and use of electric power that they have never stopped to think about what would happen if there was no longer enough of it to go around. But when a nationwide coal strike closed down all the coal-fueled power plants in Great Britain last winter, the English people found out just what it meant. Electric power could be supplied to homes and business for only a few hours each day, or on alternate days. Millions of workers were laid off; millions of homes went unlighted and unheated for long periods; enormous traffic jams occurred because traffic lights and rapid transit could not operate.

The construction of the new power plants necessary to prevent all these things from happening in the United States has been blocked by "environmentalist" groups. Their vehement objections to the air pollution caused by coal-fueled and oil-fueled generating plants have some basis, and the Clean Air Act of 1970—for which I voted—placed tight new restrictions on emission of air pollutants by these plants. The most obvious available substitute is to use atomic energy for generating electricity in the "breeder reactor" or nuclear power plant, which does not pollute the air at all.

Yet "environmentalists" have managed to block the issuance of siting and construction permits for nuclear power plants as completely as they have blocked such permits for coal-fueled and oil-fueled power plants—without any reason. They put so much pres-

sure on the Atomic Energy Commission that it bowed meekly, without even an appeal, to a court decision last year (Calvert Cliffs Coordinating Committee et al v. AEC) requiring months or years of additional hearings and review before granting new construction permits and operating licenses for nuclear power plants. The Commission has even cast doubt on whether the few existing nuclear power plants will be allowed to keep operating.

Despite fantastically exaggerated popular fears, reliable studies show that dangers to the environment from a nuclear power plant are very slight. An atomic explosion in such a plant is absolutely impossible. Protective systems make any major accident with the reactor exceedingly unlikely, and none has ever happened. The amount of radioactive waste is small and can be safely disposed of. The only significant environmental effect is a slight raising of the temperature of the water used for cooling the reactor, which affects water life in only a very small area.

The construction of a greatly increased number of nuclear power plants is clearly necessary if we are to meet our electric power needs without more severe air pollution. The "environmentalists" who are fighting construction of these plants do not seem to realize that the availability of ample electric power is indispensable for achieving their own primary goal of cleaning up pollution. Obstacles to nuclear plant siting and construction should be removed and their construction should be encouraged rather than discouraged by the government.

#### SATELLITE INFORMATION GATHERING

#### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Earth Technology Satellite was designed to bring direct and lasting benefits to every citizen of this country and to the world. Mr. LeRoy Pope, UPI business writer, in a Newport News, Va., Daily Press article of November 16, 1973, discusses the participants in the successful Earth resources program underway and some of the important achievements already obtained from this satellite. The worth of orbital observation for purposes of direct and practicable benefits has now been well established. It is important that we now capitalize on this technology in the years ahead.

The article follows:

#### SATELLITE INFORMATION GATHERING

(By LeRoy Pope)

NEW YORK.—Ten hours after a barge illegally dumped acid waste in the ocean off New Jersey a space satellite was still making pictures of the crime.

The cameras in the heavens that broadcast this evidence back to earth were contained in Earth Resources Technology Satellite 1, launched one year ago. These particular pictures, accompanied by spectral analytical data, were made as part of a coastal water monitoring study under the direction of Dr. C. T. Wezernak of the University of Michigan.

Daniel J. Fink, director of General Electric Co.'s Space Division in Valley Forge, Pa., a prime participant in the Apollo and Skylab programs, said the Earth Resources Technology Satellite (ERTS) program of the National Aeronautics and Space Administration has drawn an astonishing variety of

scientific and industrial inquiries. When NASA asked for suggestions for practical use for the Satellite in gathering information, it got 700 proposals.

More than 300 were considered sufficiently beneficial and practical for immediate investigation. Of these, 83 involved mineral geological exploration, 62 study of farm and forest sources, 45 water resources, 40 land use surveys and mapping projects, 29 environmental studies.

The satellite makes its pictures and data analyses and sends them back to earth by two sensing systems, one made by RCA Corp. and the other by Hughes Aircraft Corp. The Hughes system is the data collector.

The ERTS uses the scientific discoveries and hardware of the earlier space satellite programs to work on economic projects. During its first six months in operation, the ERTS has studied closely some 40,000 scenes around the globe. More than one and a half million high quality photographs have been culled from this production, processed at the Goddard Space Flight Center and sent to government agencies and scientists working on specific projects.

So far results that promise big bonuses to mankind have been achieved in many fields. These include:

Locating potential oil, ore, and other mineral deposits.

Locating new sources of fresh water such as deep well sites.

Classifying land use, both actual and potential over large areas. Prof. Robert B. Simpson of Dartmouth has used satellite data to study one-third of the eastern seaboard stretch from Connecticut through Maine. From this, he already has prepared a detailed land use map of Rhode Island made at a speed of 30 square miles in an hour. This map pinpoints ponds as small as 300 feet in diameter, shopping, commercial, industrial and residential centers and streets and highways.

Monitoring coastal water quality—the project that snared the Jersey Coast acid dumper.

Monitoring water pollution in streams and lakes. Dr. A. O. Lind of the University of Vermont made a study from the satellite data and pictures of pollution in the Lake Champlain and Fort Ticonderoga area along the New York-Vermont border, which served as part of the basis for a suit by the two states against International Paper Co. It has a mill on the New York side of the lake.

Monitoring ocean ice conditions. A number of investigators, including Dr. Paul McClain of the National Oceanic and Atmospheric Administration and James C. Barnes of Environmental Research and Technology Corp. are involved in this.

Areas already being studied include the Bering Sea, Hudson Bay and the Great Lakes. The Soviet Union and the United States are collaborating in studying ice conditions in the Bering Sea. This research could have impact on how to move oil from the new Alaskan Arctic slope fields. It also could open new techniques in weather forecasting and other aspects of climatology.

#### REPRESENTATIVE GILMAN TELLS HOW HE WOULD HAVE VOTED ON DECEMBER 17, 1973

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. GILMAN. Mr. Speaker, yesterday's snowstorm which crippled transportation in the Northeast region of our Nation grounded air transportation out of New York preventing me from being

present for the legislative session. I seek permission to revise and extend my remarks to include in the CONGRESSIONAL RECORD a listing of those votes taken during the session on December 17, setting forth how I would have voted had I been present.

Rollcall No. 692. A motion to recommit the conference report on S. 1435, the District of Columbia home rule bill, "nay."

Rollcall No. 693. On acceptance of the conference report on the District of Columbia self-government and reorganization, S. 1435, "yea."

Rollcall No. 694. On convening the second session of the 93d Congress on January 21, 1974, "yea."

Rollcall No. 695. Extending the ceiling authority for the Small Business Administration, "yea."

#### ENERGY PRICE HIKES AND RUN- AWAY INFLATION

#### HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, under leave to extend my remarks, I would like to call to the attention of my colleagues the very interesting information from one of my constituents regarding the unusual increase in the cost of refined petroleum products:

OPEN LETTER TO CONGRESSIONAL LEADERS AND THE NEWS MEDIA

Attached is a copy of the first of a series of articles entitled "Environment, Energy and Ecology."

As the Congress is now deliberating far-reaching energy legislation everyone should be aware of all possible consequences associated with new energy laws and policies. Until now most discussions and reports have dealt primarily with projections concerning the consequences of physical energy shortages. This first article is one scenario of what could happen if we go along with the sharp energy price-hikes some economists and government officials have been advocating.

Energy is critically different from any other commodity in that it is necessary for all industries and this is not true of any other commodity. For example, a bakery requires energy and flour, a steel mill requires energy and iron ore, a food processing plant requires energy and food and the transportation industry requires a relatively large quantity of energy and some form of vehicle.

Since many products are assembled from parts made in other plants there is a cumulative multiplier, accelerator price effect associated with energy price increases that can dramatically affect costs, prices, and new wage demands. Because energy is different from any other commodity there is reason to believe that our economic system under the dual stresses of immediate energy shortages and drastic price increases will not have the resiliency to adjust naturally to these relatively sudden and explosive pressures. The result could be a combination of unemployment and inflation unpredictable and unprecedented in magnitude that may well overshadow any of our past economic crises.

It is estimated that about 70% of our energy is required for industry and 30% for domestic use. Dramatic energy price hikes in the industrial sector will provide inflationary leverage that will reverberate throughout the economy and will affect all businesses.



The attached article outlines one possible outcome if the price of energy doubles. Because of the overriding importance that good or bad energy legislation will have on each of us, we are contributing this first article free of charge and it may be reprinted in whole or in part if the following credit is given:

"From Article 1 of 'Environment, Energy and Ecology' by Matthew J. Kerbec. Copyright 1973 by Output Systems Corporation."

Enclosed material provides backup for the article.

Sincerely,

MATTHEW J. KERBEC,  
President.

ENVIRONMENT, ENERGY, AND ECOLOGY: ENERGY  
PRICE HIKES AND RUNAWAY INFLATION  
(By Matthew J. Kerbec)

In the November 15, 1973 issue of the Wall Street Journal, Herbert Stein, President Nixon's top economic advisor, was quoted as saying, "The direct effect of doubling the price of crude oil would be equivalent to an increase of about 3% in the price of all goods and services." Our curiosity was aroused because this is the first time we could remember hearing a top governmental official preparing us for a 100% increase in the price of any commodity.

The first question that came to mind was, "How big is the oil business?"

According to a report in the November 10, 1973 issue of Business Week, the largest of 31 oil companies sold over \$81 billion worth of petroleum products in the first nine months of 1973. Companies with sales less than \$27 million per quarter are not listed in that report.

This is an average of \$27 billion for each quarter or \$108 billion for 1973 and is about 35% higher than the FY 1974 Department of Defense budget. The total of all sales (Approximate Gross National Product) in the U.S. is expected to be around \$1.3 trillion for 1973. It was surprising to learn that the oil business is the biggest and represents over 8.3% of the total.

Now if prices doubled in 1974 these same 31 oil companies would sell \$216 billion worth of energy. Our curiosity was still not satisfied and we decided, as they say in the Pentagon, to run a scenario. Having no computers we had to use pencil and paper so in our scenario we have only one big energy company that serves one big factory. There are 90 million people who work in the energy company and the factory. Our workers average \$8,000 per year and the total wage bill for 1973 then is \$720 billion and all of the work force belongs to one union. Also our factory arrives at its selling price by multiplying all costs by 1.25 which provides a 25% profit before paying any taxes.

Let's look at part of what happens in 1974 if nothing changes except that the cost of energy increases by \$108 billion. The first thing our factory manager does is apply the 1.25 multiplier. The 1974 increase in sales price then becomes \$135 billion (\$108 billion x 1.25), and the total sales become \$1.435 trillion or an increase of 11% compared to 1973. The union people have been watching this with mixed emotions and decide they do not want inflation so they will only ask for a wage increase of 11% to break even. So the labor bill for 1974 will increase by \$79.2 billion (\$720 billion x 0.11). However, if the factory is to maintain its profit margin it would have to use the 1.25 multiplier again on the increased labor costs which will amount to \$98.75 billion (\$79.2 billion x 1.25). When this is added to the total factory selling price of \$1.435 trillion, the total for 1974 will now be \$1.534 trillion (\$1.435 + 0.098).

The end result in our scenario is that by some time in 1975 the energy hike has resulted in a \$233 billion (18%) rise in prices and most of this pure inflation.

Now if everything works the way it should the energy company managers will realize

they are paying 18% more for the products they buy and 11% more for their labor and will use their own multiplier to maintain a proper selling price for energy going to the factory—and the cycle starts again.

Our scenario has been tremendously simplified and some things should be pointed out. About one-third of our oil comes from overseas so increases for imported petroleum will have to be paid by the oil companies.

In the scenario we assumed that a 100% increase in a barrel of crude oil would result in a 100% increase in the selling price for all petroleum products which may or may not be the case. Also the estimated \$108 billion sales for 1973 is inflated to the extent that this figure includes items such as international sales of natural gas. Supposedly natural gas prices are controlled by the Federal Power Commission but how well these controls are working is questionable and there is strong pressure to completely deregulate natural gas prices.

However, our scenario was conservative to the extent that we only considered 31 oil companies and the impact of a 100% energy price hike in one factory. The energy industry is critically different from other industries such as mining, food, chemicals, paper, steel, and aluminum. Energy is a fundamental requirement for all industries but the reverse is not necessarily true. All industries can be defined as some combination of energy, raw materials, machines, people, capital and land.

Some government officials and economists are telling us to let the market place decide the price that should be paid for energy. This is all right for items we can substitute or do without. However, there is no substitute for energy. It is an absolute necessity; to run our factories, and businesses; transport people and things; and heat our homes. This means that we will have to pay any price the sellers of energy wish to charge. Industries not able to pay these prices will have to cut back production or close. Some industries such as transportation and plastics are extremely energy intensive. In these industries any increase in the price of petroleum products will have a direct bearing on costs and multiplier effects. Many of us think of energy costs as a small part of the selling price of the products we buy but these costs have a multiplier-accelerator effect far beyond that of any other commodity.

In our scenario we used a profit margin multiplier of 1.25. Suppose the products from our scenario factory went through 5 more plants before becoming a saleable product at the retail level. If all these plants used the same 1.25 cost multiplier the energy costs would be marked up again and again. In addition, each plant itself adds the new extra cost associated with a particular plant's cost increase for energy and this results in an additional cumulative increase or accelerator effect that is insidious but significant. It also must be remembered that there are transportation costs associated with moving these goods between plants that will also increase costs and prices. The transportation industry is more susceptible to energy price hikes because the basic raw material it uses is fuel oil or gasoline which may double in price.

It turns out that any sharp increase in energy prices can have unpredictable multiplier-accelerator effects on our economy and these could lead to dangerous inflationary pressures.

Our scenario only considered the inflationary effect. Another critical and inseparable part of the energy problem is the impact that actual energy shortages will have on the economy and employment. One thing is clear—the solution to problems of shortages, inflation and unemployment does not seem to be in the direction of sharp price increases in energy which is the most basic of all commodities.

If other countries nationalize their petroleum industries and hold prices at some

relatively constant level while we sharply raise prices, our dollars will be spent to buy the products made in those countries in preference to our own. This leads again to the possibility of another devaluation of the dollar and another serious balance of payments situation.

As a final thought, energy shortages and escalating costs due to actions by foreign governments is requiring the U.S. to exert more diplomatic, economic, and military pressures on these countries. A question that is increasingly being asked is, "How far do voters want our government to go in backing private overseas investments, so they can have the privilege of paying higher prices for energy which is vital to the functioning of the country?"

THE SAFE SCHOOLS STUDY ACT:  
EDUCATION WITHOUT VIOLENCE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. BINGHAM. Mr. Speaker, for many educators, security not educational improvement is the priority item. In a technological society such as ours, which places a premium on educational achievement, this is unfortunate.

Many school districts are turning to the most obvious solution, introduction of security personnel to stem the tide of violence in the schools. I do not believe that this is necessarily the best or only solution to the problem. The Safe Schools Study Act, which I introduced on December 14, along with the gentleman from California (Mr. BELL), would provide the Congress with the information it needs to fashion a national policy to curtail school violence.

The article reprinted below, from the February 19, 1973 edition of Time, explains the problem of the "blackboard battleground":

BLACKBOARD BATTLEGROUND: A QUESTION OF SURVIVAL

Security on our campuses is the No. 1 educational problem today—not curriculums or new approaches to teaching," says California Educator Eugene McAdoe. "You can't teach anything unless you have an atmosphere without violence."

Few urban educators would disagree. Armed robberies, assaults and purse snatchings occur with depressing regularity in many—though obviously not all—of the nation's city schools. Declares Los Angeles' Principal Sid Thompson: "For teachers and students alike, the issue unfortunately is no longer learning but survival." His own high school is known as "Fort Crenshaw" because of its steel mesh fence, armed guards and classroom doors that lock from the inside. Not even such Draconian measures have left Crenshaw free of violence. Last month a gang climbed over the fence, tore off a student's jacket and severely beat him.

An especially alarming aspect of school violence is the growing number of assaults upon teachers in many cities across the country. New York, for example, recorded 541 such attacks last year—almost double the 285 reported in 1971. Detroit averages 25 assaults on teachers every month. The result is that many teachers are afraid of their students and incapable of imposing the discipline needed for teaching.

Far more often, however, it is the students themselves who are the victims. School officials blame most of these incidents on in-

truders, often dropouts who return to prey on their former schoolmates. They lie in wait in school toilets to shake down students for their lunch money, roam the halls and playgrounds extorting and terrorizing.

Such violence reflects to a large extent the jungle of the slums, for it is there that the schools with the worst problems are located. For an addict needing money for his next fix, a student with lunch money is an obvious target. Gang fights frequently spill over into school buildings. Vandalism alone costs schools \$200 million a year nationally. Violent acts are often so seemingly meaningless that they defy reason. Outside Intermediate School 155 in New York's desolate South Bronx, a youngster was nearly stomped to death recently during an argument over a bottle of soda pop.

Increasingly, students in such schools are arming themselves with knives and cheap handguns. "In the kids' eyes, a gun is an equalizer," says one teacher. At Los Angeles' Compton High School a 17-year-old student, armed with a gun and a knife, demanded money from a 16-year-old. The victim drew his own gun and shot the extortionist dead.

One answer to the rampant violence is to place guards in the schools. New York City is training 1,200 security guards for its 95 high schools. Chicago has increased its guard force of off-duty policemen from 200 to 490 in the past three years. It now assigns up to eight men to each school, where they inspect locks on doors and check student identification cards, which bear not only the student's photograph and class schedule but are color coded to show his lunch hour. As a result, Chicago has reported an 11% drop in assaults. Philadelphia has assigned 61 uniformed policemen to problem high schools, organized an 80-man mobile strike force of retired cops, and has had a similar drop in school violence and crime.

Some educators sadly observe that elaborate security arrangements only shift the scene of the crimes elsewhere. "It is a community problem," says Crenshaw Principal Thompson. "We can secure the schools, but that doesn't secure the communities." Perhaps not, but it is certainly an important first step.

#### WHY I OPPOSE GOVERNMENT OPIUM DEAL

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. RANGEL. Mr. Speaker, today I arose in opposition to a bill (S. 2166) before the House which would authorize the disposal of 65,700 pounds of opium from the national stockpile and waive the 6-month waiting period normally required before such disposal.

I oppose this bill, because it contains no safeguards governing the disposal of the opium. We are being asked to turn over 65,700 pounds of opium to the General Services Administration with absolutely no strings attached and with no evidence that the extraordinary procedures authorized by the bill are necessary at this time.

The Armed Services Committee report seeks to justify the opium disposal on the grounds that the three major pharmaceutical companies licensed to manufacture products from opium in this country are running short of raw material.

No evidence of this alleged shortage

is presented in the report and the three pharmaceutical companies are not even named. If we are to be asked to vote to dispose of more than 65,000 pounds of raw opium worth hundreds of thousands of dollars on the legal market and several millions of dollars in the illicit market, we should at least be told who will be benefiting from this bonanza.

I never knew while I was working long and hard to get the Federal Government seriously committed to fight the international traffic in heroin, that our own Government had a built-in conflict of interest with several thousand pounds of opium stockpiled. While we spend millions of dollars to eradicate opium crops abroad and spend millions more to stop the international and domestic traffic in opium, our Government becomes one of the world's major opium dealers.

My community, and other communities throughout the Nation, have suffered too much from narcotics addiction for me to stand by and allow 65,700 pounds of opium to be casually disposed by the Government without congressional scrutiny.

I question the validity of the Government stockpiling this dangerously addictive drug. There is an inherent conflict of interest between the Government paying Turkey not to grow opium with one hand and buying opium for its stockpile with the other, and between a policy of vigorous law enforcement against opium dealers and the Government itself being involved in large scale opium dealing.

#### TIGER MARCHING HUNDRED BAND TO BE SEEN NATIONWIDE ON TV DURING ANNUAL ROSE BOWL PARADE AND PAGEANT ON NEW YEAR'S DAY

#### HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. CONTE. Mr. Speaker, one of the best known and most widely viewed events of the holiday season each year is the annual Rose Bowl Parade and Pageant in Pasadena, Calif.

This year, the nationwide television viewing audience of the New Year's Day spectacular will be treated to an exhibition by the Tiger Marching Hundred Band from South Hadley High School, South Hadley, Mass.

I am immensely proud of this talented group of young musicians. Under the able leadership of Director Roger W. Farnsworth and Assistant Director Frank P. Fuller, the band will not only perform in the parade and pageant, but also will be featured on the NBC television network's preparade program with entertainer "Doc" Severinsen, will perform at Disneyland, and will stage a concert and parade for the mayor of Tijuana, Mexico. In Tijuana, the Tiger Hundred Band will be tendered a dinner, will be entertained at a Mexican folk ballet and will participate in a flag exchange.

Since its formation in 1964, the Tiger Band has grown from a group of 24 to

today's full marching complement of 210. They have performed at a number of important occasions, both in this country and abroad, including the Festival of Kerry in Tralee, Ireland, in 1972; the "500 Festival" in Indianapolis, Ind., in 1971; the Inaugural Parade in Washington, D.C., in 1969; the Cherry Blossom Festival, also in Washington, D.C., in 1967; and numerous times at New England Patriots football games and at the Parade of Champions in Philadelphia, Pa.

At this time, I would like to place the roster, provided me by Director Farnsworth, of the South Hadley Tiger Marching Hundred Band and Drill Team into the RECORD and invite my colleagues to join me in saluting these young men and women:

#### SOUTH HADLEY HIGH SCHOOL TIGER MARCHING BAND AND DRILL TEAM, 1973-74 ROSTER

##### BAND

Seniors—Leonard Beaudry, Diedre Bilz, Donna Blain, Joann Bourguignon, David Clegg, James Cote, Carol Dandaneau, Jonathan Davol, Paul Dion, Erin Downing, Camille Hersh, Catherine Kotfila, Donald Lacharite, Michael Mainville, William McManus, Karen Ritchie, Mark Rivers, Paul Serpis, Christina Smith, James Tabak, Deborah Wells, Joseph Wholley, Janice Young.

Juniors—David Ashton, David Anthony, Lawrence Batley, Steven Boisvert, Bruce Brooksbank, Terie Brin, Tonie Brin, Cheryl Calhoun, Donald Corbin, Laureen Cwieka, Jody Daly, Lisa Daviau, Helene Domaszewicz, Teresa Duguay, Carol Fraser, Paul Frenette, Gail Gagnon, Dawn Gouin, Stewart Gutloff, Daniel Halkyard, Steven Hamel, Cynthia Hopewell, Craig Hutton, Nancy Hylemon, Marcia Kamish, Karen Kawalec, Marian Kennedy, Karla Koenig, John Kueck, Beverly Levreault, David Miller, William Oldread, Craig Parker, Michelle Pelland, Denise Pin, Barbara Ritchie, Mary Root, Carol Sakiewicz, Michael Scott, Janice Stawarz, Donald St. Georges, Karl Waligum, Francis Weaver, Nadine Wheeler, Anne Wolfe, Kathleen Zochowski.

Sophomores—Kevin Ames, Betsy Anthony, Marianne Batley, Andrew Beaudry, Gerard Bernard, Joseph Bilz, Maxine Boisselle, John Charlesbois, David Conforti, Scott Clark, Jeffrey Champagne, Susan Damphinais, Joseph Falcetti, Ann-Marie Fernandes, Timothy Fowler, James Hoar, Susan Hooton, Travis Hudelson, Roger Huebner, Mark Jamison, Terri Jones, Christine Kotfila, Catherine Labrie, Doreen LaFlamme, Stephen LaRosa, Karen Meon, Mark Michalski, Gail Motyka, Terri Nolin, Donald Perrault, Stephen Pelland, Debra Pont, Ronald Ree, Sally Rohan, Stephen Sasseville, Susan Schnugger, Susan Smith, Robert Theroux, James Wildman.

Freshmen—Richard Belsky, Jonathan Berky, Betty Boulais, Gretchen Brown, Brad Clechowski, Pamela Clare, Priscilla Corneliussen, Michelle Cote, Leslie Cushing, Sarah Davol, Lisa Fischer, Jeffrey Fleming, John Foley, Stephen Foley, Betty Fortier, Eugene Fournier, Nancy Gondek, Susan Hamel, Laurel Hamilton, Anne Hartwell, Kevin Howes, Theresa Hunt, Cynthia Hutton, Linda Januszewicz, Katherine Kamish, Walter Kaplan, Kathy Kluz, Robert LaFerriere, Mark LaFrance, James Lecca, Brian Miller, Kathy Rogers, David Satiawa, Barbara Slosek, Andrea Smith, Sharon Stapley, Regina Theroux, Michael Thivierge, Thomas Weaver, Lloyd Wells, Anne Werenski, Robert Whelan, Christopher Williamson, Chris Zochowski.

##### DRILL TEAM

Seniors—Cynthia Gingras and Barbara Panek.

Juniors—Pamela Barszewski, Cynthia Brissette, Nancy Boulais, Patricia Chase, Martha



Constant, Anna DeFelice, Susan Downie, Maryann Flanagan, Patricia Fleming, Leslie Legrand, Deborah Nolin, Kathy O'Meara, Celeste Patryn, Nancy Root, Caryn Serpis, Karen Shattuck, Nancy Supczak, Cheryl Supanski, Sharon Tapor.

Sophomores—Lynne Authier, Charon Bagley, Janet Boisjolie, Deborah Brunault, Marjorie Chase, Deborah Clark, Diane Colman, Diane Davieu, Karen Fontaine, Karen Hendricks, Judy Jedziniak, Deborah LaCroix, Anne Lebreque, Rene LeRose, Barbara LeDuc, Sarah L'Hevreux, Charlene Malanowski, Maryann Racine, Cathy Scott, Kathy Thornton, Brenda Wilkins.

Freshmen—Kathy Blaney, Lisa Caron, Lee Ann D'Ordine, Marjorie Flanagan, Diane Flannery, Rene Godard, Laura Hunter, Deborah Joniec, Kathy Lynch, Mary Ellen Miller, Karen Quesnal, Jackie Rosa.

## MANDATORY SEATBELTS AND COERCIVE GOVERNMENT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. CRANE. Mr. Speaker, there are, we would all agree, a number of important functions which only Government can perform. These are set forth in the Constitution, a document which seeks carefully to limit the powers of Government and make certain that through a system of checks and balances no single branch of Government can ever possess too much power and authority.

Freedom, as we have always understood it, means that each individual has the right to make the important decisions in his own life. A free society does not make these decisions for the individual, and the right to be free means the right to be wrong, as well as correct, to act against one's self-interest, as well as in its behalf.

Only totalitarian societies mandate proper modes of behavior in the citizen's own behalf. Our idea has always been that a man's right ends only where the right of another man begins. We stop at red lights because we are not the only ones involved in the transaction.

When Government begins to tell us what to do "for our own good," where no one else is involved, we approach a dangerous transaction from a free and open society, to a rigid and coercive one.

I am afraid that the Department of Transportation's requirement that 1974 and later year automobiles be equipped with a device that prevents a car from being started unless both lap and shoulder safety belts are fastened is such a step in the direction of coercion.

The elected representatives of the people have never passed a law imposing such a requirement, yet nonelected bureaucrats have declared this to be the new law of the land. The day when laws are declared rather than passed by the Congress is in itself a sign of our movement away from constitutional government. Such a regulation, however, would be equally inconsistent with freedom if the Congress has approved it.

The decision on whether or not to use seatbelts should be personal to the driv-

er. The use or nonuse of seatbelts presents no danger to other motorists on the road. Equipping automobiles with elaborate sensors which will inconvenience 1974 buyers is a gross example of needless bureaucratic regulation run wild. It is for this reason I have joined as a cosponsor of legislation which seeks to end these requirements. It is unfortunate that the Congress must pass a law to eliminate a bureaucratically promulgated regulation. This, however, is the state of our government at this time.

Recent reports have even indicated that the current regulations act against, rather than in support of, greater driver safety. James Mateja, auto editor of the Chicago Tribune, reports that Roy Haeusler, chief of engineer-automotive safety and security of the Chrysler Corp., believes that the inconvenience of the system may be turning off motorists to efforts at improving driving safety. He states that:

Interlock is not a good system. I don't think you can get people to wear a seat belt by passing a law or installing interlocks.

Mr. Mateja quotes Mr. Haeusler as stating that we should "do away with the garbage and simplify the system. In the last analysis the Government must realize you cannot push people around because they will always find ways to defeat the system."

The real question before us does not relate to the merits or demerits of seatbelts, but to the nature of a free society. Coercion must be kept to a minimum, and the trend toward an unfree society inherent in the seatbelt regulation must be reversed. I wish to share with my colleagues the article concerning the interlock system by James Mateja which appeared in the Chicago Tribune of November 25, 1973, and insert it into the RECORD at this time:

"TURNING OFF" MOTORISTS TO SAFETY: INTERLOCK SYSTEM VALUE QUESTIONED

(By James Mateja)

The seat belt interlock system on 1974 cars is several weeks old, but whether motorists are buckling up more (or, maybe less) is unknown.

Roy Haeusler, chief engineer-automotive safety and security of Chrysler Corp., believes there may never be conclusive proof that interlocks are forcing more people to buckle up.

He is more concerned, however, that the inconvenience of the system may be turning off motorists to efforts to improve driving safety.

"Interlock is not a good system. I don't think you can get people to wear a seat belt by passing a law or installing interlocks," he said.

With interlocks, the car, in theory, will not start until all front seat passengers (including a heavy bag of groceries) are harnessed into the one piece lap and shoulder belt combination.

Motorists must use seat belts thru their own inclination; interlock is the "pushy" way. Haeusler said, "I'm sure some people who wore belts are saying, 'I'll be damned if I wear them.' Others who didn't wear the belts are even more resolute in their refusal."

Haeusler staunchly supports lap and shoulder belt use, but readily criticizes the interlock—its making belt use mandatory and upsetting motorists to boot.

"The buzzer system of the past (when a

buzzer and dash light would activate when belts weren't fastened) probably had the net effect of getting more people to use belts without the severity and irritability of interlock. I sense more people would use belts if we had left in these qualities of the belt system and left out interlock."

Many fears about interlock system failures have been realized, Haeusler said. Cars are not starting even if belts are fastened; buzzers are going off after the belts are fastened and the car is started, and people are starting their cars without fastening the belts.

"With interlock there are 100 transistors and various other switches in the seats and buckles so the possibility for error is greater."

Haeusler charges the government was quick to raise a clamor over the installation of the interlock system, but is avoiding the controversy now that the system is in operation.

"We've asked public officials in Washington to be photographed with their interlock system fastened. We were looking for example-setting, yet the public officials haven't come thru. With the low esteem they now are held in, maybe it would be better to turn to movie stars or beauty queens. A Raquel Welch would do well."

In Canada cars are equipped with the one-piece lap and shoulder belt system, but without the accompanying interlock. Haeusler believes this is a suitable alternative. "It shows the system has a lot going for it without interlock. The question is whether anybody from Washington will study it."

Haeusler believes that problems associated with the interlock, among other things, may have an effect on the fate of the air bag system.

"After January 1 General Motors will offer air bags as an option in some of its top-of-the-line models. Will the people be willing to plunk down \$215 more for the air bags? With the G.M. cars you'll be able to get the bags either with or without the belt system. Which way will the consumer go?" he asks.

The safety executive fears unpleasant experiences with interlock will push consumers toward air bags rather than seat belts. He favors a system that combines both safety features.

G.M. is investing a tidy sum in the bag experiment and stands to lose a good chunk of it if consumers opt for cars minus the 150,000 optional air bags it has ready to install.

"The stakes are so high I can well understand their risking getting stuck with the bags. The issue of air bags is so politically and emotionally loaded G.M. is allowing the public to make its own decision."

"I'd like to add the air bag to the existing belt system (minus interlock). You get better back up protection from the bags because some people don't wear the belts. But remember the bag is a back up system to the belts, not a replacement, and this is how bags should have been rated in the first place."

"We have lots of back-up systems now the padded dash and shatterproof windshields, but if I'm wearing my lap and shoulder belt I won't hit the dash and won't go thru the windshield anyway."

Haeusler asserts there wouldn't be such flap over bags versus belts if the government hadn't tried to sell the public on the bags as a fool-proof system.

"For the government to state that bags are the best is to assume they mean bags without belts would suffice, which isn't true, and it also assumes that people won't try to beat the belts, but they'll try. There is nothing we can put in a car that can't be dismantled."

Sen. John Tunney (D., Cal.) and Rep. Carleton King (R., N.Y.) have proposed abolishing the interlock facet of the seat belt system, a proposal that Haeusler favors.

"Let's do away with the garbage and simplify the system. In the last analysis the government must realize you can't push peo-

ple around because they'll always find ways to defeat the system," he concluded.

**OUR NATION SALUTES THE FIRST  
BAPTIST CHURCH OF PATERSON,  
N.J., ON ITS 150TH ANNIVERSARY  
CELEBRATION**

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 18, 1973*

Mr. ROE. Mr. Speaker, on January 6, 1974, citizens of my Eighth Congressional District and the State of New Jersey will celebrate and commemorate the 150th anniversary of the First Baptist Church of Paterson and I know you will want to join with me in extending our heartiest congratulations and best wishes to the distinguished members of the clergy and congregation on this most historic event. It is my distinct honor and privilege to also commend to you the esteemed members of the clergy and church council of the First Baptist Church of Paterson whose outstanding dedication and sincerity of purpose in unselfishly and willingly extending their personal commitments toward the spiritual enrichment of our people and their outstanding efforts for the public good have truly enriched our community, State, and Nation. The current pastors and officers of the First Baptist Church are as follows:

**PASTORS AND OFFICERS**

Reverend Richard P. Camp, Interim Pastor.  
Reverend Reyes Ortiz, Hispanic Pastor.  
Russell G. Ackerman, Moderator.  
Albert Van Splinter, Vice-Moderator.  
Mrs. Dorothy VanDerWall, Secretary.  
Mrs. Laraine Brower, Church Clerk.  
Mrs. Jean Mayorga, Treasurer.

**DEPARTMENT OF WORSHIP**

T. George Wood, Chairman.  
Walter Decker.  
Mrs. Claire Brand.

**DEPARTMENT OF MEMBERSHIP**

Wilbur Van Steveninck, Chairman.  
Mrs. Gladys Stellingwerf.  
Mrs. Alice Cooper.

**DEPARTMENT OF RESOURCE**

Anthony Belle, Chairman.  
Mrs. Lee Forster.  
Alex Phillian.

**DEPARTMENT OF OUTREACH**

John VanDerWall, Chairman.  
Mrs. Harriet Milazzo.  
Mrs. Alice Decker.

**DEPARTMENT OF CHRISTIAN EDUCATION**

Mrs. Ruth Van Steveninck, Chairman.  
Garret Sugarbaker.  
Mrs. Thelma Meyer.

The members of the 150th anniversary committee, who are also exemplary leaders of our community, are as follows:

**ANNIVERSARY COMMITTEE**

Mr. and Mrs. Norman W. Hopper, Co-Chairmen.  
Mr. and Mrs. Garret Sugarbaker, Co-Chairmen.  
Mrs. June Brower.  
Mrs. Alice Decker.  
Mrs. Thelma Decker.  
Ralph Parrilli.

Miss Jean Sugarbaker.  
Mrs. Marion VanderWensel.  
Mrs. Doris Walker.  
Jack Walker.  
Mrs. Dorothy Westerhoff.

Chairman Hopper has been most diligent in researching the history of the First Baptist Church of Paterson and I insert at this point in our historic journal of Congress some interesting facts that he forwarded to me containing a chronology of events that have occurred in the building of the First Baptist Church of Paterson over these past 150 years. These noteworthy achievements of the First Baptist Church of Paterson surely manifest the pioneering spirit of America from its very beginnings and the rewarding results that can be attained through the spontaneous communion and everlasting bond of faith, hope, and charity among our people that is truly the most distinguishing asset that makes ours the greatest country of all nations throughout the world. The historic highlights are as follows:

**CHRONOLOGY OF EVENTS**

The First Baptist Church of Paterson was organized in 1823. The population of Paterson at that time was 5,081 (the 1970 population census in Paterson numbered 144,824). The members of the organizing council which convened on January 1, 1824 were as follows: Reverend William House of Bergen County, Samuel Fratt of Morris County, Reverend Joseph W. Griffith of Rockland County, New York, and Reverend John Richards of New York City. The original seventeen members of the new church were as follows:

Reverend William House, Maria House, Thomas Coombs, Elizabeth Coombs, George Damerall, Alfred Stoutenborough, David Cole, John Cole, Elizabeth Cole, Mary Jackson, Esther Curial, Isabel H. Franks, Deborah Bates, Sarah Ackerman, Uriah Everson, Catherine Everson, and John Halbet.

The church's first location was a private school room in a building on Broadway, Paterson which had formerly been used as a tavern. The first baptism, by immersion, took place in the Passaic River at the foot of Mulberry Street. After having several locations, a new church building was erected at the present location, at Washington and Van Houten Streets. It is interesting to note that as early as 1856 the First Baptist Church expanded and a mission was started in the "Sandy Hill" section of Paterson. A small one-story building was erected on the eastside of Straight Street, between Market and Willis Streets, the latter now being known as Park Avenue. In August 1856, the new building was opened for a Sunday School and five years later, it had to be enlarged. The rapid growth of the Sunday School led Messrs. James McNab, Dr. A. W. Rogers, John Byard, John J. Brown, Henry B. Crosby, James Crooks and Abram Crovsdale to unite their efforts and purchase eight lots on Willis Street and Mechanic Street (now 16th Avenue) and erect the building known as the Willis Street Baptist Church in 1868. In 1859 a member of the congregation, Mr. Lewis L. Conklin mortgaged his own home to purchase land for the church building at Washington and Van Houten Streets which was dedicated on January 31, 1860.

From this humble beginning the church continued to grow and become a leading entity in the spiritual and civic life of the city. Its history is long and illustrious!

The church has been served by 28 pastors during its 150 years. The Reverend William

House was chosen as the first pastor and served two years. The second pastor was the Reverend Daniel Lewis who remained for seven years. Reverend Zelottes Grenell of Orange County, New York accepted a call to the pastorate in 1833 and during the five years of his ministry, 148 were added to the church by baptism.

Reverend Charles W. Dennison was installed as pastor on September 4, 1839 and remained for one year. Reverend George Walling, a young man of 25, was next called to the pastorate, but after preaching only two Sundays, he was taken ill and died. He was followed by Reverend George Young in 1841 and during his two-year pastorate approximately 90 candidates were baptized. He was succeeded by Reverend Richard Thompson, who remained for one and a half years. The Reverend Charles H. Hoskin was the eighth pastor of the church, and when he resigned, the church recalled Elder Grenell, who remained for four years of successful preaching.

From 1852 to 1855 the Reverend Stiles Parker served as pastor, baptizing 20 candidates during his ministry. In 1856, the Reverend Rufus Babcock, D.D. became the pastor and during his service of 8 years 185 were baptized.

The Reverend Samuel J. Knapp succeeded to the pastorate following the resignation of Dr. Babcock in 1864. In October 1865, Dr. Joseph Banvard was called to the pastorate from Worcester, Massachusetts. After Dr. Banvard severed his connection with the church, there was a period of almost two years when the pulpit was vacant. Religious meetings were conducted by the deacons and from May to July of 1876, 45 were added to the church by baptism. The leaders of this revival were Deacons G. Demarest, W. Clerihew, H. Waters and E. Kohlisaat, men who through their zeal and dedication were an inspiration to all throughout their membership.

Reverend A. Burlingham served as pastor from May 1877 to April 1878. In July 1878, Reverend Frank Fletcher accepted a call and served a little less than 2 years, tending his resignation in January 1880. The Reverend E. A. Woods came to the church in May 1880 and during his six years, 172 were baptized.

In 1886, a student at Crozier Seminary, Spenser Meeser, was called to be pastor. He was ordained in this church in September 1886. After seven years, Mr. Meeser severed his connection with the church and in 1894, Reverend James Whitcomb Brouger began his work. Under his leadership, a Chinese Sunday School was established. It was during this pastorate that George Waters, son of Henry Waters, a former deacon, was ordained and sent out as the First Baptist Church's representative in China. Mr. Brouger ended his pastorate in October 1899.

In March 1900, Reverend Alonzo DeLarme became pastor. It was two years after he became pastor when one of the most disastrous fires in the history of the country occurred in Paterson. Before this fire was checked, it had taken 20 blocks of the business district, causing an insurance loss of \$5.75 million. Five churches were consumed by the flames, among them the First Baptist.

The congregation under the leadership of Mr. DeLarme faced the situation with Christian courage and determination. Temporary quarters were secured in the Sixth Holland Reformed Church on Godwin Street. The sessions of the Sunday School were held in School #1 on Fair Street. Three weeks after the fire, the congregation was driven from its temporary quarters by flood conditions, the Passaic River overflowing its banks. Undaunted by the double disaster of fire and flood, the people proceeded to plan to rebuild, and on October 14, 1902, ground was broken. On Memorial Day, 1903, the cornerstone of



the present church building was laid and it was on April 3, 1904 that the first service was held in the Sunday School section of the new building. The entire building was not ready until the following year and was dedicated February 12, 1905, three years after the fire. This building is still in use at this location. It is also interesting to note that in 1961 the First Baptist Church had an extensive program in its educational building, expending \$200,000 remodeling its interior. The exterior of the church has remained the same as when constructed after the fire.

Mr. DeLarme concluded his services in June 1905 and was succeeded by Reverend Gorrell Quick who during his seven years baptized 173. His service terminated in 1912 and in 1913, Dr. Waldo was installed as pastor. After a successful five years, Dr. Waldo tendered his resignation.

In the spring of 1918, the congregation was fortunate in securing the Reverend Frank MacDonald to serve as pastor. In July 1919 the Board of Trustees recommended that an Endowment Fund be created and on August 4, 1919, this account was opened with a legacy received from Mrs. Annie Post Marinus. Trustee A. K. Hamilton administered this fund faithfully for the next 50 years. It was with deep regret in 1923, the announcement was received that Dr. MacDonald would leave Paterson.

For a year, two able men served as supplies: Dr. Curtis Lee Lawes, editor of the Watchman Examiner, and Dr. Mark Wayne Williams. Dr. Williams prepared for the new pastor and in February 1924 the Reverend Russell Morse Brougher, a native son of a former pastor, Reverend J. Whitcomb Brougher, assumed the leadership, and served until 1928.

From 1928 to 1934 the Reverend G. Pitt Beers gained the respect of the church and the city through his ability as an organizer and inspiring preacher. For two years of his pastorate he was assisted by the Reverend John W. Thomas as Director of Religious Education and Youth Work.

The Reverend James Willard McCrossen accepted the pastorate in 1935 until his death on June 25, 1939. The Reverend Percy Gladstone Beatty was called to fill the pulpit on May 15, 1940 until 1962. The ministry of Dr. Fred MacArthur began in February 1953 and concluded in August 1956. The Reverend Harold Buker proved to be an excellent Interim Pastor until Dr. Jarrett T. Chandler came to the church on September 8, 1957 until August 31, 1964. Two well-qualified interim pastors filled the pulpit during the months before the church selected a new pastor. Dr. Henry A. McCanna, Director of the Churches of Town and Country of the National Council of Churches served as Interim for 14 months. Reverend Ralph C. Drisko, who was formerly Director of Evangelism of the New Jersey Baptist Convention, began his interim pastorate in January 1966 until the coming of the Reverend O. John Eldred in June 1966.

During Reverend Eldred's pastorate, the Russian Ukrainian Church with the Reverend Peter Gordiejew as their pastor, held their worship services in Fellowship Hall during the regular Sunday morning service time. During this period, the congregation engaged Miss Eleanor Menke as a Director of Religious Education. The dual leadership proved to be of great spiritual value to the congregation. An all church retreat was held in May 1968 which provided opportunities for fellowship and inspiration. This retreat was held for 3 consecutive years. An active inner-city ministry was also initiated with the cooperation of the membership with a city-wide youth program called INNCA and

the church's own local CORRAL and Bible Adventure Time (BAT) programs in the church building.

On January 1, 1971 a constitutional change was put into operation which provided for a Church Council of 15 members. The duties of the former five boards of the church were reassigned to five departments and three members of each of these departments served on the council along with the church officers and the church staff. It provided for the election of a moderator who would chair the Church Council and the business meetings of the church and serve as the President of the Church Body.

In March 1972 a Spanish ministry was initiated under the direction of the Reverend Reyes Ortiz. By the fall of the year 1973, about 20 adults and 20 children were attending the special services conducted on each Sunday afternoon in the chapel of the church. Reverend Eldred responded to a call to serve with the Ohio Baptist Convention on February 28, 1973. The church was most fortunate to secure the services of its present Interim Pastor, Dr. Richard P. Camp who was a former pastor of the Van Riper Ellis Memorial Church in Fairlawn, New Jersey, a neighboring community. The quality of his leadership and richness of his wisdom were already well known to the congregation of the First Baptist Church of Paterson who were indeed fortunate to receive his outstanding services.

This historic church has survived the Civil War, World War I, World War II, the Korean Conflict and the Vietnam War. Many members of the congregation served in the armed forces during these conflicts. The First Baptist Church has also survived financial panics and depressions, a major disastrous fire and catastrophic flood. It is considered the "Mother Church" of many other churches which were organized from its membership including Park Avenue Baptist Church of Paterson, the Union Avenue Baptist Church of Paterson, the Broadway Baptist Church of Paterson, the Van Riper Ellis Church of Fairlawn, and the Hawthorne Baptist Church.

The First Baptist Church was also instrumental in organizing the Young Men's Christian Association of Paterson and a member of First Baptist, Dr. Alexander Rogers, was elected the first President of the YMCA. The Honorable John J. Brown, the first Mayor of Paterson and an organizer of the First National Bank and the bank's first President, was a member of First Baptist.

The church has also sponsored most successfully a Russian-Ukrainian Church as well as its Spanish ministry.

Mr. Speaker, as 1973 draws to a close I know that you and our colleagues will want to join with me in saluting the outstanding achievements of the clergy and parishioners of the First Baptist Church of Paterson and expressing our best wishes for their continued success and happiness as we look ahead to the New Year of 1974 which, incidentally, the members of the First Baptist Church have, in accepting the challenges of the future, labeled as "1974, a Year of Decision."

## OUR NATION SALUTES THE PREAKNESS REFORMED CHURCH OF WAYNE, N.J., ON ITS 175TH ANNIVERSARY CELEBRATION

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ROE. Mr. Speaker, I am proud and honored to have this opportunity to call to the attention of you and our colleagues here in the House a most historic event that is taking place in my hometown of Wayne where the oldest church in our township, the Preakness Reformed Church, is celebrating its 175th anniversary.

The history of the Preakness Reformed Church is most eloquently depicted in a recent feature story by the distinguished columnist Betty Macaulay which appeared in a recent issue of the Paterson News, one of New Jersey's most prestigious newspapers, and reads as follows:

WAYNE CHURCH MARKING 175TH ANNIVERSARY  
(By Betty Macaulay)

WAYNE.—The oldest church in the township will climax its 175th anniversary celebration Sunday at two special festival morning services and a banquet in the afternoon.

The Preakness Reformed Church on Church Lane will welcome as guest speaker at both the 9:15 and 11 a.m. services the Rev. Dr. Howard G. Hageman, president of New Brunswick Theological Seminary, author, and former minister for 28 years of the North Reformed Church of Newark.

Three former ministers of the historic church will speak at the dinner planned for 1 p.m. at Wayne Manor. Visiting their former congregation will be the Rev. Dorr Van Eten of the New Prospect Reformed Church of Pine Bush, N.Y.; the Rev. David Van Sickle of Upper Ridgewood Community Church in Ridgewood, and the Rev. Douglas Fromm of the First Reformed Church in Somerville. Also taking part will be the present church minister, the Rev. Albert A. Smith and Samuel Ford, vice president of the church consistory. Arthur Udland, a consistory member, will be master of ceremonies. He and his wife are sharing chairman responsibilities with Dr. and Mrs. Karl Pinto.

### TOURS PLANNED

Displays of historical interest and tours through the church buildings will be available for the public on Saturday as an extension of the anniversary celebration. Guests will visit the old church cemetery where headstones date back to the late 1700's. An arts and crafts exhibit of members' hobbies will be on view in the church's Berdan Hall at that time.

Although Sunday's festivities will be more traditional in nature, special events marking the anniversary throughout the year have reflected the church's more liberated attitude. Members put on a talent show, a square dance, and a series of dinners including a progressive dinner, a beefsteak and a pot luck supper.

Chairmen of the anniversary committee are Mr. and Mrs. Samuel Ford.

Helping on the committee, besides Mr. and Mrs. Udland and Dr. and Mrs. Pinto are Mrs. Harold Boughton, Mr. and Mrs. Ronald Hinchman, Roy Barclay, Mrs. Alexis Bonid, Peter Bevershuis, Mr. and Mrs. James Lee, Miss Jennie Vander Valk, Mr. and Mrs. Frank Giannini, Mrs. Arthur Schweitzer, Mr. and Mrs. George Kopp, Mr. and Mrs. Harvey At-

kinson, Edwin Van Wyk, Mr. and Mrs. William DeYoung and Richard Houston.

Although the area of Preakness was settled sometime between 1715 and 1720 by two Berdan brothers, the first church was not erected until 1798. Residents worshipped in the churches of neighboring villages and an old schoolhouse on the present site of Schuyler-Colfax Junior High School.

No pictures are available of the first church building which stood from 1798 until a new one replaced it in 1852. Formal organization came in 1802 but preaching services were held only once a month. Six ministers were assigned to preach in Preakness, each occupying the pulpit twice a year. The Sacrament of the Lord's Supper was administered but twice yearly. Then in 1825, the Rev. Zachariah Hoffman Kuypers was retained to preach and divided his time between the Ponds Reformed Church in Oakland, and the Wyckoff Reformed Church and the Preakness Church.

Finally, in 1842, the Rev. John Woods became the church's full-time minister. A parsonage was erected in 1846 on a two-acre plot on what is now Valley Road.

#### CONGREGATION GROWS

Passing the 100 member mark in 1882, the congregation grew and prospered without major incident until in 1930 fire completely demolished the old building. Insurance money and the contributions of the faithful helped make possible the rebuilding of the sanctuary on the same site. The cornerstone was laid May 30, 1931. In addition to that cornerstone, the one from the 1798 building was placed in the east wall and can be seen today.

Since the erection of the new church as rebuilt Fellowship Hall was added in 1948 and a parish house in 1960.

In sharp contrast to the early days in the history of the Preakness Reformed Church when preaching services were held but once a month, the church installed two men in 1967, the Rev. Douglas W. Fromm as assistant minister and the Rev. Albert A. Smith as minister who is still serving the church.

Under the dual leadership, the church reached out to the youth of the community by establishing a meeting room called first The Oxbow, then "The Infinite Tunnel." It took the form of a coffeehouse sponsored ecumenically by the churches of Wayne and open to all youth in the area. At times more than 300 young people met there to play guitars, play games, dance or just communicate with each other.

Within the church itself, the mood of innovation brought about different forms of worship such as the use of guitar music, films, slides and dance and dramatic programs—all used as part of the worship service. Innovations in Christian education included rap sessions for all ages and sex education. Even the laity now takes a more important part in planning church activities. For the first time in the church's history, women have been elected to the consistory, the first being Deacon Marilyn Ratcliffe and Elder Elmer Goeller.

Mr. Smith has been serving the congregation alone since the departure of Mr. Fromm in 1971. He has had the assistance of Miss Cynthia Brandt, a student at Union Seminary in New York as a part-time pastoral assistant.

The oldest church in the community looks forward to celebrating its religion with new tools which appeal to the eyes and the ears. It is a renewed, more vital and humanized church which Mr. Smith is striving for.

"What we've done here is to come to grips with the real world," said parishioner Ford. "Church is no longer a Sunday discipline for us."

Mr. Speaker, no matter how we equate or measure our investments in life—by whatever standard applied—in our sense of values and our constant quest for ex-

cellence, it is fundamental that investment in human values is paramount to our mutual endeavors and responsibilities. I am indeed pleased to seek this national recognition of the Preakness Reformed Church of Wayne, N.J., and ask you and our colleagues to join with me today in saluting its congregation and pastor, the Reverend Albert A. Smith, during this 175th anniversary celebration in appreciation of all of their good works which have truly enriched our community, State, and Nation.

#### NATIONAL ENERGY EMERGENCY ACT

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mrs. GRASSO. Mr. Speaker, for the people of Connecticut and the rest of New England the energy crisis is bad and getting worse.

Estimates of shortages in New England this winter for residual and home heating oil reach 50 and 30 percent, respectively. Since residual oil generates 70 percent of the area's electric power and heating oil warms 75 percent of New England's homes, we need a thorough, efficient energy allocation and conservation system which will insure the New England States that they will not have to bear an inordinate share of the burden during the shortage.

The National Energy Emergency Act would establish measures necessary to meet essential energy needs of the country during the crisis. The bill establishes a Federal Energy Administration to implement the mandatory fuel allocation program and submit to the Congress energy conservation plans. By requiring congressional approval of these plans, the bill would prevent unilateral Executive action which might not be equitable or in the best interest of the Nation. In addition, the bill authorizes the President to order priorities among users of oil products and to allocate supplies among the priority users.

Along with many of my colleagues, I have some doubts about giving this unprecedented power over our lives to the Federal Energy Administration and its director Mr. Simon. An administration that reorganizes its energy functions monthly and paints rosy pictures of an energy future which is uncertain at best cannot be given uncontrollable authority in this crisis. However, concentration within a single agency is imperative for the efficient administration of a conservation and allocation program.

It is my hope that the administration will at last assume the role of keeping the American people faithfully informed of the magnitude of the energy crisis as well as the problems, priorities, and possibilities surrounding the allocation program.

To date this has not been the case. For example, given the fact that we produce domestically only 70 percent of our energy needs and given the normal yearly increase in energy demand, the President misleads and confuses the Nation

by stating that the energy crisis is a 1-year, one-shot problem. The crisis will not end in 1-year or one decade. It will end when we develop new energy sources, reorder our energy priorities and reeducate ourselves with a spirit of energy conservation.

The National Energy Emergency Act contains a number of vital provisions, including one which would restrict the export of coal, petroleum products, and petrochemical feedstocks if the exports would contribute to unemployment in the country. In addition, the prohibition against price gouging is designed to prevent the reaping of windfall profits during the crisis. Also, the inclusion of the antitrust provisions, the unemployment grants to States, and the oversight power of Congress all deserve to be included in the final language of the bill.

Along with many of my colleagues, I am disappointed that certain strengthening amendments were not included during our marathon session. Nevertheless, the bill provides a reasonable and balanced approach to meeting the energy shortage. Retaining the hodge-podge system which did little or nothing to prepare us for this national emergency was an unacceptable alternative. Under the circumstances, therefore, I supported the National Energy Emergency Act.

#### THE TRUE MEANING OF CHRISTMAS

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HUNT. Mr. Speaker, at this time of the year when we are approaching the Christmas holiday, we oftentimes neglect the true meaning of Christmas—the celebration of the birth of Christ. Some people think of it as a few days off so that they can go to football games—others think it is a national holiday for the purpose of giving and accepting gifts—and many of our little children never know the true meaning of Christmas, because they are taught to believe that only Santa Claus is important.

One of the many Christmas cards we received at our home was one from Mr. and Mrs. Stanley Lewis of West Deptford, N.J., which depicts something that we are forgetting today. It is the saying by Robert Louis Stevenson in which he said, "Lord behold our family here assembled." His wisdom gave us so much in the way of our American life and heritage and considering the practical sense to which it has been associated, I am enclosing the entire quote by Mr. Stevenson, hoping that my colleagues will take note of it.

I am quite fortunate to have friends like the Lewis family. We need more Americans today who have the total knowledge of Christmas in their hearts.

The material follows:

#### THE TRUE MEANING OF CHRISTMAS

(By Robert Louis Stevenson)

Lord behold our family here assembled. We thank Thee for this place in which we dwell, for the love that unites us, for the



peace accorded us this day, for the hope with which we expect the morrow, for the health, the work, the food and the bright skies that make our lives delightful, for our friends in all parts of the earth.

# OMB WOULD LIKE TO CONTRACT OUT THE GOVERNMENT

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. WALDIE. Mr. Speaker, it is all too apparent that the Office of Management and Budget is now perhaps the most powerful agency in the executive branch, and that it is dictating policy, without the necessary check of accountability, to much of the Federal Government.

In this regard, I was particularly disturbed to have brought to my attention an as yet unpublished proposal by OMB to all the military branches suggesting that beginning in fiscal year 1975 the vast bulk of military base support operations, now primarily performed by tens of thousands of career civil servants, should be contracted out.

Additionally, the OMB proposal would require a single contractor to control the support functions on an individual military base rather than a number of different contractors. It is clear that OMB, headed by a former magnate of the military-industrial complex, is thoroughly ingrained with the philosophy of "big business should run the Government." Contracting out of Government facilities and functions is rationalized as a way of balancing the budget and reducing military appropriations. But this is nothing more than a coverup for the administration's basic "big business" bias. There are many difficulties with such a philosophy.

First of all, it creates havoc with the lives of thousands of career civil servants and their families. Second, it creates inefficient "cost-plus" contracts which guarantee profits for those companies who are awarded the contracts.

Third, in proposing a single basewide contractor, OMB would give large contractors another advantage in that it allows them a bigger piece of the pie in terms of both profits and power to influence governmental decisions regarding the military. Smaller companies are simply excluded from competing for any of the business.

OMB also cites the possibility of significant dollar savings with the initiation of its contracting out policy. But most of all, every taxpayer in the Nation has a vital interest in the assertion that contracting out will save tax money.

Past conversions have demonstrated that industry submits bids which show an initial cost savings in comparison to the number of dollars spent on the civil service function, but after the first year of having a function contracted out, the costs increase substantially in the succeeding years—and the increased costs of the contractor erase any initial military cost savings which might have been realized.

The civil servants at the Pacific Missile

Range at Point Mugu, Calif., are today being threatened by OMB's policy of welfare for big business. In this case, the decision to contract out the support functions of the Pacific Missile Range was made before a realistic cost-savings analysis was completed. One thousand four hundred and forty-eight civil service employees face losing their jobs once a contract bid is accepted to convert the Pacific Missile Range to a Government-owned, contractor-operated facility. The Navy has been playing handball with the lives of these employees long enough. In attempting to comply with Mr. Ash's philosophy and interests, the Navy refuses to be forthright in dealing with the employees at the Pacific Missile Range. The equivocations of the Navy on this issue have not only lowered the morale of the workers at the base but have instilled many of them with hopelessness and fear as to their futures. This has been done without any practical or genuine logic to support the Navy's decision. Cost-savings figures have not been supported and it is difficult to find any reasonable excuse for this conversion.

The revelations of the last year should have taught us that big business must not be heavily involved in the operations of our Government. It allows them certain advantages which are often used to increase profits rather than improve and make more efficient the present system.

Mr. Speaker, it is time for the Congress to bring OMB and its philosophy of "big business knows best" under careful scrutiny, and eventually, at the very least, a modicum of control.

## WHEAT PRICES

**HON. ANGELO D. RONCALLO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. RONCALLO of New York. Mr. Speaker, this past week wheat prices exceeded their levels of August. Shipments in the July 1-December 7 period were at 58 percent of the total the U.S. Department of Agriculture has forecast for the July 1-June 30 crop year. The Department's own report of outstanding export sales to known destinations plus shipments to date are well in excess of their export forecast for the year. There is considerable new business pending.

What are we doing to deal with the situation? It appears the current government policy is to ignore the problem and hope some miracle will cause it to go away. Our current energy crisis indicates that there is no substitute for making hard but timely choices.

## DOWNTOWNS: THEY DON'T HAVE TO DIE

**HON. BO GINN**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. GINN. Mr. Speaker, I would like to call to the attention of my colleagues

a report on one of the most exciting developments in urban living that has taken place in our country in years. This development is not new to the people of my congressional district, but I imagine that a great many Americans are not aware of it.

This development involves the remarkable work taking place in the city of Savannah in Georgia. Savannah is one of the most beautiful cities in our Nation, and like so many cities, its beauty was threatened by its growth and urban decay. But the people of Savannah have proven that community concern can effectively attack urban problems.

There is an excellent account of Savannah's story in a recent column by James J. Kilpatrick, who I feel is one of the leading columnists and commentators in the Nation.

The column follows:

### DOWNTOWNS: THEY DON'T HAVE TO DIE

SAVANNAH, GA.—So much of the news we read today is news of failure—of things that go badly—that it may be a welcome change to read of a thumping success. The beautiful old port city of Savannah is demonstrating to its own people, and to a mounting stream of visitors, that downtowns don't have to die. Savannah's inner city is happily alive.

It wasn't always that way. Over the past 240 years, since James Oglethorpe laid out the city in 1733, Savannah has known 't ups and downs, but far more downs than ups. Prior to the War for Southern Independence, as it still is termed in these parts, Savannah seemed destined for glory. Its cotton exchange was thriving; its bankers were building wealth; no ambition seemed out of reach.

Then came Sherman, marching through Georgia, and the dream collapsed. Cotton declined as synthetic fibers came along. Lumber gave way to other building materials. Naval stores lost their importance. Savannah grew, but it didn't grow greatly. Its 1970 population of 118,000 was a thousand less than the city reported in 1950.

Yet some exciting things have been happening in Savannah. Call it a renaissance, or call it a new spirit, or credit the city's resurgence to a band of dedicated leaders who saw values worth preserving. The city boasts a new cultural center, the home of its symphony. Its port leads the South Atlantic Range, with 8 million tons of bulk and general cargo last year. By 1976, a \$6 million urban-renewal project will make its waterfront a pure delight. Savannah has stopped drowsing.

The most significant element in all this is the restoration of Savannah's central city. In a burst of brilliant inspiration, Oglethorpe conceived the city long ago as a cluster of 24 squares. Around each of these small parks, great homes and elegant row houses arose. Churches flourished. Then the same cancer set in that has afflicted many old cities. A movement developed toward suburbs and subdivisions. The whole of the downtown area seemed destined to become a shabby Southern slum.

A turning point came some 20 years ago, when downtown merchants, in a desperation move, succeeded in demolishing the old city market at Barnard and Congress Streets. The market admittedly was in sad shape, but it housed the colorful hucksters of old Savannah. They used to sit on stools along the sidewalk, shelling beans and selling crabs, talking the geechee dialect. Nothing could save them from progress. The merchants tore down the market and erected the world's ugliest parking garage on the site.

Savannah reacted in shock. Loss of the market galvanized civic leaders into forming the Historic Savannah Foundation. Mrs.

Hansell Hillyer, wife of the president of the Savannah Gas Co., already had demonstrated what restoration could mean in the small Trustees' Garden. Now Anna C. Hunter, artist and newspaper woman, threw her energies into the monumental task of saving an area of two square miles with 1,100 houses.

Much work remains to be done, but a visitor who returns to Savannah, after a lapse of 20 years, is stunned by the beauty and the charm of the downtown city. Some 900 houses have been restored. Marshall Row on Oglethorpe Avenue, which 10 years ago was in apparently irretrievable decay, has regained its own elegance. There is not a prettier oasis in any American city than Monterey Square. And the key point is this: People live and work here. This is no museum. It is a thriving, viable city, as intimate as Florence—a city of live oaks and fountains, brick walks and cobblestones, of sunlight shuttered through palmetto leaves.

I do not mean to slight other cities engaged in the same vital work. Charleston, Boston, Philadelphia, Providence, and Richmond are recapturing a graciousness that once seemed lost. Farther west, Denver and Seattle have caught the spirit of preservation. San Antonio's river development deserves all the acclaim it has received. But in Savannah, the task was unusually large and the financial resources were lamentably small. The city at a crucial point, found leadership and vision. Given a city worth preserving that is all it takes.

#### BILL HOCH—DISTINGUISHED LABOR LEADER—RETIRES

#### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. KEMP. Mr. Speaker, my good friend, Bill Hoch, is retiring from the trade union movement. He has been the distinguished leader of the Great Lakes District of Local 25 of the AFL-CIO International Union of Operating Engineers' Marine Division, as well as the Buffalo Port Council of the Maritime Trades Department (AFL-CIO) for many years.

The trade union movement will miss him as will all of the western New York community. Bill Hoch is an honorable man of uncompromising integrity. He has the profound respect of all who know him.

John Kennedy once said that history will judge each of us based on the answers to four questions: "First, were we truly men of courage. Second, were we truly men of judgment. Third, were we truly men of integrity. Finally, were we truly men of dedication?" Though we cannot yet judge Bill Hoch as historians, those of us who know him know the answers to those questions—each can be answered swiftly with an unqualified "Yes."

The Buffalo Evening News carried a great article by Ed Kelly marking Bill's retirement. I include it at this point:

MARITIME TRADE UNION'S "MR. INTEGRITY" STEPPING DOWN AFTER 44 YEARS

(By Ed Kelly)

The House of Labor in western New York is losing one of its staunchest pillars.

He's the gentlemanly, silver-haired unionist who for many years has been leading the Great Lakes District of Local 25 of the AFL-

CIO International Union of Operating Engineers' Marine Division, as well as the Buffalo Port Council of the Maritime Trades Department (AFL-CIO).

Hoch, who's 65, is giving up the helm of both organizations this month, ending a career that's kept him uninterruptedly in one union office or another for 44 of the 45 years he's held a union card.

He and his wife, Grace, will divide each year between Florida and Orchard Park. And though the labor movement's losing Bill, it's not—by a long shot—losing the Hochs. Three of Bill's sons—Don, Bob and Dick—belong to Steamfitters' Local 395, and his other son, Bill, is a member of Plumber's Local 36.

The head of this trade-union clan, the retiring Bill Hoch, started work as a helper on a drill boat in the Port of Buffalo back in 1928, joining at the time Local 5042 of the International Surface Rock & Drill Boat Workers Association, an affiliate of the then AFL's International Longshoremen's Association.

The following year, 1929, Hoch was elected vice president of Local 504-2 and from that day to this, in a variety of offices at local, regional and international levels, and in successor organizations to the old Local 504, he's never lost an election and has been opposed only once since 1959.

Hoch became a full-time, salaried union officer in 1950 with his election as grand president of the International Surface Rock & Drill Boat Workers Association's Local 504.

Though carrying a local-union number designation, it actually functioned as an international union.

He merged his organization in 1959 with the then newly-chartered Local 25 of the Operating Engineers' Marine Division, headed by President Steve Leslie, and became one of its executive board members and the representative of its Buffalo-headquartered Great Lakes District.

Local 25 is a far flung organization. The 4,500 men it represents in 38 states work aboard drill boats and dredges used in river and harbor improvement through the Great Lakes and along the East Coast.

Hoch himself bargains for about 500 men on the Lakes as well as for drill boat workers along the Eastern Seaboard.

He's had other duties in his union as well. For the last 5 years he's been Local 25's treasurer and, since 1962, a trustee of its welfare, pension and vacation plans.

His local hasn't been the only labor organization benefiting from his leadership. Under Hoch's six-year presidency, the Maritime Trades' Buffalo Port Council mushroomed from eight to 28 local union affiliates, from a total rank-and-file constituency of fewer than 10,000 to more than 43,000.

The Port Council, made up of unions in maritime and allied industries, campaigns for legislation beneficial to its affiliates and for political candidates friendly to its goals. It also assists affiliates in problem-solving and supports worthy charitable and community causes.

Hoch's also been an executive board member of the Buffalo AFL-CIO Council since 1968.

He's liked, admired and respected by unionists and employers alike. Fiercely loyal to his friends, he's often gone to great lengths to give them a hand when needed.

Like most good labor leaders, Hoch's been tough; but, unlike many, he's also been kindly.

"Bill's exactly what he appears to be," recalls one longtime Hoch-watcher, "a friendly, low-key, considerate, straightforward, reasonable guy who wants to see justice done for his members and for the employers who provide the jobs for his members."

Hoch's always said what he thought and meant what he said, even if it meant disagreeing with his boss in Local 25, or taking

on other members of the labor movement (which is what happened last year when he loyally stuck with Rep. Jack Kemp while the AFL-CIO was howling for the congressman's scalp).

Bill Hoch doesn't dissemble. He can't. It isn't in him. It's his nature to be open, above board. One top labor figure here calls him "Mr. Integrity."

Bill Hoch is—well, he's Bill Hoch.

He'll be missed. The responsible trade union movement will be the poorer for his leaving.

#### AIRLINE FUEL SAVINGS

#### HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. MOSS. Mr. Speaker, it has come to my attention through the press that a number of air carriers are reducing service and grounding aircraft as a consequence of the current fuel crisis. One of the important factors which must be taken into consideration in making these changes is the amount of fuel consumed per passenger or available seat. In this regard, the Aviation Daily recently reported in its December 11, 1973, issue that Japan is considering an earlier introduction of domestic widebody jet service because these aircraft consume less fuel per seat than smaller aircraft.

According to JAL, the 727-100, with 127 passengers, consumes 35 liters of fuel a minute; the McDonnell Douglas DC-8-61, with 233 passengers, 46 liters; and the 747SR, with 490 passengers, 65 liters. Thus use of the SR would save 55 percent and 30 percent over use of the 727 and DC-8.

While I concur that some changes are necessary in view of the current fuel shortage, what bothers me is that I feel some of the proposed revisions are being made for reasons other than the saving of fuel, such as equipment standardization and more frequent service; and therefore that—at least in some cases—the results reached will be the consumption of more fuel, especially in the short-haul markets where the prop-jet is more efficient than the pure jet, and the more dense markets where the widebody jets consume less fuel than the smaller jets.

For this reason, I had my staff make a special study of the fuel consumed by various aircraft types operated by U.S. scheduled air carriers during the calendar year 1972. This study showed that during 1972 the new widebody jets consumed 10 to 11 gallons of fuel per available-seat block hour, the regular body jets, 11 to 14 plus gallons of fuel per available seat-hour, and the smaller prop-jet and propeller feeder aircraft, 5 to 7 gallons of fuel per available seat-hour. Thus, the substitution of a pure jet for a prop-jet on short-haul routes can increase fuel consumption by 3 to 4 gallons per available seat-hour and trip, where the block times are relatively the same. Likewise, the use of two regular body jets instead of one widebody jet on dense routes, in order to increase fre-



quency of service, can boost fuel consumption by 2 or more gallons of fuel per available seat-hour.

I might add, a 10-percent fuel savings

per available seat-hour can produce an overall 11-percent increase in system revenues.

Accordingly, Mr. Speaker, I believe

my colleagues will find the following table useful in evaluating the airlines' forthcoming schedule changes as it affects their district.

FUEL CONSUMPTION—U.S. SCHEDULED AIRLINES, 1972

Type of equipment, carrier group, and carrier	Gallons of fuel consumed per aircraft block-hour	Average available seats per aircraft mile	Gallons of fuel consumed per available seat block-hour	Type of equipment, carrier group, and carrier	Gallons of fuel consumed per aircraft block-hour	Average available seats per aircraft mile	Gallons of fuel consumed per available seat block-hour
<b>Wide-body jets:</b>				<b>DC-8-30:</b>			
<b>B-747:</b>				<b>Domestic:</b>			
Domestic	3,349	317.1	10.56	Domestic	2,166	130.5	16.60
American	3,274	307.2	10.66	Delta	2,341	135.0	17.34
Braniff	3,407	324.4	10.50	United	2,023	127.0	15.93
Continental	3,475	295.1	11.78	<b>DC-8-50:</b>			
National	3,619	358.1	10.11	<b>Domestic:</b>			
Northwest	3,314	357.0	9.28	Domestic	1,808	128.9	14.03
Pan American	3,590	336.5	10.67	Delta	1,849	135.0	13.70
Trans World	3,447	318.0	10.84	National	1,923	139.0	13.83
United	3,243	305.5	10.62	United	1,704	116.7	14.60
<b>International:</b>				International: National	2,019	126.0	16.02
American	3,635	332.8	10.92	<b>DC-8-61:</b>			
American	3,776	322.0	11.73	<b>Domestic:</b>			
Northwest	3,486	362.0	9.63	Domestic	1,984	175.0	11.34
Pan American-Atlantic	3,622	336.5	10.76	Delta	2,134	195.0	10.94
Pan American-Latin	3,501	337.3	10.38	Eastern	1,890	195.4	9.67
Pan American-Pacific	3,654	336.6	10.87	National	2,138	192.7	11.09
Trans World	3,685	328.1	11.58	United	1,904	161.9	11.76
<b>DC-10-10:</b>				International: Eastern	2,293	196.2	11.69
Domestic	2,170	224.6	9.66	<b>DC-8-62:</b>			
American	2,215	223.9	9.89	<b>Domestic: United</b>			
Continental	2,127	200.0	10.64	Domestic: United	1,727	130.4	13.24
National	2,236	249.0	8.98	International: Braniff	1,962	163.7	11.99
United	2,108	221.0	9.51	<b>DC-8-63:</b>			
<b>L-1011:</b>				<b>Domestic: Eastern</b>			
Domestic	2,365	213.7	11.07	Domestic: Eastern	1,784	203.1	8.78
Eastern	2,429	227.5	10.86	International: Eastern	2,022	197.8	10.22
Trans World	2,318	206.0	11.25	<b>3-engine jet:</b>			
International: Eastern	2,873	227.4	12.63	<b>B-727-100:</b>			
<b>4-engine jets:</b>				<b>Domestic:</b>			
<b>B-707-100B:</b>				Domestic	1,271	96.1	13.23
Domestic	1,657	116.5	14.22	American	1,304	93.1	14.01
American	1,676	121.5	13.79	Braniff	1,299	102.0	12.74
Braniff	1,862	122.9	15.15	Delta	1,209	96.0	12.59
Trans World	1,618	110.3	15.15	Eastern	1,303	97.3	13.39
International	1,714	136.1	12.59	National	1,349	102.0	13.23
American	1,644	128.8	12.76	Northwest	1,238	96.3	12.86
Pan American-Latin	1,751	139.7	12.53	Northwest	1,246	93.0	13.40
<b>B-707-300:</b>				Trans World	1,282	90.2	14.21
Domestic: Trans World	2,136	150.3	14.21	United	1,214	97.9	12.40
International: Trans World	2,330	145.2	16.05	International	1,486	106.5	13.95
<b>B-707-300B:</b>				American	1,374	93.8	14.65
Domestic	1,859	143.0	13.00	Eastern	1,443	97.2	14.85
American	1,743	137.8	12.65	Pan American-Atlantic	1,569	126.7	12.38
Pan American	1,835	139.8	13.13	Pan American-Latin	1,443	100.1	14.42
Trans World	1,965	149.3	13.16	Other: Alaska	1,193	89.8	13.29
International	1,913	147.8	12.49	<b>B-727-100C/QC:</b>			
American	2,252	143.5	15.69	<b>Domestic:</b>			
Pan American-Atlantic	1,885	150.3	12.59	Domestic	1,301	98.0	13.28
Pan American-Latin	1,897	140.2	13.53	Braniff	1,326	102.0	13.00
Pan American-Pacific	1,930	143.5	13.45	Eastern	1,336	97.2	13.74
Trans World-Atlantic	1,864	153.1	12.18	Trans World	1,314	90.4	14.54
Trans World-Pacific	2,020	146.4	13.80	United	1,255	98.0	12.81
<b>B-707-300C:</b>				International	1,490	114.9	12.97
Domestic	1,906	137.0	13.91	Braniff	1,376	103.6	13.28
American	1,911	134.3	14.53	Pan American-Atlantic	1,574	126.8	12.41
Continental	1,989	136.5	14.57	<b>B-727-200:</b>			
Northwest	1,894	140.9	13.44	<b>Domestic:</b>			
Pan American	1,885	138.0	13.66	Domestic	1,397	123.3	11.33
Western	1,846	136.2	13.55	American	1,409	122.7	11.48
International	1,900	142.6	13.32	Braniff	1,428	128.6	11.01
American-Latin	1,618	136.4	11.86	Continental	1,460	110.0	13.27
American-Pacific	2,205	146.7	15.03	Delta	1,377	130.5	10.56
Braniff	2,148	164.6	13.05	Eastern	1,384	131.2	10.55
Northwest	1,873	150.2	12.47	National	1,424	131.7	10.81
Pan American-Atlantic	1,957	137.8	14.20	Northwest	1,369	130.5	10.49
Pan American-Latin	1,940	137.3	14.13	Trans World	1,338	122.0	10.97
Pan American-Pacific	1,957	137.4	14.24	United	1,406	119.6	11.76
Trans World	1,913	145.1	13.18	Western	1,315	123.0	10.69
<b>B-720:</b>				International: Eastern	1,392	121.9	11.42
Domestic	1,870	118.3	15.81	International: Eastern	1,559	131.2	11.88
Braniff	1,977	123.8	15.97	<b>2-engine jets:</b>			
United	1,784	115.0	15.51	<b>BAC-111-200:</b>			
Western	1,950	119.2	16.36	<b>Domestic: Braniff</b>			
<b>B-720B:</b>				Domestic: Braniff	802	62.4	12.85
Domestic	1,631	114.7	14.22	Local service	792	72.9	11.02
Continental	1,634	106.3	15.37	Allegheny	789	72.7	10.85
Northwest	1,588	109.0	14.57	Mohawk	803	69.0	11.64
Western	1,638	118.4	13.83	<b>B-737-200:</b>			
International	1,682	120.1	14.00	<b>Domestic:</b>			
Pan American-Latin	1,642	121.7	13.49	Domestic	893	91.9	9.72
Western	1,725	118.6	14.54	United	874	89.9	9.72
<b>CV-880:</b>				Western	924	94.9	9.74
Domestic	1,847	93.8	19.69	Local service	885	93.7	9.45
Delta	1,853	96.0	19.30	Frontier	860	97.0	8.87
Trans World	1,842	91.8	20.02	Piedmont	908	90.0	10.09
<b>DC-8-20:</b>				Intra-Alaska: Wien Consolidated	944	106.7	8.85
Domestic	2,145	125.4	17.11	Intra-Hawaii: Aloha	944	116.7	8.09
Eastern	2,191	137.7	15.91	<b>DC-9-10:</b>			
National	2,452	139.0	17.64	<b>Domestic:</b>			
United	2,078	120.9	17.19	Domestic	892	66.7	13.37
International: Eastern	2,572	137.7	18.76	Delta	883	68.0	12.99
<b>Footnotes at end of table.</b>				Eastern	869	65.8	13.21
				Trans World	921	66.0	13.95
				Local service	873	74.7	11.69
				Hughes Air West	846	75.0	11.28
				Ozark	892	74.0	12.05
				Southern	928	75.0	12.37
				Texas International	801	74.7	10.72
				<b>DC-9-15F:</b>			
				<b>Domestic: Continental</b>			
				Domestic: Continental	895	71.0	12.61

## FUEL CONSUMPTION—U.S. SCHEDULED AIRLINES, 1972—Continued

Type of equipment, carrier group, and carrier	Gallons of fuel consumed per aircraft block-hour	Average available seats per aircraft mile	Gallons of fuel consumed per available seat block-hour	Type of equipment, carrier group, and carrier	Gallons of fuel consumed per aircraft block-hour	Average available seats per aircraft mile	Gallons of fuel consumed per available seat block-hour
2-engine jets—Continued				2-engine propeller:			
DC-9-30:				CV-580:			
Domestic:	931	89.0	10.41	Local service:	348	49.4	7.04
Delta:	945	89.2	10.59	Allegheny:	365	50.0	7.30
Eastern:	917	89.2	10.27	Frontier:	336	50.0	6.72
Northeast:	933	92.0	10.14	North Central:	339	48.0	7.06
Local service:	932	99.0	9.37	CV-600: Local service: Texas International:	259	39.9	6.49
Allegheny:	969	100.0	9.69	F-27:			
Hughes Air West:	891	103.0	8.65	Local service: Hughes Air West:	247	40.0	6.18
North Central:	916	98.5	9.30	Intra-Alaska: Wien Consolidated:	225	38.8	5.80
Ozark:	893	97.0	9.21	F-227:			
Southern:	1,034	95.0	10.88	Local service:	271	45.3	5.98
Texas International:	782	96.3	8.12	Mohawk:	264	43.7	6.04
Intra-Hawaii: Hawaiian:	987	106.2	9.29	Ozark:	273	46.0	5.93
International: Caribbean:	825	112.0	7.37	Piedmont:	270	44.0	6.14
4-engine propeller:				YS-11: Local service: Piedmont:	304	60.0	5.07
L-188 (Electra):				M-404: Local service: Southern:	206	40.0	5.15
Domestic: Eastern:	650	87.6	7.42	DHC-6 (Twin Otter):			
				Local service:	75	16.8	4.46
				Frontier:	70	15.0	4.67
				Ozark:	81	19.0	4.26
				Intra-Alaska: Wien Consolidated:	78	11.5	6.78
				G-21 (Goose): Intra-Alaska: Alaska:	43	8.0	5.38

Source: Aircraft Operating Cost and Performance Report, Civil Aeronautics Board, Washington, D.C., vol. VII (July 1973).

## RELEASE OF STOCKPILED COPPER

## HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mrs. GRASSO. Mr. Speaker, the importance of S. 2316 to industry in the State of Connecticut cannot be over-emphasized.

Earlier this year I received numerous letters from management and labor indicating their concern about the shortage of copper and their support for legislation to authorize the disposal of copper from the national stockpile. Without sufficient copper supplies, the letters noted, the copper and copper-base alloy industries in Connecticut would be forced to take action detrimental to the economic viability of the State.

After the passage of S. 2316 by the Senate on September 13, I wrote to the distinguished chairman of the Armed Services Committee (Mr. HEBERT) and urged him to expedite House consideration of the bill. In late September, I indicated in testimony prepared for subcommittee hearings that the release of copper was necessary to prevent serious economic disruption in Connecticut and throughout the country. Not only copper industries, but hardware and other manufacturing concerns would be adversely affected by a continued supply/price squeeze for copper.

S. 2316, which the House with my support passed today, would release 251,600 short tons of copper from the national stockpile. The release of this copper would ease the present supply shortage and help dampen inflationary pressures on copper prices.

Mr. Speaker, I am certain that the other body will accept the minor House amendment to the bill and that the President will sign S. 2316 into law with all haste. This will be a constructive development for industry in Connecticut and throughout the Nation.

## CRIPPLING REHABILITATION SERVICES

## HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Ms. ABZUG. Mr. Speaker, last month, I was pleased to support my colleague the Honorable HENRY B. GONZALEZ in his amendment to the supplemental appropriation providing \$650,000,000 for basic State services to handicapped Americans.

The conference report provides only \$630,000,000; \$20 million below the authorization. Many States, including New York, have sufficient funds to match the highest possible allotment under this authorization. To appropriate an amount short of the authorization undercuts the congressional mandate to increase services to the severely disabled and places an undue hardship on States to meet their needs.

The handicapped have endured two Presidential vetoes; \$630,000,000, while in compromise a substantial amount, is neglectful of the increasing needs of the handicapped and the demands we are making of the agencies responsible for this area.

Mr. Speaker, at this time in my remarks, I would like to include a letter I recently received from Ewald B. Nyquist, New York Commissioner of Education. I think that you will find that Commissioner Nyquist's remarks clearly illustrate the position of many States in this matter.

The letter follows:

THE UNIVERSITY OF THE  
STATE OF NEW YORK,  
Albany, N.Y., December 12, 1973.

HON. BELLA ABZUG,  
House of Representatives,  
Longworth House Office Building,  
Washington, D.C.

DEAR CONGRESSWOMAN ABZUG: In looking through the Congressional Record of November 30, 1973, (Pages H10431-H10434), I noted the discussion regarding the first Supplemental Appropriation Bill and the amend-

ment submitted by Congressman Gonzalez of Texas to provide the appropriation authorized for the basic vocational rehabilitation program under the Rehabilitation Act of 1973 (PL 93-112).

Apparently, incorrect information had been provided to the Subcommittee on Appropriations and I feel it necessary to call your attention to this matter so you will have factual information available if and when the appropriation is reconsidered in Conference Committee and in the House. (It is my understanding the Senate Appropriations Committee has just reported the recommendation of \$650,000,000 for Sections 110(a) and 110(b) of the Rehabilitation Act of 1973 as compared to the \$615,870,000 in the Bill passed by the House.)

In his statement on the floor, the Subcommittee Chairman, Mr. Flood, noted correctly that some States do not always come up with necessary matching funds and concluded it was not necessary to appropriate the full authorization to match the State's available funds. He indicated he had questioned the "HEW witnesses (who) saw no problem . . . We clearly had the impression that the amount requested is all that is required to make allotments on the basis of the authorized amount."

Congressman Flood went on to say: "If later estimates from the States at any time show that matching funds are available so that the full amount of the authorizations can be used, we expect that the administration will request a supplemental appropriation later in the year."

It is certain that either erroneous information or an erroneous impression has been given the Subcommittee. In a Hearing before the House Select Subcommittee on Education on December 10, 1973, Mr. James Dwight, the SRS Administrator, and Mr. Corbett Reedy, the RSA Acting Commissioner, affirmed that information available to them from the States as of several months ago showed that the States had funds available to match more than \$644,000,000 under the authorization and that it could be expected, from past experience, that this would probably be a minimum figure. Futher, SRS Administrator indicated no intention to request another supplemental appropriation to match even these State funds, indicated as already available at the beginning of the fiscal year.

New York State is seriously affected by the \$615,870,000 appropriation figure and I believe you will be interested in the facts about the claimed adequacy of such an appropri-



ation as it affects us. (All figures are from DHEW sources.)

The allotment of funds for the New York basic vocational rehabilitation program under currently operative "continuing resolution" is \$31,722,323. Under an appropriation of \$615,870,000, the New York allotment will be \$31,942,858, some \$220,000 or 69 one-hundredths of 1 per cent greater than our current allotment. In view of inflationary impacts and the Congressional mandate to give increased emphasis to the severely disabled, this new allotment would actually reduce the amount of services which might be made available for handicapped clients.

Further, I call your attention to the fact that the Federal program has not provided for many years allotments to New York State which would meet the Rehabilitation Act's requirement for the Federal share of the program's expenditures. If the Federal allotment were to equal 80% of the total as required, it would have to be greater than \$32,000,000 to meet the State's mandated "maintenance of effort" expenditures.

Under an appropriation of \$650,000,000 New York State would be allotted \$34,039,210 which is \$2,316,887 greater than the current allotment and \$2,096,352 greater than the allotment would be under the \$615,870,000 figure which had been previously approved by the House. Our available State funds are sufficient to match the highest possible allotment under the authorization and I urge support for the \$650,000,000 appropriation so that we may be able to assure continuation of our best efforts to rehabilitating handicapped individuals into gainful employment.

May I point out, also, that the 650,000,000 figure represents a much lower amount than originally included in the two previously-vetoed Rehabilitation Acts and that both President Nixon and HEW Secretary Weinberger made public statements that the new compromise amount was acceptable and within "a non-inflationary balanced budget."

Your interest and support for the New York State and the national program with the House members of the expected Conference Committee and on the floor will be appreciated, I am sure, by all of our disabled citizens in the State as well as by those of us here in the Department responsible for providing quality services to these individuals.

Faithfully yours,

EDWARD B. NYQUIST.

#### SOVIET MILITARY MIGHT: STILL BEING BUILT BY THE WEST

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ASHBROOK. Mr. Speaker, the rush to trade with the Soviet Union continues as is witnessed by a recent article in U.S. News & World Report entitled "Russia Buys Yankee Skills. . . ."

While I have previously discussed the Raymond Loewy and the Lummus Co. deals, I have not discussed all the American firms involved in the construction of the huge Kama River truck plant which will be the largest of its kind in the world. Of course, the Kama River truck plant will be able to manufacture military vehicles for the Soviet Armed Forces. It does not seem too logical to build the military might of an enemy but the construction continues anyway.

In the 1960's there were often many assurances from both the Kennedy and Johnson administration, that the United States would not allow trade in "strategic" goods. That distinction has proven its worthlessness. Is a truck that can be used to haul troops, weapons, or other war materials a strategic good? It would seem so, but so then are iron and steel mills, ball-bearing plants, and numerous other items that the Soviets have bought from the United States. Will many in the U.S. Government never learn that trade does not lead to peace? The Germans and Japanese in World War II should have taught that lesson. Czechoslovakia, Vietnam, and the Middle East should have taught that lesson. Why build up an enemy?

The text of the article follows:

#### RUSSIA BUYS YANKEE SKILLS . . .

A drive by Moscow to modernize both the production of consumer goods and the operation of its basic industries is sparking fresh Soviet deals for American know-how.

One of the latest of these agreements calls for the firm of Raymond Loewy/William Smith, Inc., to work with the Russians on the industrial design of products ranging from tractors and cars to watches and cameras.

The New York concern and its Paris branch are to aid the styling of these and other items. They also will project markets for them. Soviet officials describe the contract with Loewy as the "first U.S.S.R. experiment of international cooperation in this field."

The Lummus Company in another arrangement soon will start engineering work for the Russians in an acetic-acid plant based on technology of the Monsanto Company. Lummus, a unit of Combustion Engineering, Inc., also is to advise on construction of the complex in the Ukraine as part of its 45-million-dollar contract.

Of three recently signed U.S. agreements which are linked to Russia's big Kama River truck plant, two underscore the Soviet interest in keeping the environment clean.

One contract calls for the Carborundum Company and a Swedish licensee to provide systems for the control of dust and gases from 26 furnaces in the factory's foundries. The record-sized equipment will cover an area comparable to a football field and be eight stories high.

In another deal, American Air Filter Company, Inc., is to furnish scrubbing devices to remove dust and dirt from the air in the foundries. Also for the Kama plant, the Albany International Corporation will supply 15 automatic forging machines and related tooling valued at 3 million dollars.

#### NO SHOWS AT PRO FOOTBALL GAMES

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. COLLINS of Texas. Mr. Speaker, this year, Congress passed a law that provides for showing the home games on television when they have a sellout. The question was raised as to whether this would have an adverse effect on the financial operation of the professional National Football League. It is a 3-year law and Chairman TORBY MACDONALD said in floor discussion that we should

keep our options open and review the situation based on its actual field results.

It does cause problems, as the headlines in the New York Times today stated, "Absence up 63 percent in NFL." We are also looking ahead to see if it will have a negative impact on season ticket sales.

Americans are professional football fans and we want to keep the sport healthy. We will be keenly watching the trend resulting from home game televised professional football.

The following article is by William N. Wallace in the New York Times, Tuesday, December 18:

#### ABSENCE UP 63 PERCENT IN NFL

(By William N. Wallace)

Over a million football fans bought tickets to the pro games for the season that ended on Sunday and then failed to show up. This was a 63 per cent increase over last year. The big jump was attributable to the fact that home games sold out three or more days in advance were televised locally for the first time this year in compliance with a new law hastily passed by Congress just before the season.

The total number of no-shows came to 1,016,565 for 182 games. Of this total 656,290 stayed away from 113 games televised locally because they had been sold out.

The single-game record for no-shows was set in Kansas City on Sunday when there were 35,793 empty seats at Arrowhead Stadium, capacity 78,000, for the Chiefs' finale against San Diego.

The Chiefs and 12 others of the 26 teams sold out all of their home games in advance.

No-shows on the National Football League's final weekend, when the weather turned foul at last, set a new high of 190,383 for 13 games, eight of which had been sold out.

Attendance figures were down almost every place, notably in Chicago where only 26,544 turned out for the Bears' last game against Green Bay in Soldier Field, which seats 55,701. The Bears have been a traditional sellout in Chicago for over two decades.

The franchise that had the most no-shows was Miami's. A total of 118,156 fans failed to appear at seven Dolphin home games for which they had bought seats.

The financial losses were small to the teams but large for municipal stadium operations, like Arrowhead, which count heavily on income from parking and concessions to amortize the debt of construction.

The no-show total confirmed the direst predictions of Commissioner Pete Rozelle, who told Congress before passage of the legislation that it would be difficult for the teams to fill stadiums if there was to be home television.

Of greatest concern to the clubs is next year's season ticket sales, which are expected to dip sharply because many fans will anticipate that the game will be televised.

#### GILMAN CONSTITUENTS HONORED

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. GILMAN. Mr. Speaker, permit me to bring to the attention of my colleagues three young constituents of my congressional district who have been honored by the National Council of Teachers of English with achievement awards in writing.

They are Jane Kimberly Collins, who attends Warwick Valley Central High School; Richard Michael Dashnau, a student at Monroe-Woodbury High School, and Lisa R. Heller, who attends the Newburgh Free Academy.

The recipients of these awards are among the best student writers in the Nation. They have demonstrated an effective and imaginative use of the language and an inquiring mind.

The NCTE has recommended these talented young people for college scholarships in 1974. They represent the great hope for our future, for someday these young people will be among our leaders, as outstanding citizens, journalists, and artists. In whatever endeavor they pursue in the years ahead, I am sure their outstanding skills will assist them in achieving success.

#### SUPPORT FOR MULHOLLAND NATIONAL SCENIC PARKWAY

#### HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. BELL. Mr. Speaker, in the 7 weeks since October 30 when I introduced legislation (H.R. 11163) to create a Mulholland National Scenic Parkway in Los Angeles, I have received heartening indications of community support which I insert in the RECORD in support of this proposal.

The communications follow:

November 16, 1973.

HON. ALPHONZO BELL,  
U.S. Congressman,  
Los Angeles, Calif.:

I have been advised by Director Mott that on Friday, October 26, you introduced a bill to designate Mulholland Drive as a National Scenic Parkway. This idea fits beautifully into the program which the state is developing for a series of three state parks within the Santa Monica Mountains. The Mulholland National Scenic Parkway would tie together these three state parks in a very unique concept. I support this concept and offer you my support for your bill.

RONALD REAGAN, Governor.

PARKS AND RECREATION COMMISSION,  
COUNTY OF LOS ANGELES,

November 9, 1973.

HON. ALPHONZO BELL,  
U.S. Congressman,  
Los Angeles, Calif.:

I appreciated receiving your telegram indicating that you are sponsoring Congressional legislation to create a Mulholland National Scenic Parkway.

The Los Angeles County Parks and Recreation Commission took official action at their meeting on November 5, 1973 to fully support and endorse this project.

I am happy to endorse this legislation and pledge our unqualified support of it.

DAVID BORAN,  
Chairman,

RECREATION AND PARKS COMMISSION,  
CITY OF LOS ANGELES,

November 15, 1973.

HON. ALPHONZO BELL,  
Congressman, Twenty-eighth District,  
Los Angeles, Calif.:

Today, the Board of Recreation and Park Commissioners voted unanimously to endorse and recommend strong City Council

support for HR 11163. Enactment of your Mulholland National Scenic Parkway bill, to link up and augment the present and planned network of parks in the Santa Monica Mountains, would be a major advancement in the effort to protect and enhance the quality of living in Los Angeles.

The Board also noted that the current text of HR 11163 specifies the Hollywood Freeway as the eastern terminus of the proposed Parkway system and makes no direct reference to Griffith Park. It has recommended consideration of an amendment to the bill to specify Griffith Park as being an integral element of the Parkway system.

Thank you for bringing HR 11163 to our attention. You may be assured of our vigorous support.

WILLIAM FREDERICKSON, Jr.,  
General Manager.

LOS ANGELES TIMES EDITORIAL,  
OCTOBER 28, 1973

One of the more imaginative and refreshing ideas we've heard about in quite a while is the proposal to turn Mulholland Drive into a national scenic parkway, running 53 miles along the crest of the Santa Monica Mountains from Griffith Park to Point Mugu.

A bill to accomplish this will be introduced in the House this week by Rep. Alphonzo Bell (R-West Los Angeles) and in the Senate by California Democratic Sens. Alan Cranston and John V. Tunney.

The plan, supported by Mayor Tom Bradley, was drawn in cooperation with city, county and state park and recreation departments and drew heavily on recommendations of the Los Angeles-Ventura Mountain and Coastal Study Commission and the Citizens Advisory Committee for the Mulholland Scenic Parkway. It would complement city, county and state plans for parks in the mountains, and the federal government would pick up a major share of the estimated \$30 million cost.

The parkway would not be designed for heavy traffic, but would provide scenic overlooks, picnic areas, hiking, biking and equestrian trails in addition to the roadway itself. Bell and State Parks and Recreation Director William Penn Mott, Jr. envision the possibility of a future network of hostels throughout the area, but they are not provided for in the initial bill.

The parkway would be easily accessible to 90% of the population in the Los Angeles area, and thus would have a potential for accommodating a larger number of people than now served by other existing national scenic parkways.

Although the National Park Service has extensive facilities in the Bay Area and elsewhere in Northern California, it has not thus far made any significant investment in Southern California, where the bulk of the state's population is centered.

Since the project meets federal criteria, and since state and local governments alone would not have sufficient readily available funds to bring it to early completion, the proposal deserves prompt congressional consideration. It should be given strong support by the five California members on the House Interior and Insular Affairs Committee. And by every interested citizen.

LOS ANGELES HERALD EXAMINER EDITORIAL,  
NOVEMBER 4, 1973

Southern California has many scenic areas, none to surpass the natural beauty of Mulholland Drive. The 53-mile stretch along the crest of the Santa Monica Mountains from Griffith Park to Point Mugu is one of the area's most spectacular routes.

We therefore support wholeheartedly the proposal by Rep. Alphonzo Bell to make the route a scenic national parkway. Such a plan, which has support of city, county and state as well as coastal study and advisory groups, would be a positive addition to the area.

Retaining the natural rusticity, the parkway would not accommodate heavy vehicular traffic. Instead, it would combine picnic and view areas with hiking, bicycling and horse trails, giving minimum emphasis to motorized transport.

Easily accessible to a large percentage of the area's population, Mulholland National Parkway would serve more people than national scenic routes in other parts of the state. In addition, it would be the first substantial development in Southern California by the National Park Service, which would pick up a major share of the \$30 million projected cost.

We urge prompt and favorable consideration to the proposal by the Congress and suggest interested persons make their positive wishes known to their congressional representatives. This support for road construction is a move to preserve the natural environment.

VAN NUYS NEWS EDITORIAL, NOVEMBER 18, 1973

Only real old-timers will remember an event back in 1923 which was held with much fanfare.

It was the groundbreaking ceremony for what was then called Mulholland Skyline Drive.

At the time it seemed like a good idea, for there was then a Pacific Electric car line through Cahuenga Pass and a two-lane highway to take people to and from most of the Valley.

Over the course of 50 years, the Mulholland route remained little more than a cowpath. When efforts were made to bring about some improvement, loud controversy arose as to how much there should be.

Today it is possible to almost literally get lost in driving across Mulholland between Van Nuys and Beverly Hills because of the neglect to which it has been subjected.

At the end of October, Congressman Alphonzo Bell introduced a bill in the House of Representatives calling for a Mulholland National Scenic Parkway financed in cooperation with state, city and county agencies.

We believe there are ample reasons to justify his proposal as a solution. If projects can receive such aid where there are few people, then surely one which means so much to a substantial proportion of the nation's population is warranted.

Congressman Bell's measure is backed by a similar one introduced in the U.S. Senate by Sens. Alan Cranston and John Tunney. It also has received support by Mayor Tom Bradley. No question of partisan politics can therefore arise.

Fifty years is long enough to wait for a project which has so much to commend it. The people of this whole area, not just the Valley, should let their voices be heard.

Maybe, then, old-timers who remember 1923 can live long enough to joint in singing "Hallelujah."

EQUESTRIAN TRAILS, INC., NOVEMBER 1, 1973  
HON. ALPHONZO BELL,  
U.S. Congressman,  
Los Angeles, Calif.

Thanking you for your telegram announcing the introduction of your Bill to create a Mulholland National Scenic Parkway in the Santa Monica Mountains.

I have the pleasure to be able to announce the support of this Legislation on behalf of our entire 10,000 membership.

A request for letter support has been prepared and will be printed in our next month magazine. (I will send you a copy.)

PENO DWINGER,  
First Vice President.

ASSEMBLYMAN PAUL PRIOLO, DECEMBER 6, 1973

Sacramento Report. The Golden Anniversary of the "Mulholland Skyline Drive" may see the culmination of countless citizens' efforts to preserve the scenic nature of the present roadway if a bill introduced by Con-



gressman Bell is passed into law. The bill, H.R. 11163, designates Mulholland Drive as a National Scenic Parkway under the direct jurisdiction of the U.S. Secretary of the Interior.

Among its major provisions perhaps the most important are those which require the Secretary to "coordinate development of the parkway in close coordination with Los Angeles City and County agencies and with the California Department of Parks and Recreation" and "assure that the National Parkway Program will augment and not supersede present and contemplated City, County, and State Programs in the Santa Monica Mountains adjacent to the Mulholland National Scenic Parkway."

I am extremely gratified by the introduction of this measure and will wholeheartedly support its passage. The measure's introduction dovetails with my efforts this year to acquire approximately 4,000 acres for the Santa Monica Mountain Park and to establish a State plan to designate Mulholland Drive as a scenic parkway.

To further this effort, I plan to introduce a resolution in the Legislature urging favorable consideration of H.R. 11163 by the Congress. I am hopeful that the Local, State and Federal Governments and citizens groups can work together to assure that a minimum amount of roadway change occurs and that adequate land is acquired to provide a true scenic drive.

—  
ASSEMBLYMAN HOWARD BERMAN

Congressman ALPHONZO BELL,  
28th District, Los Angeles, Calif.:

In response to your telegram, I am happy to lend my support to the legislation you are sponsoring to create a Mulholland National Scenic Parkway. If there is any other way I can be of assistance, please do not hesitate to contact me.

HOWARD L. BERMAN.

—  
COUNCIL FOR PLANNING  
AND CONSERVATION,  
October 28, 1973.

Congressman ALPHONZO BELL,  
Los Angeles, Calif.:

I was delighted to learn today that you are introducing legislation to create a Mulholland National Scenic Parkway in the Santa Monica Mountains. Delighted and very grateful.

Your staunch resolve to create a Toyon National Urban Park in the Santa Monica is equally appreciated as is your record of accomplishment as regards coastal lands acquisition.

I wholeheartedly support your continued efforts to preserve what we can of Southern California's remaining splendor.

Again, my many thanks for all your help and hard work.

ELLEN STERN HARRIS,  
Executive Secretary.

—  
THE SIERRA CLUB, OCTOBER 30, 1973.

Congressman ALPHONZO BELL,  
Los Angeles, Calif.:

I am responding to your recent telegram regarding your introduction of legislation to create a Mulholland National Scenic Parkway in order to augment and link up the present and planned network of parks in the Santa Monica Mountains. The Sierra Club has long endorsed the concept of a National Scenic Parkway in the Santa Monica Mountains and we will wholeheartedly support your present legislation provided adequate standards and requirements are assured in the legislation. We offer our thanks for the introduction of the bill.

We are most anxious to examine the legislation in detail and would appreciate several copies of the bill as soon as it is printed.

We are also most anxious to know when

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hearings on the National Urban Park legislation will be held.

LARRY E. MOSS,  
Southern California Representative.

FEDERATION OF HILLSIDE AND CANYON ASSOCIATIONS, INC., NOVEMBER 22, 1973

HON. ALPHONZO BELL,  
U.S. Congressman,  
Los Angeles, Calif.:

This letter is written in regard to the legislation you introduced recently to establish a National scenic parkway along Mulholland Drive in the Santa Monica Mountains.

After a careful analysis, the Federation of Hillside and Canyon Associations has determined that the enactment of this legislation will serve the needs of the residents of the Santa Monica Mountains and Los Angeles. We are particularly pleased to note how the proposed legislation closely follows the recommendations of the Mulholland Citizens' Advisory Committee.

As you know, the Federation of Hillside and Canyon Associations represents the interests of 22 individual homeowner groups, and is the largest homeowner organization located in the Santa Monica Mountains and the City of Los Angeles. As such, we would be pleased to play a strong role to ensure the passage of this legislation.

Please contact me to determine what further assistance the Federation can be in this matter.

BARRY E. WAGMAN, President.

FRIENDS OF THE SANTA MONICA MOUNTAINS' PARKS AND SEASHORE, NOVEMBER 26, 1973

HON. ALPHONZO BELL,  
Congressman,  
Los Angeles Calif.:

Subject: Invitation to Discuss Mulholland National Scenic Parkway Legislation—H.R. 11163.

Thank you and your staff for providing us with information concerning the subject innovative legislation. As you know, the Friends are most enthusiastic about the National Scenic Parkway concept and desire to see it properly implemented. There are concerns about the legislation providing additional safeguards such as: (1) priority for critical scenic parkway land acquisition prior to subdivision; (2) providing planning including peripheral roads to associated parks and beaches within the scenic parkway; (3) restriction of new highway construction but, rather, emphasis on the trails and scenic amenities.

RALPH STONE, President.

STATE DEPARTMENT OF PARKS AND RECREATION,  
NOVEMBER 21, 1973

HON. ALPHONZO BELL,  
Member of Congress,  
Los Angeles Calif.:

I am asking the Park and Recreation Commission and, also, the Recreational Trails Committee to adopt resolutions approving the Mulholland National Scenic Parkway concept.

I know you are aware of my enthusiastic endorsement of the concept. I believe the Mulholland National Scenic Parkway can be one of the truly great scenic parkways in the country. The magnificent views of the ocean and of the San Fernando Valley, as well as the many dramatic vistas that can be had from the parkway, will establish this as one of the scenic musts for every tourist to experience.

WILLIAM PENN MOTT, Jr., Director.

ART SEIDENBAUM COLUMN, LOS ANGELES  
TIMES, NOVEMBER 23, 1973

Mulholland Drive is the most famous lovers' lane in America, the roadbed exploited by movie crews, nightclub comedians, teen Casanovas and cruising bandits.

It wouldn't be much of a street if there weren't mountains underneath it. It wouldn't

be much of a stopping place if you couldn't see both sides of the Los Angeles sprawl spreading to infinity.

But it does have the Santa Monica Mountains as a base and it does slice the largest city in the United States into a spectacle. No other big town has such a beautiful brim above two basins.

I've recently driven a couple of strangers across this great divide. One of them grew up in Los Angeles but never rode between the crags of Malibu and Decker Canyons. The other was from overseas and he compared the sights above Mandeville to the rocky country in France.

Both of them were astonished because they never thought of Los Angeles as rugged or romantic. During the dry season the mountains have a splendor, a view of nature's continuous upheaval. In the wet season, you can watch the weather change. The dirt road Mulholland between the San Diego Freeway and Topanga is a pastoral drive—surprising because so much urban density is just below it. And the paved Mulholland Highway that curves west from Topanga is a graceful turn through ranchland.

Not much of Mulholland has been messed up in the 50 years since ground was first broken. In the old days, building tracts atop slopes were too expensive for most subdividers. In the new days, a chain of preservationist groups have been fairly successful at keeping the hill bulges out. Just this year, a crowd of loud conservers beat down a city attempt to widen Mulholland.

New Rep. Alphonzo Bell has introduced a bill to make Mulholland a National Scenic Parkway, a 53-mile mountain ravel from Point Mugu to Griffith Park, complete with viewpoint turnoffs, picnic grounds, hiking trails and bikeways. Bell's idea is to have the federal government help finance a beautiful necklace of a road on which several state, county and city parks can be hung as jewels and connected.

Some environmental groups are afraid that such a parkway may be an excuse for the feds not funding an urban national park in the Santa Monica, an ambitious project Bell earlier proposed.

But the state of California, with local government cooperation, has already managed to acquire more open mountain lands than cynics expected; Parks and Recreation Director William Penn Mott counts six parks and about 50,000 acres of public open space in the Santa Monica.

One long link for those pieces seems more important than a potentially futile effort to establish a federal park. Mulholland lovers might be advised to woo the National Park Service in the most realistic way possible. The proposed \$30 million Mulholland parkway is a seductive way to answer the energy crisis, bringing natural beauty within short reach of a mammoth population center.

Mulholland deserves to be a national love object, a common ground where local chauvinists can prove that Los Angeles has its own voluptuous shape.

Those of us who live in the neighborhood have every reason to be protective but not possessive about it. Making Mulholland a National Scenic Parkway would mean lovers' lane can maintain its virtue and still become a better place to park.

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WHO'S COMPETING?

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. LEHMAN. Mr. Speaker, my friend and distinguished colleague from Florida, BILL GUNTER, recently testified be-

fore the Senate Interior and Insular Affairs Committee, and brought to its attention the fact that oil company executives often sit on the boards of directors of two or more competing companies. He offers persuasive evidence of the possibility that the oil companies operate as interlocking directorates, which are outlawed by the Clayton Act.

So that the Members of this body may have the benefit of our colleague's painstaking research into this particular aspect of the lack of competition in the oil industry, I am inserting below his testimony before the Senate Special Subcommittee on Integrated Oil Operations, as well as an editorial which appeared in the St. Petersburg Times in response to that testimony:

[From the St. Petersburg Times, Dec. 10, 1973]

#### WHO'S COMPETING?

Is there free and open competition between America's oil and gas producing and distributing companies? Or, as some suspect, is there either tacit or actual collusion to stifle competition?

These are intriguing questions, particularly when each day's news columns are filled with one or another aspect of the energy crisis. In order to get some answers—and especially answers about whether or not the energy crisis was "rigged"—several lawsuits have been filed. When, and if, they are ever tried, these suits, perhaps, will produce the desired answers.

Last week, another aspect of the competitiveness—or lack thereof—among oil companies was raised by Rep. Bill Gunter, D-Fla., in testimony before the Senate Interior and Insular Affairs Committee.

That aspect is interlocking directorates.

Interlocking directorates are boards of directors of competing companies being made up of the same persons. Under the Clayton anti-trust law, these are illegal.

Gunter certainly isn't the first person to raise the possibility of interlocking directorates in the oil industry. But he is offering persuasive evidence. And he is the latest to ask that the Anti-Trust Division of the Department of Justice investigate that possibility.

Gunter's preliminary evidence is a list from the Securities and Exchange Commission of 30 oil company directors, all of whom sit on two or more boards.

Gunter also furnished several examples of directors of competing firms who sit together on the boards of seemingly unrelated companies.

Gunter's evidence certainly cannot be considered conclusive, however compelling it may appear. The complexities of the oil industry and the intricacies of the anti-trust laws are such that a great deal of investigation is needed.

Such an investigation should begin at once. If it reveals that a quasi-cartel exists in the oil industry—as Gunter fears—then court action and legislative action, as needed, should be undertaken to end this abuse and give back to America's consumers a competitive oil and gas market.

TESTIMONY OF CONGRESSMAN BILL GUNTER  
DECEMBER 5, 1973.

MR. CHAIRMAN: I want to thank the members of this Subcommittee for giving me the opportunity to testify before you this morning. What I have to offer hopefully will help shed some light on some real impediments to alleviating the energy shortage that has enveloped the nation.

I am a freshman member of the U.S. House of Representatives from the state of Florida. My political philosophy is that of a moderate. I am a believer in the free enterprise system and want to see that free markets in this country are maintained. But if the free markets are monopolized, or controlled by a small group of individuals or corporations, this will help neither customers, in terms of prices, or the supply of gas and oil. Therefore, in order to keep the free, unregulated market that we all want, competition must be insured. In order to determine if a market is competitive, we must know that the sellers in that market are independent of each other, acting to do better than the other and not acting in concert to avoid decisions which might prove costly to another member of the same industry. If they are acting together, then they are not acting in the best interests of consumers or of the nation, and whether this is being done through outright conspiracy, tacit collusion, or other institutional arrangements is basically irrelevant. The fact remains that if this indeed is happening, there is no competition in the pure sense of the word.

I question the competitiveness of the gas and oil industry when I see some of the same men sitting on the boards of competing companies. I wonder how they can be giving the best possible advice to one company knowing that the other company, in which they have an integral interest, may be hurt. I cannot accept that the services they give one company are not colored by their concern and vested interest in the other. I would like to go through them with you to point out why I believe they all have such problems, and indeed, may be in violation of the law. It should be pointed out that some of these names have been brought up before. Senator Stevenson, in hearings before the Senate Commerce Committee last month, asked the Attorney General to look into the participation of several individuals which he felt were in violation of the law. I don't know what has been done, but I do know that the problem continues to exist and something should be done about it.

When my friend and colleague George Brown of California testified before the Senate Antitrust Subcommittee he pointed out the close associations of several key government officials with the industry. It is my belief that these relationships should be further explored for a variety of reasons.

The most significant reason behind studying these connections is that we are depending upon these officials to set policy based on two things: (1) their understanding of the industry and approach to solving the problems of the industry; and (2) the data that they have and must rely upon to make these decisions. Unfortunately, much of the data, if not all, comes to the government from the industry. Being from the industry, these people have a tendency to rely completely on the veracity of such information. While I am not questioning the honesty of the individuals involved, their background certainly is more attuned to the various needs of the industry and not to that of the consumer.

The Federal Power Commission, it appears, is being run these days by Commissioner Rush Moody. Mr. Moody comes from the law firm of Stubman, McCrae in Midland, Texas. He joined that law firm after leaving another firm in Texas—Baker and Botts. Mr. Moody has been a vociferous advocate of deregulation of natural gas. Both of the law firms that he associated with when practicing law in Texas have represented powerful oil and gas interests. The general counsel of the FPC until last year was R. Gordon Gooch, who also came from the law firm of Baker and Botts. One of his deputy counsels was

Mr. Stephen Wakefield, also from Baker and Botts, who has since taken over the job as Deputy Secretary for Minerals and Natural Resources in the Department of Interior. Another assistant of Mr. Gooch's was Frank Allen, who is now the Acting Head of the Bureau of Natural Gas. Mr. Allen represented the Potomac Electric Power Company as an attorney. Mr. Allen replaced Tom Joyce who is currently with a consulting firm in Rockville, Maryland. This firm has on its board of directors, Mr. Arleigh Burke, who I will talk about later as one who apparently serves on the board of more than one oil and gas company.

The Department of the Interior appears to have a similar type of arrangement. Mr. Wakefield, who I mentioned, is now the Assistant Secretary for Mineral Resources. His director of the Office of Oil and Gas is Mr. Duke Ligon, who served with Continental Oil Company prior to joining the federal government. The man who appears to be one of the chief theoreticians behind the government's energy policy is Mr. Ken Lay. Mr. Lay, as we know, worked for FPC Commissioner Pinkney Walker after serving three years with the Exxon Corporation.

This past weekend we have seen yet another shift in the leadership of the Administration's energy policy. John Love has gone. William Simon now appears to be in charge. I know very little about Mr. Simon or his deputy, Mr. Sawhill. It is my hope that this is the last shuffle in leadership on this subject. In addition to the one-sided representation that has existed in many cases, the "ad hocism" that has been controlling our government's actions has, in my opinion, only exacerbated the current crisis.

Also serving in a policy making position is Mr. John B. Rigg who is the Deputy Assistant Secretary for Minerals. He was the former director of the Colorado Mining Association, which is an industry group advocating various programs to help the mining industry. He has been given the task of developing a shale oil policy. Unfortunately, his background, as that of several other members of the government policy team, is such that he does not have the benefit of experience in a nonindustry position.

What all this means to me is that we have a serious deficiency in the leadership and direction of the energy policy of this nation. It is quite obvious that there have been serious misjudgments on the part of our energy policy planners. What is more alarming is that people who should have been involved in the planning from the consumer standpoint and who have a background associated with the public interest, as opposed to private interests, appear to be absent from the ranks of this Administration.

It seems to me we have a duty to make sure that the public interest is represented. I ask you, where is the balance. I believe we try to provide it here in the Congress. I think it is the Administration's duty to be absolutely sure the public interest is well represented within their policy councils on these important questions.

I want to emphasize one point. I do not believe that these men are dishonest or that they are involved in a conscious conspiracy. They don't need to be. The real problem is that they all went to "the same school together."

They learned the same set of goals and facts, and they respond accordingly. Many of those in government service came from the industry which they are now charged with regulating. Many of them will eventually return to high paying executive jobs in private industry... unless they rock the boat.

There is just no way that these men with industry backgrounds can totally appreciate



the problems of consumers. In the same way, people with consumer backgrounds only, cannot appreciate the problems of industry. There should be an amalgamation of the two working together to come up with a rational policy to deal with the crisis we are facing. Unless and until this is done we can expect no better than what we have had up until now, and I think most everyone within the sound of my voice will agree that what we have had up to now is certainly not satisfactory.

The Clayton Act (15 U.S.C. 19) provides in pertinent part:

"No person at the same time shall be a director in any two or more corporations . . . if such corporations are or shall have been theretofore, by virtue of their business and location of operation, competitors, so that the elimination of competition by agreement between them would constitute a violation of any of the provisions of any of the anti-trust laws."

If that is still the law of the land, I am afraid there have been gross violations of that law.

Perry R. Bass currently is an independent producer of oil and gas. At the same time he is a director of Delhi International Oil Corporation. He is the chairman of Hammar Petroleum Company, and he is the chairman of Sid Richardson Carbon and Gasoline Company. Mr. Bass also is a member of the National Petroleum Council which serves as an advisory group to the Department of Interior.

George R. Brown is an independent producer of oil and gas and is chairman of the Executive Committee and director of Texas Eastern Transmission Corporation, which owns LaGloria Oil and Gas Company, Texas Eastern Supply Company, Texas Eastern Oil Company, and Texas Eastern Exploration Company. He is also a director of Louisiana Land and Exploration Company.

Arleigh Burke is a director of Texaco Incorporated and a director of Freeport Minerals Company, which owns Freeport Oil Company.

Marsh A. Cooper is a director of Texas Eastern Transmission Corporation; a director of Home Oil Company, Ltd.; a director of Natural Resources Growth Fund; Superior Oil Co.; and Canadian Occidental Petroleum, Ltd.

John A. Crichton is a director of Dorchester Gas Corporation, which owns Panoil Explorations, Inc.; Palm Petroleum and Dorchester Exploration, Inc. He is also a director of Clark Oil and Refining Co., and the Inlet Oil Company and president and director of Dallas Resources and affiliated companies which are: Alston Oil Company, Consolidated Development Corporation, and Aragian Shield Development Corporation.

James C. Donald III is president and director of Marathon Oil and chairman of Mountain Fuel Supply.

Herbert Frenley is a director of Texas Eastern Transmission Corporation and a director of Highland Resources, Inc.

Daniel F. Frost is the director of the Signal Companies, the parent of Signal Oil and Gas Company; and a director of Tejon Ranch Company.

Jack Frost is a director of Alco Oil and Gas Corporation, the director and president of Frost Oil Company and an independent producer of oil and gas. He is also director and vice president of Leon Land and Cattle Company.

Alfred C. Glassell, Jr. is the president and director of Glassell Production Co.; director of Transcontinental Gas Pipeline Corporation, which owns Transcontinental Production Company; a director of El Paso Natural Gas Company, which owns Odessa National Corporation, Pecos Company, and Treble Drilling Co. Mr. Glassell is also a director of

the First City Bank Corporation of Texas, and together with that bank he holds several producers' certificates in trust for other individuals.

Harry C. Hagerty is a director of Amerada Hess Corporation; director of W. R. Grace and Company, which owns Grace Oil Corporation and Grace Petroleum Corporation.

Willard M. Johnson is a director of Austral Oil Company and a director of Dixilyn Corporation.

John David Kirkland is a group vice president of Pennzoil United, the parent of United Gas Pipeline; Pennzoil Producing Company; Pennzoil Offshore Gas Operators; Pennzoil Louisiana and Texas Operators; and Pennzoil Offshore Transmission Company and a director of Mesa Petroleum Company and a director of the Jupiter Corporation.

John L. Loeb is a director of Distillers Corporation; Seagrams, Ltd., which owns Texas Pacific Oil Company; a director of Dome Petroleum, Ltd., a major Canadian producer; and a director of Allied Chemical Co., which owns Union Texas Petroleum and Texas Gas Pipeline Co.

Augustus C. Long is the chairman of the Executive Committee and a director of Texaco, Inc., as well as a director of Freeport Mineral, which owns Freeport Oil Co.

Henry N. Mallon is a director of Dorchester Gas Corporation, the parent of Palm Petroleum; Panzoll Exploration, Inc.; and Dorchester Exploration, Inc.; and is a director of Scurries-Rainbor Oil, Ltd., a major Canadian producer.

Plato Malozemoff is a chairman and president of Newmont Mining Company, which is the parent of Newmont Oil and Newmont Overseas Petroleum Company. He is also a member of the executive committee and a director of Continental Oil and a director of Canadian Export Gas and Oil, Ltd.

Jeff Montgomery is a director of Florida Gas Company, which owns Florida Gas Transmission Co., and Coastal Production Co., Seminole Drilling Co., and Southeastern Exploration Corporation. He is also a director of Kirby Petroleum; Florida Gas Exploration Co., and Curry Industries, Inc., which owns Curry Petroleum and sits as a member of the National Petroleum Council.

William B. Moses is a director of Amerada Hess Corporation; a director of Newmont Mining Corporation, which is the parent of Newmont Oil and Newmont Overseas Petroleum Co.

J. D. Murchison is chairman of Delhi International Oil Corporation, Hamilton Brothers Petroleum and a director of Kirby Industries, which owns Kirby Petroleum.

V. F. Neuhaus is a director of Houston National Gas Corporation which owns Houston Pipeline Company, Houston Gas Production Co., Valley Gas Transmission Company, Valley Pipelines, Roden Oil and Mid Louisiana Gas Co. He is also a director of Florida Gas Company and a director of Kirby Industries. He also is an independent producer of natural gas, selling to interstate pipeline companies under his own name.

Beno C. Schmidt is a director of Freeport Minerals which owns Freeport Oil Company; a director of Transcontinental Gas Pipelines, which owns Transcontinental Production Co.; a director of Teranaca Offshore Petroleum Company; and a director of Global Marine.

Franz Schneider is a director of El Paso Natural Gas Company; a director of Transcontinental Gas Pipeline Corp.; a director of Canadian Export Oil and Gas, Ltd.; and until recently, a director of Continental Oil and Newmont Mining.

Horace A. Sheppard is a director of Standard Oil Company of Ohio and a director of Diamond Shamrock Corporation.

Stuart F. Silloway is a director of American Petrofina and a director of Newmont Mining Corporation.

Wilton R. Stephens is president and chairman of Arkansas Louisiana Gas Company, which owns Arkla Exploration Company. He is also a partner in Stephens Production and a co-owner of Arkansas Oklahoma Gas Company.

Charles (Ted) Weiner is a director of the Fluor Corporation; a partner in Texas Crude Oil Co.; and president of Texas Crude Oil, Inc. He is a director of Petroleum Leaseholds, Inc.; So. Crude Co., Inc.; North American Oil and Gas, Inc.; and Calgary Crude Oil Company. He also holds a small producer's certificate, CS 72-788, issued May 5, 1972 to Ted Weiner Oil Properties.

Langbourne Williams is a member of the executive committee and a director of Texaco, Inc., and also serves as chairman of the executive committee and director of Freeport Minerals, which owns Freeport Oil Co.

Mr. D. A. McGee is a member of the National Petroleum Council. He is also the chairman of the Kerr-McGee Corporation and a director of Oklahoma Natural Gas Co.

Mr. John H. Williams is chairman of the board of The Williams Companies and a member of the board of the Houston Natural Gas Co. He also serves on the National Petroleum Council.

In addition, I am filing with the committee a report I received from the Securities and Exchange Commission on board memberships of members of the National Petroleum Council. It is my hope that a study of this additional information will help the committee in its deliberations about the structure of the oil and gas industry.

I realize this has been a rather long exposition on my part concerning men who are leaders in the energy industry. Whether their activities are legal or not must be determined not by me and not even by this committee, but by the Justice Department of the United States.

A larger question that bothers me is whether or not in fact interlocking directorates, such as those I have just outlined, stifle competition to one degree or another. If there is no meaningful competition in the oil and gas industry, then it follows there is inadequate incentive to provide the nation with the needed energy resources. If the individual members of the industry are basically content with their current share of the market or if their arrangement structure precludes competition in the pure sense of the word and in the tradition of our free enterprise system, that makes the situation very bad news for the American consumer.

What I have presented to you today is in my view an unhealthy situation in a free enterprise economy. Monopolies or government takeovers of industry are not, to my way of thinking, in the best traditions or in the best interest of America. I believe strongly in the free enterprise system, as I explained at the outset of my testimony, and I will do everything within my power to make absolutely sure that this country remains an adherent to free enterprise. It is my hope that this committee in its further investigation and deliberations will clarify the present situation within the energy industry. If in fact antitrust action is necessary to break up the quasi-cartels which seemingly exist, then it is my hope that action will be taken swiftly. If additional legislation is needed to keep this country from falling into the quicksand of an anti-competitive situation in a vital industry such as the energy industry, then I hope this legislation will be offered and passed quickly. Whatever the solution is, whatever the information that I have brought before you eventually leads to, I want this committee to know that I will do everything I can to aid those who are vitally concerned about the energy problems this nation faces. I cannot and will not sit idly by in the face

of evidence that there may indeed be within the oil industry a conscious effort to eliminate competition and hence, to break down the checks and balances which are natural products of a free, open, and competitive economic system.

Thank you very much.

#### H.R. 11450—ENERGY EMERGENCY ACT CONFERENCE

### HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ECKHARDT. Mr. Speaker, a story on the Associated Press wire today gives this alarming information about the action of the House-Senate conference on the Energy Emergency Act:

Senate-House conferees tentatively agreed today to give President Nixon a free hand in ordering immediate energy conservation measures.

The tentative agreement would work as follows:

First. A plan of the Federal Energy Administration would be put into immediate effect until March 1, 1974, but the House and Senate could review and veto it under the special procedure of the act.

Second. From March 1, 1974, until June 30, 1974, such a plan would have to be delivered to each House and would then go into effect in 15 days if not vetoed.

Third. Thereafter, the Administration could only submit proposals for ordinary legislative enactment.

If such provision is included in the conference report, this would reverse both the effect of the Eckhardt amendment passed by a vote of 19-10 in the committee, and also the action of the House in refusing the Broyhill amendment, which was rejected by a margin of more than 100 votes.

Exactly the same evil exists as existed under the Broyhill amendment. Non-action puts the stamp of legislative approval on Executive legislation. Congress will have abdicated from its role in favor of the Executive. But the tentative conference agreement is in one respect worse than the Broyhill amendment. The Executive can pass law outside the reach of Congress during the period while Congress is not in session; and, until March 1, 1974, the Executive can make law effective immediately.

Stated briefly, the issue is whether the Executive Department should be given authority to legislate, generally, in all areas in which the Administrator finds that such action is "necessary to reduce energy consumption." The Executive could establish highway speeds, limitations on energy consumption of businesses, directives for car pooling, bans on recreational or advertising lighting, and so forth without presenting the matter to Congress until after such law went into effect during the recess. After the recess and until June 30, 1974, the executive department could so legislate, but Congress could exercise a legislative veto.

It could also go back and veto previous actions.

If the conference report follows the form of the bill, such Executive orders would have the effect of criminal law and could override contrary State laws.

This has nothing to do with Executive authority to allocate or ration. That is covered in section 103 of the bill as it passed the House. Original section 104 of H.R. 11450 gave additional authority to the Executive to regulate businesses and individuals beyond the matter of allocating fuel or gasoline to them.

Section 103 is the most important section of the act. The committee did not change this provision in any substantial way, and it is not urged that the Administrator's authority to allocate petroleum products be reduced in any way from that authority granted in such section.

The main purpose of the act is to obtain from 16.7 million barrels of crude oil the same amount of residual fuel oil and distillates that we would have gotten from the 19.7 million barrels necessary to meet our full needs by properly allocating petroleum products and then to distributed the diminished amount of gasoline equitably. Everything else in the act is relatively insignificant. For instance, the savings of 100,000 barrels of oil per day—which is about the maximum that could be saved with coal conversion—would let a gasoline user get about 1 percentage point more gasoline. That is all. It is very doubtful that conservation plans put into effect as law by the Executive would have even this much effect.

That is why I shall vote against the conference committee report. Such small advantage is not worth throwing away the important principle: that Congress shall make the laws. We should not reverse roles with the President, letting him make laws, subject to our veto.

If we refuse to agree to this Senate-inspired surrender of congressional authority, no great harm will be done. The conferees could come out with a bill of the type passed in the House. But even if this were not done and defeat of the conference report resulted in no bill, the President would still have the principal authority which this bill purports to grant: the authority to allocate petroleum products even to the extent of end-use allocation.

He presently has that authority under the Emergency Petroleum Allocation Act, which provides in its section 4(a) that:

"The president shall promulgate a regulation providing for the mandatory allocation of . . . refined petroleum product(s), in amounts . . . and at prices specified in . . . such regulation . . . (and this authority shall) to the maximum extent practicable . . . provide for . . . equitable distribution of . . . refined petroleum products at equitable prices . . . and among all users;"

This quite clearly gives him authority to allocate petroleum products to the full extent necessary to permit us to make do with the petroleum products that we have. That is all that is necessary in the emergency that now exists. We could do a little more, as the House did in the Energy Emergency Act as we passed it last Friday.

But when the choice is to give away our authority and abdicate from our duty now, or defeat the conference report and come back in January and perform our duties in a constitutional manner, the latter course is clearly the proper one.

#### THE GENEVA CONFERENCE ON MIDDLE EAST PEACE

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HAMILTON. Mr. Speaker, the Geneva Peace Conference on the Middle East will hopefully get underway this Friday, and it is expected that, after the Israeli Knesset elections on December 31, 1973, the parties will start serious negotiations. The complex issues involved in a Middle East peace are the subject of an excellent article by Ray Vicker in the Wall Street Journal of December 14, 1973, which I would like to bring to the attention of my colleagues. The article follows:

#### THE MAIN ISSUES OF MIDEAST PEACE

(By Ray Vicker)

TEL AVIV, ISRAEL.—When the Yom Kippur war still was underway, one Israeli soldier in battle fatigues and helmet was picked up when hitchhiking. He was on his way back to the Golan Heights front after a short leave to attend the funeral of his mother in Jerusalem. The boom of shells formed a backdrop of sound as he sadly said: "She always said she would never live to see peace in the Middle East, and she was right." Then, with a shake of his head, he added: "I hope I won't be saying that to my boy the rest of my life."

Real peace in the Mideast has eluded this area for decades as Arabs and Israelis squared off four times for bloody wars while filling time in between with war preparations. Numerous skirmishes cost more lives. Now for the first time in the long history of this deadly conflict, participants are sitting down at a peace table. Hopefully they may be able to negotiate a lasting peace, though examination of the issues involved shows that any agreement won't come easily. Nor are talks likely to be short and there could be walk-outs at times which may require verbal patching. Even if things go smoothly, it may take many months to resolve some of those differences, and all the while Arab oil producers may be restricting their production, causing fuel squeezes around the globe.

The talks expected to open in Geneva, Switzerland, next Tuesday are likely to involve only official statements by participants and decisions about procedural matters and may last only a few days at most before being postponed into the new year. Until the Israeli general election is out of the way December 31, the Israelis aren't in a position to negotiate substantive topics.

Nevertheless, the mere opening of peace talks is an historic event, for there were times when it appeared that Arabs and Israelis never would sit down at a peace table. Arabs proudly refused to agree to any talks, while the Israelis sometimes seemed to be only pressing for talks because they felt Arabs had no intention of joining in discussions. Thus, the onus for non-talks would be on the Arabs, and Israel could continue to "create facts," its terminology for establishing settlements on land seized from Arabs.

The Yom Kippur war changed all that. For Arabs, that war has meant a restoration



of their karamah, or sense of dignity. For Israelis it has brought a realization that they no longer can dominate the Mideast with overwhelming military power, at least not without enormous casualties for this 3.2 million population country. And the growing financial power of the Arab world suggests that time no longer is on the side of Israel.

The 2,412 Israel dead on the battlefield since the Oct. 6 resumption of war is reason enough for Israel to seek peace, with safeguards for its integrity and independence. Those losses over a month and a half of war and ceasefire skirmishes are more than three times greater proportionally, than America's losses in Vietnam in nearly a dozen years of war in Southeast Asia. This is something for Israelis and Americans, too, to consider when militants stand on stumps to aver that this nation was "robbed" of victory by the ceasefire and that the war should be resumed to drive Arabs back to Cairo and Damascus.

So how many more dead would this entail? Is more desert and rocky plains worth that price, even if such a "victory" could be attained?

#### DETERMINATION AND THE ISSUES

The determination of Israel also provides reason enough for Arabs to recognize that Israel is here to stay, the number one issue of all in any peace talks insofar as Israel is concerned.

Those issues fall into five basic areas:

Recognition of Israel (with defensible borders) by Arabs.

Release of prisoners of war.

Freedom of navigation for Israel shipping through the Suez Canal and international waters.

Return of occupied Arab territories.

Settlement of the Palestinian refugee problem.

The first three, of course, are issues of especial concern to Israel. The last two are what Arabs insist the Middle East question is all about. Differences may seem simple in this context. Each involves complex considerations which reach down to the very roots of the struggle between Arabs and matter as the release of prisoners may involve murky concepts of justice which may involve some clarification before prisoners are returned.

Israel claims that Red Cross conventions call for prompt return of prisoners after a conflict ends. Syrians claim that international conventions also call for prompt return of civilians to battlefield areas after the shooting stops, and they aver that nearly 100,000 Syrian residents of the Golan Heights plus 15,000 others in southern Syria have been driven from their homes by Israelis. Thus the prisoner issue may be pushed into the broader question of return of Arab lands, delaying settlement of what should appear to be one of the simplest of all the issues.

Even if these issues are resolved, there will have to be discussions and agreements concerning their implementation. When one realizes that days of discussions at Kilometer 101 in Egypt haven't yet settled where the Oct. 22 ceasefire lines should be, it becomes evident how difficult will be the task of negotiating all the complex issues of the Arab-Israel question in one forum.

Some of those issues go back to the early Zionist attempts to create a national home for Jews in a land which then had an Arab majority. In 1909 the first Jewish kibbutz was established on the southern shore of Lake Kinneret (the Sea of Galilee) and in that same year Tel Aviv was founded on the sand dunes outside Jaffa. By 1914, there were 85,000 Jews in Turkish-controlled Palestine. By 1920, Britain had control of the area as a result of World War I, and Arab-Jewish troubles flared. Shootings and bombings occurred periodically from then on, with both

sides taking a toll. Nevertheless, by 1948, there were 650,000 Jews living in Palestine, or about 40% of the population.

Then came the first Arab-Israeli war, and about 1,000,000 Arabs living in Palestine fled their homes or were driven out, according to Palestinian refugee organizations. Israelis say most left willingly but they won't allow them to return and no compensation ever has been paid to them for homes, orange groves, farms, businesses and other properties which subsequently were taken over by Israelis. This formed the roots of the so-called Palestinian refugee problem, one which still festers in the Mideast.

Al Fatah, Black September, Saiqa, the Popular Front for the Liberation of Palestine and other Arab guerrilla groups thrive among these refugees, many of whom live in camps which have become permanent Jordanian, Syrian and Lebanese towns over the years.

At New Camp, a 24-year-old refugee camp on the edge of Amman, Jordan, refugee children trek into a concrete block school set amid row on row of small huts. A wall poster in one classroom displays a poem in Arabic and in English which is part of an English lesson. It ends:

Palestine is our home,  
Yet outcasts we must roam,  
We will return. We will. We will.

To the Palestine which now is Israel? Hardly. So how can the Palestinian question be settled in a way which gives justice to any legitimate claims they may have, but which assures Israel of its right to existence? This may be one of the toughest negotiating nuts to crack, though one can see some dim avenues which might be explored.

A token number of Palestinians might be offered an opportunity to return to former homes. Compensation might be paid to others with valid grievances. The bulk might be settled in a new state created on the West Bank and the Gaza Strip, or perhaps in a state combined with Jordan. But even these suggestions raise more problems. Would this be a state ruled by King Hussein of Jordan, or would he be deposed if Palestinians are merged into his kingdom?

One has the feeling that the Palestinian question may be the last to be solved in any successful peace deal, with the geography and political complexion of any new Arab state depending upon how broad land questions are handled.

The 1956 war didn't leave many geographical sores. But the 1967 war saw Israel expand to three and a half times the size of the pre-war country, through occupation of the Sinai Peninsula of Egypt, the Egyptian-ruled Gaza Strip, the Golan Heights of Syria and the West Bank of Jordan. The total 34,493 square miles within ceasefire lines of June, 1967 compared with an Israel of 7,993 square miles in 1948. Occupation of the West Bank included capture of East Jerusalem, which contains the old medieval section where most of the holy shrines of three religions are located.

When Arabs call for return of occupied lands, this is basically the territory they are talking about, and Saudi Arabia's King Faisal has been especially adamant about return of East Jerusalem to Arab rule in the package. And that touches upon Jewish religious chords.

The limestone walls of that old city include the Wailing Wall, sacred to Jews, as well as the Mosque of Aqsa, marking the site where Moslems believe Mohammed was transported to heaven, and the Church of the Holy Sepulchre, site of Christ's crucifixion and burial.

#### ON THE VIA DOLOROSA

On Via Dolorosa, the narrow lane down which Christ allegedly carried his cross, a group of Franciscan Friars in black robes lead a religious procession of Catholics along

this original Stations of the Cross. A bearded orthodox Jew, probably on his way to the Wailing Wall, hurries by in his black suit, long hair curled beneath his flat black hat. A white goateed Arab, with keffiyah on head and long robes sweeping the ground, ducks into one of the many open shops lining the street to let the procession by, then heads in the direction of the Dome of the Rock Mosque, on the site where Abraham, a Moslem as well as a Jewish prophet, almost sacrificed his son, Isaac.

Because of the jumble of religious connotations, the original United Nations partition plan of 1947 for Palestine had envisioned making Jerusalem an international city. But this had involved all Jerusalem, including what has been Israeli's capital since 1948 as well as the East Jerusalem which now is at issue. In the 1948 war, Jews seized the new part of the city lying to the west. Jordan seized East Jerusalem. Then in 1967 Israel took it all.

Israelis now claim they never again will give up the Old City. King Faisal says he will maintain an oil boycott and dampen production until the city returns to Moslem control. So this rates as one of those apparently unsolvable issues which must be solved somehow.

The Golan Heights is only a little less intractable problem. At El Kusi on the shores of the Sea of Galilee, a new road winds in sweeping curves up those heights. As the road climbs, the whole broad expanse of the Sea of Galilee, of Tiberias and of the Mount of the Beatitudes comes into view. The plateau plain of the Heights spreads ahead, black outcroppings of basaltic rocks forming mounds on fields of grain now farmed by Israeli settlers. Looking back at the lakeshore where Israeli settlements are clustered, one can see why Israelis fear ever again having Syrian guns planted on the edge of these heights to menace the communities. Yet Syrians contend these lands must be returned if there is to be peace.

Perhaps compromises might be arranged: a demilitarized plain returned to Syrians with Israelis clinging to the edge of the plateau overlooking the settlements.

The Sinai Peninsula probably can be returned to Egypt without too much heartbreak among Israelis, although it probably would be demilitarized to create some sort of buffer zone. Standing at the foot of the peninsula at Sharm El Sheikh one can understand why Israelis have talked loudly about retaining this point. A shattered Egyptian artillery piece points its rusty barrel at the narrow Strait of Tiran. Through that waterway an Israeli tanker feels its way past the reef on its way north to Elat with a cargo of oil from the Sinai's Abu Rodels Field. Any enemy could bottle Israeli's southern port by planting more guns here.

But the last war showed that a military cork could be placed at the lower end of the Red Sea, too. Thus control of Sharm El Sheikh wouldn't necessarily guarantee navigational freedom for Israel. Perhaps it might be better to have freedom of the seas and the canal written into a peace treaty.

Admittedly Israel would miss those Sinai oil fields from which it now draws five million tons of oil a year, almost enough for its seven million tons consumption. Israel's balance of payments won't be helped if it must become another purchaser of all its oil at the high prices of today's and future markets.

#### WINNING THE FIRST POINT

This might look as if Israel faces all give and no take in negotiations. This is deceptive. Israel is winning its first point—recognition by Arabs of Israel as a nation—by the mere fact that Arabs are sitting down with them at the peace table. Still to be decided, of course, are Israel's defensible borders.

Arabs must give Israel shipping rights through the Suez Canal and through all adjacent international waterways in any settlement. Prisoners should be freed.

And both sides can give each other real peace, something which would relieve the Middle East of the enormous strain of super military expenditures upon budgets. Nobody will be disarming immediately. But any move at all in this direction is a plus for both sides.

Peace won't be easy to achieve any way it is handled. Still, for the first time in decades, there is a feeling that progress toward peace might get underway.

#### EGG RESEARCH AND CONSUMER INFORMATION

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. GILMAN. Mr. Speaker, I have today joined my colleague, Ed JONES of Tennessee, in cosponsoring the "Egg Research and Consumer Information Act", a bill that will restore to the crippled egg and poultry industry its economic well-being.

In recent years, attacks upon the nutritional value of eggs have seriously depressed the egg industry in the United States. A generally depressed egg market, further hampered by incredible feed prices this past summer, resulted in the wholesale slaughter of chicks and the closing of many large farms. We simply cannot stand by and watch the deterioration of an industry that provides the American consumer with one of its most reasonable, nutritious foods.

This bill provides very simply for a framework within the Federal Government through which the poultry industry can help itself. The bill calls for a national referendum among egg producers with flocks of 5,000 or more by which the industry will determine whether it wishes to participate in a national egg checkoff program. The checkoff will serve as a self-imposed tax of not more than 5 cents per case of eggs, the revenue from which will be utilized for the establishment of a program of promotion, research, and consumer information.

I am pleased that my constituents active in the work of the New York State Poultry Industry Coordinated Effort and Egg Farmers in Real Trouble—EFIRT—have contributed to the Department of Agriculture's understanding of the problems in the egg industry and am confident that this measure will receive the administration support it requires and deserves. Likewise, Chairman Ed JONES and the members of the Dairy and Poultry Subcommittee are to be congratulated for their extensive efforts in drafting a bill that will serve not only the best interests of the egg industry, but also the consumer.

#### POSITION ON ROLLCALL VOTES NOS. 367-411

### HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ROE. Mr. Speaker, as you know, under official leave of absence approved by you as Speaker of the House, at the close of congressional business on Friday, July 20 until Tuesday evening, July 31, as a member of the Subcommittee on International Cooperation in Science and Space of the House Science and Astronautics Committee, I joined with my colleagues on the committee to represent the Congress and participate in the United States-U.S.S.R. Symposium on Aeronautical Technology held in Moscow. Our itinerary also included a series of conferences in Tokyo with our counterpart members of the Japanese Diet, the governing legislature of Japan.

During this period I was recorded in live pairs on some votes and my position for or against certain legislation was declared. On other votes, however, I secured only a general pair. While this indicates I was following the course of legislation, it does not indicate my position.

In order that my position on these issues be a matter of public record, I include at this point in the RECORD the rollcall votes during my leave of absence together with my position for or against these measures, as follows:

#### EXPLANATION AND FINAL VOTE ON MEASURE

**Toxic Substances:** H.R. 5356 to regulate interstate commerce to protect health and the environment from hazardous chemical substances.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 367, July 23, 1973—351 yes, 4 no, 78 not voting. Adopted H. Res. 493 rule bill permitting consideration of legislation. My vote "yes."

No. 368, July 23, 1973—193 yes, 192 no, 48 not voting. Agreed to amendment that sought to direct the Administrator to use the Water Pollution Control Act, Clean Air Act or another Act under his jurisdiction, where appropriate to regulate chemical substances. My vote "yes."

No. 369, July 23, 1973—159 yes, 236 no, 38 not voting. Rejected an amendment that specified that no rule shall be promulgated until a hearing is conducted, with full opportunity for cross-examination. My vote "no."

No. 370, July 23, 1973—189 yes, 202 no, 42 not voting. Rejected (on demand for separate vote) same amendment agreed to by rollcall No. 368. My vote "yes."

No. 371, July 23, 1973—324 yes, 73 no, 36 not voting. Passed H.R. 5356. My vote "yes."

**Postage Fees:** H.R. 8929 with respect to financing of cost of mailing certain material free of postage or at reduced rates of postage.

#### ROLLCALL, NUMBER, DATE, AND VOTE

No. 373, July 23, 1973—188 yes, 202 no, 51 not voting. Failed to agree to H. Res. 495, a rule providing for consideration of H.R. 8929. My vote "yes."

**Farm Legislation:** S. 1888 to amend and extend the Agricultural Act of 1970.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 374, July 24, 1973—244 yes, 155 no, 33 not voting. The previous question was ordered on the motion (see Roll No. 375) which was a parliamentary maneuver to cut off further debate on controversial provisions of the legislation. My vote "no."

No. 375, July 24, 1973—371 yes, 35 no, 27 not voting. Agreed to motion to instruct conferees to insist on House amendment which prohibits sale of agricultural commodities to North Vietnam. My vote "yes."

**Impoundment Control and Spending Ceiling:** H.R. 8480 to require the President to notify Congress whenever he impounds funds to provide a procedure under which the House or the Senate may disapprove the President's action and require him to cease such impounding, and to establish for fiscal year 1974 a ceiling on total federal expenditures.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 377, July 24, 1973—180 yes, 229 no, 24 not voting. Rejected amendment that sought to empower the comptroller general to exempt those impoundments he determines to be in accordance with the Anti-Deficiency Act. My vote "no."

No. 378, July 24, 1973—205 yes, 206 no, 23 not voting. Rejected amendment that sought to require both Houses of Congress to disapprove impoundments by concurrent resolution. My vote "no."

**Employee Legal Services:** S. 1423 to permit employer contributions to jointly administered trust funds established by labor organizations to defray costs of legal services.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 380, July 25, 1973—256 yes, 155 no, 22 not voting. Agreed to conference report, clearing measure for White House. My vote "yes."

**Impoundment Control and Spending Ceiling:** H.R. 8480 (continued from July 24, 1973).

No. 382, July 25, 1973—96 yes, 318 no, 19 not voting. Rejected amendment that provided for a halt of impoundment after 60 days unless the impoundment is ratified by Congress by passage of a concurrent resolution.

No. 383, July 25, 1973—156 yes, 252 no, 25 not voting. Rejected amendment to previous amendment that sought to reduce spending ceiling by \$7.1 billion. Mr. vote "no."

No. 384, July 25, 1973—205 yes, 206 no, 23 not voting. Rejected amendment that sought to reduce the spending ceiling by \$3.8 billion. My vote "no."

No. 385, July 25, 1973—208 yes, 212 no, 14 not voting. Rejected motion to recommit the bill to Committee on Rules with instructions that it be reported back forthwith containing an amendment that would require both Houses of Congress to disapprove impoundment by concurrent resolution. My vote "no."

No. 386, July 25, 1973—254 yes, 164 no, 15 not voting. Passed H.R. 8480. My vote "yes."

**Foreign Assistance:** H.R. 9360 to amend the Foreign Assistance Act of 1961.

#### ROLLCALL, NUMBER, DATE, AND VOTE

No. 391, July 26, 1973—131 yes, 271 no, 31 not voting. Rejected amendment similar in intent to amend previously considered that sought to reduce funds authorized for population planning and health by \$75 million. My vote "yes."

No. 392, July 26, 1973—203 yes, 204 no, 27 not voting. Rejected amendment that sought to strike the section of the bill authorizing \$93 million for selected development problems. My vote "no."

No. 393, July 26, 1973—173 yes, 232 no, 28 not voting. Rejected amendment that sought to strike language authorizing \$60 million for assistance to selected countries and organizations. My vote "no."



No. 395, July 26, 1973—278 yes, 102 no, 53 not voting. Agreed to amendment that adds language prohibiting foreign assistance to any nation which seizes U.S. property unless the President determines that effective compensation will be made. My vote "yes."

No. 396, July 26, 1973—240 yes, 137 no, 56 not voting. Agreed to amendment that strikes out section which sought to establish the U.S. Export Development Credit Fund. My vote "no."

No. 397, July 26, 1973—232 yes, 139 no, 62 not voting. Agreed to a motion to recommit the bill to the Committee on Foreign Affairs with instructions to report the bill back to the House with amendments reducing the total authorization by \$68 million. My vote "yes."

No. 398, July 26, 1973—188 yes, 183 no, 1 present, 61 not voting. Passed H.R. 9360. My vote "no."

*Public Works Appropriations for fiscal year 1974.*

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 399, July 30, 1973—373 yes, 9 no, 51 not voting. Agreed to conference report. My vote "yes."

*Federal Salaries:* S. 1989 to amend section 225 of Federal Salary Act of 1967 with respect to certain executive, legislative and judicial salaries.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 400, July 30, 1973—156 yes, 237 no, 40 not voting. Failed to agree to H. Res. 512, a rule providing for consideration of S. 1989. My vote "yes."

*August Recess:* S. Con. Res. 42 providing for a conditional adjournment of the two Houses from August 3 until September 5.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 401, July 30, 1973—370 yes, 22 no, 41 not voting. Agreed, to S. Con. Res. 46. My vote "yes."

*Veterans' Benefits:* H.R. 9474 to increase the monthly rates of disability and death pensions and dependency and indemnity compensation.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 402, July 30, 1973—385 yes, zero no, 48 not voting. Passed H.R. 9474. My vote "yes."

*Military Procurement:* H.R. 9286 military procurement authorization for fiscal year 1974.

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 405, July 31, 1973—88 yes, 323 no, 22 not voting. Rejected amendment that sought to strike \$657 million for the CVN-70 nuclear aircraft carrier. My vote "yes."

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 406, July 31, 1973—96 yes, 313 no, 24 not voting. Rejected amendment that sought to delete \$473.5 million for research and development of the B-1 bomber. My vote "no."

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 407, July 31, 1973—130 yes, 282 no, 21 not voting. Rejected amendment that sought to add language setting a deadline of June 30, 1974 for maintaining U.S. forces in any nation for defense if that nation pays a smaller portion of its gross national product for its defense than does the United States. My vote "yes."

#### ROLLCALL NUMBER, DATE, AND VOTE

No. 408, July 31, 1973—67 yes, 339 no, 27 not voting. Rejected amendment that sought to reduce the total of U.S. troops overseas by 322,000 and to place a ceiling of 300,000 on the number of troops to be assigned overseas after fiscal 1974. My vote "no."

No. 409, July 31, 1973—242 yes, 163 no, 28 not voting. Agreed to substitute amendment to amendment that requires a report to the House by April 1, 1974, from the Committee on Armed Services on the advisability of maintaining the present U.S. military commitment in Europe in view of the current

European economic and military situation. Prior to its preemption by the substitute, this amendment sought to reduce overseas forces by 100,000 troops and to place a ceiling of 400,000 on the number of troops that could be assigned overseas after fiscal 1974. My vote "no."

No. 410, July 31, 1973—242 yes, 163 no, 28 not voting. Agreed to amendment that reduces the funds authorized by \$950 million by setting a ceiling equal to fiscal year 1973 level plus a 4.5 inflation increase. My vote "yes."

No. 411, July 31, 1973—367 yes, 37 no, 29 not voting. Passed H.R. 9286. My vote "yes."

Mr. Speaker, thank you for the opportunity to record my position on these rollcall votes.

### THE PRIMA FACIE CASE AGAINST PRESIDENT NIXON

#### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. FRASER. Mr. Speaker, the issue concerning the release of tape recordings of key Presidential conversations has been before the courts. Judge John Sirica will have to make a judgment on the two missing—or nonexistent tapes and the 18-minute gap on another key tape.

Yet the tapes are only one of many allegations raised about the conduct of Richard Nixon and his appointees. Indeed, there have been such a great number of charges leveled against the Nixon administration that it is difficult to comprehend the gravity of the charges taken together.

Americans for Democratic Action has compiled a list of these charges. This list includes 73 separate allegations divided into the following categories:

- Corruption in the administration;
- Subversion of the electoral process;
- Watergate and the coverup;
- Perversion of Government;
- Violations of constitutional liberties;
- Illegalities in the conduct of foreign policy; and
- Subversion of the press.

These 73 allegations make it clear that there is a prima facie case of criminality on the part of Richard Nixon which must be carefully and fully investigated. Nixon himself was involved in some of these acts; others involved men under his direction.

The investigation is now in the hands of the House Judiciary Committee. It is important that we be aware of the scope of the charges against President Nixon which a careful investigation must encompass.

The list of allegations follows:

ALLEGED OFFENSES OF RICHARD NIXON AND HIS ADMINISTRATION—"BRIBERY, HIGH CRIMES AND MISDEMEANORS"

CORRUPTION IN THE NIXON ADMINISTRATION

1. *ITT.*—A connection between settlement of a Justice Department anti-trust suit against International Telephone and Telegraph and an ITT pledge of \$400,000 to the Republican Party was suggested in a June 25, 1971 Dita Beard memo and a March 30, 1972

memo from special presidential counsel Charles Colson to H. R. Haldeman, in which Colson said the Senate Judiciary hearings could produce revelations about the ITT case that "would lay this case on the President's doorstep." On October 31, 1973 former Attorney General Richard Kleindienst admitted that Richard Nixon called him on April 19, 1971 and with no discussion ordered him to drop the ITT case.

2. *Hughes contribution.*—Robert Maheu, former manager of Howard Hughes' Nevada operations, has alleged that \$100,000 contributed in 1969 and 1970 by Hughes through Bebe Rebozo—a contribution acknowledged by White House spokesman Gerald Warren on October 18, 1973—may have been connected to efforts by Hughes to persuade Attorney General John Mitchell to overrule Justice Department anti-trust objections to Hughes' proposed acquisition of another hotel and gambling casino in Las Vegas; the contribution also may have been connected to Richard Nixon's June 1969 approval of Hughes' Air West acquisition.

3. *Vesco case.*—A \$200,000 cash donation was made by financier Robert Vesco on April 10, 1972, while under investigation by the Securities and Exchange Commission. For this and subsequent involvement in the Vesco case, former Attorney General John Mitchell and former Commerce Secretary Maurice Stans were indicted May 10, 1973.

4. *Curbing dairy imports.*—A representative of Associated Milk Producers, Inc. of San Antonio, Texas wrote a letter to Richard Nixon on Dec. 16, 1970 promising a \$2 million campaign contribution from a dairy group in return for curbs on dairy imports; on Dec. 31, 1970 Nixon imposed quotas on certain dairy products.

5. *Raising milk price supports.*—It is alleged that a connection exists between the March 25, 1971 reversal of a March 12, 1971 Agriculture Department decision against raising price supports on milk, and a meeting held shortly before between Richard Nixon and milk producers. Campaign contributions from dairy cooperatives in 1971 and 1972 eventually totalled \$427,500.

6. *Donation of Nixon papers.*—Richard Nixon donated his pre-presidential papers to the National Archives, a donation for which he claimed an approximately \$570,000 deduction from taxable income. Legally, the donation may have been made after a July 25, 1969 deadline set by the 1969 Tax Reform Act for such donations.

7. *Nixon's personal finances.*—Richard Nixon bought his San Clemente home with the aid of a loan from industrialist Robert Abplanalp who later, with Bebe Rebozo as silent partner, purchased back some of the land from Nixon. Some \$10 million in public funds have been spent to improve the Nixon homes in San Clemente and Key Biscayne despite an earlier Administration claim that only \$39,525 had been spent on San Clemente.

8. *Key Biscayne bank charter.*—The Federal Home Loan Board chartered a new savings-and-loan in Key Biscayne allegedly because of the bank's connection with Bebe Rebozo. An earlier FHLB ruling had found only a "marginal banking need" in Key Biscayne.

9. *Carpet standards.*—In August 1972 contributions totalling more than \$200,000 were made by officers of carpet manufacturing firms to the Nixon campaign. During that period the Administration postponed effective flammability regulations for carpeting.

10. *McDonald's cheeseburgers.*—On May 31, 1972 the Price Commission ordered McDonald's to reduce the price of its Quarter Pounder cheeseburger. Ray Kroc, McDonald's board chairman, then contributed more than \$200,000 to the Nixon re-election effort. Following his initial contribution (which eventually would total \$255,000) the Price Commission on September 8, 1972 reversed its earlier ruling.

11. *Andreas federal bank charter.*—A highly-desirable federal bank charter was granted August 22, 1972—in record time—to Minnesota millionaire Dwayne Andreas; Andreas had made a secret \$25,000 donation to the Nixon re-election campaign on April 9, 1972.

12. *Greek national's contribution.*—One Nikos Vardinoyannis made a \$25,000 contribution to the re-election campaign; in December 1972 an oil company owned by Vardinoyannis received a \$4.7 million contract for refueling the U.S. Sixth Fleet, based in Piraeus, Greece.

13. *Seafarers' case.*—The Justice Department decided in October 1972 to drop its case against the Seafarers' International Union for illegal 1964-1968 campaign contributions. Three weeks later, on November 2, 1972, the union contributed \$100,000 to the Nixon campaign.

14. *Drug firms merger.*—The Administration is said to have blocked Justice Department opposition to the merger of two giant drug firms—Warner-Lambert and Parke-Davis. The honorary board chairman of Warner-Lambert is Elmer Bobst, long-time friend and financial backer of Richard Nixon and a major client of Richard Nixon's former law firm.

15. *Inside information on grain deal.*—It is alleged that inside information was passed in July 1972 to giant grain companies, enabling them to make huge profits from the sale of wheat to the Soviet Union at the expense of American consumers, wheat farmers and taxpayers.

16. *Mexican laundering.*—Illegal campaign contributions amounting to \$100,000 are said to have been obtained April 3-5, 1972, from the Texas-based Gulf Resources and Chemical Corporation, passing through Mexican banks in a "laundering" operation; immediately afterward, the Environmental Protection Agency withheld a pollution abatement order which had been issued on March 29, 1972 to a Gulf Resources subsidiary.

17. *Illegal corporate contributions.*—Gulf Oil, Ashland Oil, Goodyear, Phillips Petroleum, Braniff Airways, Minnesota Mining and Manufacturing, and American Airlines have admitted that in response to solicitations from the Nixon re-election campaign they made secret illegal corporate contributions; Rose Mary Woods, Richard Nixon's personal secretary, kept a complete list of such secret contributions.

18. *Flanigan's ship windfall.*—In March 1970 the Treasury Department issued a waiver which would have resulted in a \$6 million windfall to a company which had been headed by special assistant to the President Peter Flanigan prior to his White House appointment; a public outcry after Sen. Joseph Tydings alerted the public led the Treasury Department to reverse its ruling.

#### SUBVERSION OF THE ELECTORAL PROCESS

1. *White House "dirty tricks."*—In 1971 and 1972 at least 20 undercover agents, including Donald Segretti, are said to have been hired to disrupt Democratic events, spread false charges about Democratic candidates and promote Democratic disharmony by throwing campaign schedules into disarray, forging letters, planting provocateurs in Democratic rallies, and leaking false information.

2. *Campaign slush-fund.*—It is alleged that the White House maintained a huge slush fund of cash, to be used for political espionage and "investigative" purposes, controlled by Attorney General John Mitchell, Commerce Secretary Maurice Stans, and others.

3. *Journalists as spies.*—Lucianne Goldberg, a New York City free-lance journalist, and Seymour Freidin have admitted that they were hired by Murray Chotiner, a long-time Nixon political adviser, to spy on the McGovern presidential campaign.

4. *Infiltration of Democratic campaigns.*—In October 10, 1973 testimony, Michael McMinoway told the Watergate Committee that he had infiltrated the primary campaigns of three Democratic contenders, Edmund Muskie, Hubert Humphrey, and George McGovern.

5. *Nixon fund-raising.*—A total of \$19.9 million was collected for the Nixon re-election campaign before the April 7, 1972 deadline for strict financial reporting, according to records made public September 28, 1973 by the Committee to Re-elect the President. Even if legal, the contributions represented a blatant violation of the law's spirit and intent. (Total contributions for the entire Nixon re-election campaign were reported to be \$60.2 million on September 28, 1973.)

6. *Hiring of private detectives.*—Private detectives such as Anthony Ulasiewicz, were hired by White House aides allegedly to spy on the sex life, drinking habits and family problems of political opponents, including Sen. Edward Kennedy, Rose Kennedy, Sen. John Tunney and House Speaker Carl Albert.

#### WATERGATE AND THE COVER-UP

1. *Watergate break-in.*—Break-ins at the Watergate headquarters of the Democratic National Committee, on May 27 and June 17, 1972, followed a plan developed by G. Gordon Liddy and allegedly approved by several White House officials.

2. *Shredding of documents.*—Wholesale batches of potentially incriminating documents allegedly were shredded by the Committee to Re-elect the President and the White House shortly after the Watergate break-in was discovered.

3. *Destruction of Howard Hunt papers.*—It is alleged that John Ehrlichman suggested that John Dean destroy evidence found in E. Howard Hunt's White House safe; subsequently that evidence was destroyed by acting Director of the FBI, L. Patrick Gray. John Dean admitted on November 5, 1973, that he also destroyed some Hunt note books.

4. *Watergate cover-up.*—John Dean has said that Richard Nixon was aware of the Watergate cover-up as early as September 15, 1972, that the President was aware of offers of clemency and payment of hush money to keep the original Watergate defendants quiet, and that between February 27 and March 21, 1973, in several meetings, Dean spread out before the President the details of the Watergate cover-up.

5. *Limiting FBI investigation of Watergate.*—Richard Nixon admitted, on May 22, 1973, that the FBI investigation of the Watergate break-in was delayed—supposedly to prevent exposure of covert national security or CIA activities.

6. *Refusal to turn over tapes.*—For many months, until forced by public pressure and threats of impeachment, Richard Nixon refused to release to the courts tapes of key recorded conversations.

7. *Dismissal of Cox.*—Archibald Cox, Special Prosecutor in the Watergate case, was dismissed and his office was abolished by the President in violation of rules agreed to by the Senate and the Administration and printed in the June 4, 1973, Federal Register. Under those rules Cox could not be fired except for "extraordinary improprieties." On November 8, 1973, Former Attorney General Elliot Richardson testified before the Senate Judiciary Committee that the White House had talked of getting rid of Cox as early as July 23, 1973. On November 14, 1973, Federal District Judge Gerhard Gesell ruled that the dismissal of Cox was illegal.

8. *Withholding of information from Cox.*—Cox told the Senate Judiciary Committee on October 29, 1973, that the White House had withheld many documents, notes and other evidence necessary to the investigation of the Watergate break-in.

9. *Missing White House tapes.*—The White House announced on October 31, 1973, that White House tapes of two key conversations—one between Richard Nixon and John Dean on April 15, 1973, and the other between the President and John Mitchell on June 20, 1972—did not and had never existed, despite over three months of controversy over these two and other tapes. On November 12, 1973, the White House announced that a dictation belt recording of Nixon's summary of the April 15 meeting is missing.

#### PERVERSION OF GOVERNMENT

1. *Perversion of the C.I.A.*—The House Armed Services Subcommittee on Intelligence concluded on October 30, 1973 that the CIA had been duped by top White House officials seeking to stall an FBI investigation of the Watergate break-in. Former CIA director James Schlesinger, on May 19, 1973, admitted to a Senate Appropriations subcommittee that the CIA had cooperated in the burglary of Daniel Ellsberg's psychiatrist by providing a former CIA agent, E. Howard Hunt, with a disguise and false ID and by preparing a psychological profile of Ellsberg.

2. *Perversion of the Justice Department.*—Former Attorney General John Mitchell admitted to the Senate Watergate Committee that under him the Justice Department had become involved in political activities, including early 1972 Nixon re-election activities. James McCord testified on May 18, 1973 before the Senate Watergate Committee that Internal Security Division reports were sent to the Committee to Re-elect the President.

3. *Perversion of the FBI.*—On August 3, 1973, L. Patrick Gray admitted that while Acting Director of the FBI he burned the files of E. Howard Hunt, Jr.; during the 1972 Presidential campaign Gray also delivered a series of plainly political speeches.

4. *Perversion of the State Department.*—E. Howard Hunt on September 24, 1973 before the Senate Watergate Committee admitted that he was given access to State Department cables covering the period of the Diem assassination, and that he fabricated cables to make it appear that President Kennedy plotted the assassination.

5. *Perversion of the Department of Defense.*—The Defense Department secretly bombed Cambodia and then deceived the American public about the bombing.

6. *Perversion of the Secret Service.*—On Aug. 16, 1973 Secret Service agent James Bolton, Jr. was forced to resign from the agency after it was revealed that campaign information he had acquired while helping guard Sen. George McGovern was passed to the White House. The Secret Service was involved in widespread violations of civil liberties on Billy Graham Day in Charlotte, North Carolina on October 15, 1971, according to a judgment written by U.S. District Judge James McMillan on July 31, 1973. The service also managed the secret and illegal taping of White House conversations.

7. *Perversion of the National Security Council.*—National Security Council director Henry Kissinger, in papers filed in federal court of the District of Columbia on August 15, 1973, admitted that in May 1969, acting in his official capacity, he prepared a list of names of persons whose phones were to be tapped.

8. *Abuse of the SEC.*—It is alleged that G. Bradford Cook, later Chairman of the Securities and Exchange Commission, altered an SEC complaint against financier Robert Vesco after discussions with Maurice Stans, Richard Nixon's chief campaign fund-raiser; Cook resigned as Chairman on May 16, 1973 after grand jury disclosure of this information.

9. *Misuse of the IRS.*—John Dean has alleged and H. R. Haldeman has confirmed, in testimony before the Senate Watergate Committee on July 30, 1973, that the IRS was to



be used to harass and punish political opponents of the Administration.

10. *Abuse of the Supreme Court.*—Jack Landau, director of information at the Justice Department in 1969 and 1970, has admitted that he delivered a message from then-Attorney General John Mitchell to two justices of the Supreme Court allegedly to pressure the Supreme Court about its March 10, 1969 ruling that accused persons are entitled to see records of illegal surveillance against them.

11. *Abuse of the judicial system.*—On July 25, 1973 John Ehrlichman told the Senate Watergate Committee that on April 5, 1973, Ehrlichman and W. Matt Byrne, Jr., presiding judge of the Ellsberg trial—then underway—met briefly with Richard Nixon to discuss the directorship of the FBI.

12. *Abuse of civilian-military separation.*—On May 26, 1973 Sen. Stuart Symington, acting chairman of the Senate Armed Services Committee, accused Gen. Alexander Haig, Jr. of illegally serving as White House chief of staff while he still served as Army vice chief of staff.

13. *Exploitation of public opinion.*—The Washington Post said on April 25, 1973, that the Nixon re-election committee spent at least \$8,400 in May 1972 to give a distorted view of public reaction to the decision to mine Haiphong harbor by paying for supporting telegrams to be sent to the White House and a \$4,400 ad in the New York Times, as well as stacking an opinion poll conducted by Washington TV station WTTG.

14. *Abuse of congressional will.*—Richard Nixon, in violation of clear statutory obligations to spend funds appropriated by the Congress and signed into law by himself, impounded an estimated \$40 billion of funds scheduled for health care, housing, assistance for the poor and handicapped, and other programs; he also dismantled the Office of Economic Opportunity despite duly enacted statutory authority extending OEO until June 30, 1974.

15. *Distortion and politicization of statistics.*—On October 9, 1971, the New York Times suggested that the Labor Department's employment and unemployment statistics had been politicized. The Post alleged in a September 6, 1972 article that the Agriculture Department deliberately overstated farm income by more than \$1 billion shortly before the 1972 election as admitted by Donald Paarlberg, USDA's director of agricultural economics.

16. *Expansion of executive privilege.*—Then-Attorney General Richard Kleindienst said on April 10, 1973 that all 2.5 million federal employees could be directed by the President not to testify before Congress.

#### VIOLATIONS OF CONSTITUTIONAL LIBERTIES

1. *"Houston plan."*—Richard Nixon on July 23, 1970 adopted the "Houston plan," according to his own May 22, 1973 statement. It called for surveillance of dissenters, political opponents, news reporters and government employees through burglary, wiretapping, eavesdropping, mail covers and spying by the CIA and other agencies; the plan supposedly was abrogated five days later.

2. *Secret taping.*—Private conversations in the Presidential offices were taped by Richard Nixon without the knowledge of those being taped, a fact disclosed on July 16, 1973 by Alexander Butterfield, a former deputy assistant to the President. Such recording of telephone conversations violates Federal Communications Commission regulations unless all parties to the conversation are informed that it is being recorded.

3. *The "plumbers."*—Richard Nixon admitted, in his May 22, 1973 statement, authorizing the June 1971 creation within the White House of a Special Investigations Unit, a group—later known as the "plumbers"—of personal secret police acting outside the re-

straints of law by engaging in burglary, illegal wiretaps, espionage and perjury.

4. *White House enemies list.*—The White House developed a list of opponents or "political enemies," begun in 1971 and updated continually, with the alleged intention of using federal machinery to "screw" these "enemies;" the Senate Watergate Committee published the names of 216 Americans on the list June 28, 1973.

5. *Ellsberg burglary.*—The White House "plumbers" unit attempted to take Daniel Ellsberg's psychiatric records from the office of Dr. Lewis Fielding on Sept. 3, 1971; on Sept. 4, 1973 four members of the "plumbers" were indicted for their role in the burglary.

6. *Withholding information from a court.*—Richard Nixon admitted in an August 15, 1973 statement that by March 17, 1973 he knew of the Ellsberg burglary, although he did not direct that the information be made known to Judge W. Matt Byrne, Jr. until 39 days later, on April 25, 1973.

7. *Dagnet arrests on May Day.*—On May 3, 4, and 5, 1971, over 13,000 people were arrested in Washington, D.C.; the arrests later were declared illegal by the courts.

8. *Illegal national security wiretaps.*—Richard Nixon admitted in a May 22, 1973 written statement that a special program of wiretaps had been initiated in May 1969 and terminated in February 1971; on June 19, 1972 the Supreme Court unanimously found such taps unconstitutional.

9. *Wiretaps on officials.*—In an August 31, 1973 story The New York Times alleged that Richard Nixon had wiretapped James McLane, deputy director of the Cost of Living Council, and John Sears, former deputy White House counsel and former Nixon law partner, although neither had access to national security information.

10. *Wiretapping Donald Nixon.*—Richard Nixon is said to have ordered the Secret Service to tap the phone of his brother Donald for more than a year to monitor Donald's business activities in order to prevent possible embarrassment to the Administration.

11. *Grand Jury harassment.*—In 1971 at least 13 federal grand juries were used to investigate political dissenters, using compelled testimony as a surveillance device and the power to send people to jail for contempt as an instrument of harassment.

12. *Attack on foundations.*—On September 26, 1973 White House speechwriter Patrick Buchanan admitted that he had urged the use of the Internal Revenue Service against "leftist" foundations and institutions.

#### ILLEGALITIES IN THE CONDUCT OF FOREIGN POLICY

1. *1973 Cambodia bombing.*—In 1973 Cambodia was subjected to intense bombing without the authorization of Congress and despite the withdrawal of U.S. troops from Vietnam.

2. *Concealment of bombing.*—Bombing in Cambodia in 1969 and early 1970 was deliberately concealed; the President, in a speech at a convention in New Orleans on August 20, 1973, said that given similar circumstances he would do the same thing again.

3. *Cross-border operations into Laos.*—Some 441 cross-border operations into Laos took place in 1970 after Congress had passed legislation, in December 1969, prohibiting the use of U.S. ground combat troops in Laos.

4. *Illegal advising of Cambodians.*—The General Accounting Office, in a report released October 16, 1973, has alleged that the U.S. military team in Cambodia actually is functioning as an advisory group despite the Cooper-Church amendment to the Foreign Assistance Act passed in 1970 which said that no American aid could be used

to "provide U.S. advisors to or for Cambodia military forces."

5. *Lying about Cambodian bombing.*—Richard Nixon, in an April 30, 1970 speech to the American people announcing the invasion of Cambodia, lied when he stated that for five years the United States had not moved against enemy sanctuaries in Cambodia "because we did not wish to violate the territory of a neutral nation." Nixon had authorized 3,875 air strikes over Cambodia between March 1969 and May 1970.

6. *Aid to Pakistan.*—The General Accounting Office, in a study released February 4, 1972, has alleged that the U.S. Air Force airlifted to Pakistan on a priority basis more than half a million dollars worth of aviation spare parts, despite government pledges that arms shipments had been stopped due to the war between India and Pakistan.

#### SUBVERSION OF THE PRESS

1. *Wiretapping of reporters.*—Four reporters—Marvin Kalb of CBS, Hedrick Smith of The New York Times, William Beecher of The New York Times, and Joseph Kraft, a syndicated columnist—were wiretapped without court authorization.

2. *Intimidation of reporters.*—CBS News reporter Daniel Schorr was subjected to a fraudulent investigation; H. R. Haldeman admitted in August 1, 1973 testimony to the Senate Watergate Committee that Schorr was not being considered for a possible White House appointment as originally claimed by the White House.

3. *Use of subpoenas on journalists.*—The Justice Department frequently has used subpoenas to force journalists to divulge information sources.

4. *Retaliation against Washington Post.*—On July 29, 1973 Katharine Graham, publisher of The Washington Post, alleged that the licenses of two Florida television stations owned by her company were challenged because of the Post's role in uncovering the Watergate scandal.

5. *Prior restraint of the press.*—The Administration attempted to impose the first prior restraint on publication in American history in trying to prevent newspaper publication of the Pentagon Papers in June 1971.

6. *Arrest of reporters.*—Les Whitten of columnist Jack Anderson's staff was arrested following occupation of the Bureau of Indian Affairs; Tom Oliphant of The Boston Globe was arrested while covering the occupation of Wounded Knee. Charges against both subsequently were dropped.

#### FACING UP TO THE ENERGY CRISIS

##### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HARRINGTON. Mr. Speaker, an article recently appeared in New Times magazine which discusses the energy crisis we face without ducking its troubling and possibly catastrophic implications. It seems to me that Congress could make matters worse by refusing to acknowledge the potential for true disaster posed by the energy situation, and I recommend my colleagues' attention to the article reprinted below:

#### THE INSIDER: ENERGY

By Christmas the energy crisis will have radically altered the face of America. But

no one in Washington, in the Congress, the White House, the Cabinet is saying so out loud. Those few who see a catastrophe coming are keeping quiet in fear of the political ax that falls on the bearers of evil tidings. "It's the most unbelievable feeling," says Dr. John Curtis, chief of staff of Congressman Morris Udall's House Interior Subcommittee on Environment. "Here I am walking around Washington and everyone is behaving as if nothing is happening—and in two months, all our lives will probably be changing."

By February, according to my figures and sources, the United States will be in the middle of a serious recession—factories closed down, work weeks reduced, major unemployment, the price of food rising, the stock market falling daily. Some industries such as travel, packaging, food will have changed beyond recognition. Others such as petrochemicals, fertilizers, drugs, cosmetics and film, will be heavily regulated. Housing starts will be dropping 10 percent a month, newsprint in short supply. There will be total rationing of all kinds of fuel. Probably about 10 to 15 gallons a week for your car, 50 percent to 70 percent of what you burned last year for your house except in the Southwest.

The distribution of energy will be the dominant political fact of the next three years and the next Presidential election—even more divisive than Vietnam. Congressman Mike McCormack, Chairman of the House Subcommittee on Energy, and one of the few men ahead of the problem, said privately last week, "By February we will see the gravest dislocation in American society since World War II. People will very likely be without heat in New England for extended periods. Not just thermostats turned down, but without heat. And there will be blackouts of Eastern cities. Unemployment will be a serious problem. And even if the Arabs turn the oil back on tomorrow, there would be a lead time of six weeks or more before it reached American consumers."

To uncover the dimensions of the oil shortage one must crawl through the grubbier swamp of figures since the Hamlet Evaluation Program in Vietnam. Everybody's statistics are different.

President Nixon says our supply of petroleum will fall from 10 to 17 percent short of our anticipated demands this winter. That means a shortage of about 2.5 million barrels of oil a day. But, according to figures supplied by McCormack's office, Udall's office, the CIA and the Department of Defense, the President has underestimated the U.S. daily consumption and it is more likely the shortage will amount to almost twice as much, or five million barrels a day.

But even on an estimate of a three-million-barrel shortage a day, says Dr. Curtis, "the Defense Department predicts eight or nine percent unemployment. Since unemployment increases more rapidly with each barrel of oil less, a five-million-barrel-a-day shortage means 15 to 20 percent unemployment by the beginning of March."

Most of the important remedies to the oil shortage could not begin to take effect until from two to eight years—even if we started to work on them right now with World War II-type crash programs. As for the Alaska pipeline, if work started tomorrow, it would be three years before the first drop of oil came out the other end. The same is true of improved mass transit, the production of smaller cars, new incentives for gas and oil exploration, new refineries. Even further away, five to 20 years, is the extraction of oil from tar sands, the liquefaction of coal, nuclear power plants in significant numbers and solar energy.

All that can be done for the next two years is to conserve and ration. Which makes those actions vital. In a way, the Arabs have done us a favor. They have forced what was a creeping crisis to come on us suddenly and

so made it dramatically visible. America has the opportunity for a great debate and great decisions. What sort of nation do we wish to be: How fat? How lean? How independent? How dependent? How regulated? How free? How equal? How nonequal? How greedy? How generous?

In the politics of the energy crisis so far, there's little whiff of such debate—mostly demagoguery and politics as usual. Oil executives, most politicians, and environmentalists have all drunk from the same polluted American well and imbibed the dream that our resources are limitless. The same kind of thinking produced the hallucination we could win in Vietnam and still have the great society because we were so powerful. Since World War II the American energy system has been designed and built to sell an excess of crude oil. That excess no longer exists. Now we must transform the system into an instrument of social benefit in time of scarcity.

#### COMMENTS ON THE ANTIBUSING AMENDMENT DEBATE

**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 18, 1973*

Ms. ABZUG. Mr. Speaker, last week, for the first time in many years, words used during debate, in this case words I used during consideration of the Dingell antibusing amendment, were ordered stricken from the CONGRESSIONAL RECORD.

I thought the action was unnecessary and apparently there are others who share my feelings.

At this point I would like to introduce into the RECORD three comments and commentary on this question. The first is the lead editorial of today's New York Times. The editorial talks about the energy crisis in general and specifically comments on the antibusing amendment and the debate on that amendment.

The editorial follows:

#### MORAL PROFITEERING

It would be unrealistic, even irresponsible, to argue that the nation's energy problems can be met without some setbacks to the cause of environmental protection and other socially oriented policies. Compromises between what is ultimately desirable and what is momentarily necessary must be accepted.

But the need for concessions must not be turned into a surrender to the retrogressive forces that have long been waiting for an opportunity to shed virtually all restrictions and give free reign to exploitative policies camouflaged as emergency action.

Efforts to reap economic and ideological gains from the crisis have become transparent. Automobile manufacturers have rushed to win deferments in the imposition of clean-air standards for future models. Environmental standards for controversial pipelines or relatively high-risk new energy plants are being shelved. Strip mining seeks blanket approval. The suspicion grows daily that the Nixon Administration, whether by design or by lack of effective policies, is retreating far more than necessary from hard won gains on the environmental and other fronts, under cover of the energy crisis.

It is in this spirit that, for example, antibusing forces in the House have unscrupulously exploited the fuel crisis by encumbering the emergency energy bill with an amendment to prohibit busing for school-integration purposes. Posing as defenders of parliamentary decorum, the amendment's

sponsors rose in righteous wrath against members who denounced the rider as "racist." Yet, such a characterization seems entirely justified both by the measure's intent and the way it was introduced.

The statistics marshaled to pretend that the vindictive step was taken in the nation's service were transparently deceptive. The argument that, out of a total of 626 million gallons of fuel estimated to be consumed annually by school buses, some 78 million gallons are used to achieve a racial balance, is an illustration of such deviousness. It overlooks the fact that many, if not the majority, of those who ride buses to integrated schools would have to be transported to segregated schools instead, consuming an important part of the 78 million gallons.

Such arguments are, however, less significant than the symbolic meaning of this attempt to hold a vital energy measure hostage, in an effort to extract as ransom an antibusing law that has repeatedly been defeated on its own lack of merit. The move is symptomatic of a form of moral profiteering no less shameful than the ways in which other special interests are turning the energy crisis into a chance for quick financial gain.

Even prior to the sneak attack on busing under the cover of fuel conservation, the nation's total commitment to education was under attack. Instant demands for curtailed school hours raise disconcerting questions about American priorities. Is schooling more expendable than any other activity?

A patently phony pretext of fuel conservation has now been used to undermine the principle as well as the laws of equal educational opportunity and social justice. It is merely the latest example of a cynical game plan by those who hope, by hiding behind the energy crisis, to divert public attention from their reactionary design.

What follows is a telegram I received from Clarence Mitchell, director of the Washington bureau of the NAACP:

HON. BELLA ABZUG,  
U.S. House of Representatives:

Please accept our warmest thanks for your courageous and one hundred percent accurate observation on the House floor that the Dingell anti-busing amendment was racism and demagoguery. Almost all who supported the Dingell position said they were doing so because of their experiences with busing or because they wanted to kill court ordered transportation to achieve desegregation. There is no moral difference between this effort to use the gasoline shortage as a pretext to destroy constitutional rights of black children and the various unlawful acts that have been committed in the name of national security by Watergate operatives. I am sending a copy of this wire to Representative Bauman.

CLARENCE MITCHELL,  
Director, Washington Bureau, NAACP.

The third article comes from George Frazier, a columnist for the Boston Globe who is not generally in agreement with me on many issues but on this one has this to say:

Obviously any day on which I have a kind word on the account of both Congressman Rodino and the state of New Jersey—the large economy size as it were—is a day on which I neglected to take my nastiness pills. I tremble to think what it must mean when I compound the insensitivity by losing my head long enough to laud such an old adversary as Mrs. Abzug. But nevermind now, for I'll put off having myself placed under observation until later. Right now I must point out that nothing has so become the congresswoman from New York as her being rebuked last Thursday by Carl Albert, who is a sergeant-at-arms or something, for having called one Dingell "racist and demagogue."



For the first time in a decade a member of Congress's remarks were ordered stricken from the record. It is an indication of that body's lack of fire that Mrs. Abzug's "unparliamentary language" should have brought on a moral rebuke. Unparliamentary perhaps, but lovely, lovely, lovely. Anything said about somebody named Dingell, particularly if he opposes busing, is fine with me. So Merry Christmas, dear Bella. By way of an obiter dictum, I was astonished that the next day's New York Times treated the incident almost cavalierly. The least its representative could have done was get Mrs. Abzug's reaction to having been rebuked. Or perhaps he did and it was unprintable. In that case, Happy New Year, too, dear Bella.

#### RON DELLUMS ON SPORTS SAFETY LEGISLATION

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. BROWN of California. Mr. Speaker, my colleague from California's Seventh District, Mr. DELLUMS, is probably the most active Member of this body dealing with the issue of athletic injuries.

Recently, Representative DELLUMS was the main speaker at the contact meeting of national organizations interested in health and safety supervision of sports, sponsored by the Committee on the Medical Aspects of Sports of the American Medical Association, held this November 30 in Anaheim, Calif.

I have received a copy of Congressman DELLUMS' speech, and I would like to insert it into the RECORD at this point, because I feel it presents a valuable perspective on the problem of sports injuries and what can be done about this problem:

#### SPORTS SAFETY: THE PROSPECT FOR CONGRESSIONAL ACTION

Near the end of the first half of Monday night's 49er-Packer game, cornerback Jimmy Johnson was involved in a pile-up in the San Francisco end-zone. Instant replay slow motion showed Johnson falling back—untouched by any other player—and hitting his head on Candlestick Park's artificial turf surface. Johnson was knocked out for about three minutes.

Jimmy Johnson's injury wasn't major—whatever that means—and he soon was back in the game. But it's typical of a problem area I've become involved in as a Representative in Washington.

There's no need for me to cite you the statistics of sports injuries. We all know they're high; we are all concerned about them. The issue is: How best to deal with both the causes and the treatment of such injuries.

And as you probably know, I have introduced two pieces of legislation in this area—"The Athletic Safety Act" and "The Athletic Care Act"—both of which are concerned with sports safety on the scholastic level.

But, Jimmy Johnson's injury is just as important to me. Three weeks ago I attended a symposium conducted by the National Football League Players Association specifically about the dangers of artificial turf and the petition brought by the Players Association before the Consumer Product Safety Commission asking for a ban on such surfaces.

If the Commission accepts the petition, this action will not only affect professional football, but will extend also to scholastic sports.

In that symposium, John Brodie noted that during the 49er-Dolphin game this year in Miami, the field temperature was 120 degrees and that eight San Francisco players were struck with heat prostration. Bill Curry of the Oilers said that when he was with the Colts, the field temperature at the Orange Bowl registered 135 degrees. Kermit Alexander of the Eagles said that the artificial turfs have made him change the way he tackles. And on and on from the players.

The point here is that artificial turf is spreading way out of just the pro ranks. Some of the older professionals said there are players on their squads who have virtually played only on artificial turf.

This is not the forum for a detailed, complete debate on the dangers and problems associated with artificial turf, but the issue relates closely with the rationale for my legislative actions in this area.

If the proposed "Athletic Safety Act" were enacted, specific standards for athletic contests and training would have federal backing. And perhaps a standard could be established which would clarify the turf safety question.

Before I go any farther in describing more fully these bills, I would like first to put the issue within a perspective and also tell how I became involved in it.

Thanksgiving week two years ago my staff received a call from a group of students at the University of North Carolina, where in September, 1971 a UNC football player, Bill Arnold, had collapsed and died after suffering a heart stroke in a practice. According to the students—among whom were a number of present and past squad members—the practice during which Arnold collapsed was conducted under conditions which broke NCAA regulations. Yet, when the students tried to get either university or state officials to look into the situation, they received what the students termed a "whitewash".

The students then tried a number of congressional offices to see if there was any interest—and were turned away. Finally, they called my office, my staff met with them on Thanksgiving Day, 1971, and after months of discussion, I introduced "The Athletic Safety Act".

To this day, I am not fully convinced that the federal government MUST step into the athletic safety field. I would much prefer that the NCAA and other related organizations at all educational levels themselves establish enforceable and sanctioned regulations to prevent unneeded injuries and deaths—or that the states through their legislative bodies could handle these problems.

I applaud those states where formal or informal sports medicine and safety programs are getting underway, programs like the North Carolina approach where a permanent statewide commission is being set up to oversee medical aspects of sports.

But, can we afford to wait for 50 states to act themselves to establish such programs? Can we afford the injury rates in all sports—not just football—because of a philosophical belief that only states should act in certain areas?

I think not.

I also am concerned about the changing nature of competitive sports. I think it is naive to see professional sports as mere sport; they are indeed big business, and like many current institutions extremely mechanized and technological. Players have assignments, teams employ sophisticated data processing techniques, the players set up their own unions; there are extremely lucrative financial rewards, enticing bonus plans, an attractive pension program.

And, obviously, these pressures and situations are not limited to the professional

ranks. A recent article in the L.A. Times dealt with an Arkansas town which is paying the high school football coach more money than the State Governor receives because the town people insist that their team beat a neighboring Texas team. And these same pressures are rampant throughout the colleges and universities.

What it can often mean is that such pressures are taken out on participants; and one area this can show up in is that of injury rates.

Obviously, no one can "legislate" fewer athletic injuries, but I think the legislation I have introduced can go a long way to reduce the probabilities of injury, and can assure that injured athletes receive adequate care and attention.

"The Athletic Safety Act" amends the Occupational Safety Act of 1970 so as to give scholastic athletes the same coverage as professionals now have. "The Athletic Safety Act" applies provisions of the Occupational Safety Act to high school and college athletic contests. It also expands the definition of national consensus standards to include the code of the NCAA and similar state and national athletic associations so that the rule-making procedures of the Occupational Safety Act can be used for athletes as they were used for other workers.

Specifically, "The Athletic Safety Act":

(1) expands OSHA coverage to every participant in an athletic contest between secondary schools or between institutions of higher education;

(2) regards such schools as an "employer" of an individual representing that school as a participant in an athletic contest;

(3) expands the definition of national consensus standards to include for any athletic contest the code of the NCAA or the code of any other recognized national athletic organization for colleagues and secondary schools. If more than one code applies to any contest, the Secy. of Labor shall designate as applicable to that contest the code which assures the greatest protection.

The Occupational Safety Act is enforced through a system of increasing fines and possible criminal actions, and passage of "The Athletic Safety Act" would thus ensure not only a stringent series of standards for athletic contests and participants, but also stiff sanctions. In addition—and very importantly—OSHA forbids employers from arbitrarily dismissing persons who bring actions under the Act. Applied to scholarship athletes, this provision would guard athletes who often fear making complaints about unsafe conditions because they might lose their scholarships.

"The Athletic Safety Act" is a strong piece of legislation, and I do not see it being passed in the near future. Part of that view comes from the nature of the Occupational Safety Act—which itself is one of the most controversial measures passed by Congress in the last few years.

There are powerful forces within Congress who want to gut—or even repeal—OSHA. For that reason, the Committee which handles OSHA has hesitated acting on this amendment because they are apprehensive that if they open the Occupational Safety Act to this strengthening provision, they also might be forced to accept other amendments which would substantially weaken the Act.

As a Member of Congress who supports the Occupational Safety Act I can understand this position, but I hope that the time will come soon when "The Athletic Safety Act" will be considered and dealt with based upon its merits alone.

"The Athletic Care Act" is narrower in scope, and, fortunately, has made what I would consider excellent progress. The Act amends both the Elementary and Secondary Education Act and the Higher Education Act to require that all educational agencies and institutions which engage in interscholastic

sports competition employ certified athletic trainers within an eight year period.

Those schools which do not meet this requirement will not be permitted to participate in interscholastic sports competition. In addition, the bill establishes a program of grants to assist colleges and universities in providing the education and training of athletic trainers.

All of you who work with scholastic sports know the value of a qualified athletic trainer—and the danger involved when a person without specific training in the treatment of athletic injuries is "appointed" the trainer. And it would seem to me that as the sophistication and technology of sport accelerates, so does the need for qualified medical care. Calling a student or assistant coach an "athletic trainer" is not only inadequate, it is hazardous. And so, I believe that if a school is unwilling to make the effort to protect student athletes, then that school should not be allowed to compete.

There are some areas still to be worked out in the final version of this legislation. For example, I am not sure that the eight year target date is enough time to provide all the trainers that will be needed. And the definition of a certified trainer still needs a bit more clarification.

Still this bill is on the right track, and I think you will be interested that over 30 of my colleagues in the House have joined with me as sponsors of this legislation.

A month ago, a significant step was made in the eventual passage of "The Athletic Care Act." The House Education and Labor Committee—the Committee which has been assigned both these bills (even though they have gone to different subcommittees)—is now in the process of "marking-up"—preparing its final version—of the Elementary and Secondary Education Act. A Republican member of the Committee—Edwin Forsthye of New Jersey—took a look at "The Athletic Care Act" and decided it was a good thing. He and I then began thinking if we could get it passed. As it happens, the Education and Labor Committee is very statistic-minded; no matter the merits of a particular bill, the Committee wants "hard" data.

Despite all the information I've been able to collect about the need for athletic trainers, it just did not seem as if we had enough hard statistics. So instead of trying for an outright vote on "The Athletic Care Act" at this time, Rep. Forsythe and I decided to ask for a government-funded one year study on the topic. That proposal was adopted unanimously by the Education and Labor Committee.

This, then, is the current situation.

The Education and Labor Committee has adopted an amendment to E.S.E.A. calling for that one year study.

Next, the House must pass the E.S.E.A. bill.

So must the Senate. Presently, there is no language in the Senate version of the bill calling for such a study, and I am now working to get Members of the Senate to propose the study. I am fairly confident we will achieve that, and finally, that the President will sign into law the E.S.E.A. bill.

The study would begin 60 days after the Act is signed into law.

A year later, the report would be made, and then I feel we will have the data needed so that serious consideration will be undertaken on the "Athletic Care Act."

#### PERSONAL ANNOUNCEMENT

#### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. LEHMAN. Mr. Speaker, on rollcall No. 668, I am recorded as voting "yea."

I misconstrued Mr. WYMAN's amendment and would have otherwise voted "no."

#### THE ENERGY CRISIS

#### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HAMILTON. Mr. Speaker, Americans no longer doubt that the Nation is in an energy crisis.

The warning signs have been appearing since around 1970, and their gravity has steadily mounted: Scattered electrical blackouts and brownouts; shortages last winter of propane gas for drying crops, the Arab oil cutoff, gasoline shortages and periodic shutdowns of gas stations, reduced airplane schedules, and heating oil shortages last winter and critical shortages predicted for this winter and the years to come.

Americans also understand that we are at a decisive moment in the development and use of our energy resources. They recognize the elements of the crisis: An increase in the price of energy, the dilemma of increased energy production at the expense of some additional abuse to the environment, arguments over energy policy among politicians and bureaucrats, the necessity of importing more energy from abroad, and perhaps personal inconveniences and even hardships. They are beginning to believe the experts who say we will be chronically short of fuel for at least the next 5 years, regardless of what steps may be taken immediately.

Although Americans have come reluctantly to accept the fact of the shortage, they do not understand why it came upon us so suddenly, or what the prospects are for the future, or what decisions confront us.

The observations that follow are made with the hope that they may contribute to a better understanding of a complex and far-reaching problem, and with the belief that, although the energy crisis is real and solutions to it will come hard, there is no reason for panic and every reason to think that intelligent planning and action will see us through.

#### I. SOURCES OF ENERGY

A beginning point in our quest for a better understanding of the energy crisis is a quick survey of the sources of energy and the prospects for their development in the next several years:

#### A. OIL AND GAS

Oil and gas provide 75 percent of our current energy needs. They are widely used because of low transportation costs, convenient form, and environmental advantages. Expansion of supply depends on improved rates of recovery in drilling operations and development of alternative sources, such as the vast oil shale deposits in the western United States. The technology of getting the oil from the shale is difficult, however, and full production of perhaps 1 million barrels per day is not likely until the mid-1980's.

Even with the oil from the Alaska pipeline, estimated to rise to 2 million bar-

rels per day by 1980, domestic production of oil will not exceed 12 million barrels per day, leaving a balance of 18 million barrels per day to be imported in order to meet estimated consumption by 1985 of 30 million barrels per day. Even with large imports, shortages will become severe in the next few years due to lack of refining capacity. Gasoline and heating oil rationing are likely, at least until the end of the Arab oil boycott.

Production of gas, as of oil, has peaked. It is difficult to import gas because it must be liquefied and transported in special ships. The gas shortage has been exacerbated by price controls, which have held the cost of gas below that of other energy sources. The controls have also promoted waste and discouraged exploration.

U.S. reserves of oil and gas are limited. If they were to come only from domestic sources, our reserves would be exhausted by the end of the century. Most experts believe it is unlikely that our oil and natural gas production can be sufficiently expanded. We simply cannot sustain a total annual growth in oil and gas consumption of over 4 percent, without an expensive and risky reliance on foreign imports.

It is, therefore, unlikely that oil and gas will meet the anticipated demands of the future.

#### B. COAL

Coal, which amounts to about one-fifth of our total fuel used, is the most abundant fossil fuel in the Nation. The reserves are ample for the foreseeable future, but extracting them from the earth by strip mining or deep mining can be unsafe and unhealthy, and coal burning pollutes the air.

Nevertheless, coal is a promising fuel for the future. Converting it to gas—coal gasification—or to a liquid—coal liquefaction—is appealing because of declining natural gas and oil supplies. Pilot plants for coal gasification are in operation and commercial plants are expected by 1985. By 1990, coal could be supplying significant amounts of gas and oil if enough capital is forthcoming, ample water for the manufacturing process is available, and the safety and environmental problems of extracting the coal are solved.

#### C. NUCLEAR POWER

Nuclear power, the best developed new source of energy, is at once the most promising and the most troublesome. It will not, however, be much help in the short-term energy crisis. At present, 39 nuclear-powered generating plants are in use, 55 are under construction, and 90 others are on order. Nuclear powerplants already provide about 1 percent of the total national demand for energy, and by 1980 they will provide about 7 percent.

Nuclear power is gradually overcoming a succession of difficulties, including assurance of safe operation, economic feasibility, and environmental acceptability. But other difficulties lie ahead. The expansion of nuclear power may consume all U.S. uranium stocks in about 10 years, forcing the Nation to develop a "breeder reactor," which uses a more plentiful form of uranium and produces



more fuel than it consumes. It will also require some technological refinements. A commercial demonstration plant by the mid-1980's is the target. Some scientists think the long-range answer to our energy needs is thermonuclear fusion, a process that could release inexhaustible amounts of clean energy through the combustion of hydrogen atoms to form heavier atoms of helium and without dangerous radioactivity. The technology of controlled fusion power is immensely complex, and scientific, economic and engineering barriers must be overcome.

Nuclear research should receive top priority by the Federal Government. It has developed at a slower pace than originally planned. If the many questions, particularly regarding the environment, are solved, the rate of use should rise sharply in coming years.

#### D. GEOTHERMAL ENERGY

Geothermal energy is already being tapped to generate about 0.1 percent of our electric power. Using various methods, the almost limitless heat stored in the Earth's interior can be brought to the surface as steam or hot water for heating and power generation. The encouraging results of the limited research being done on extracting heat energy from the Earth indicate the need for expanded geothermal study.

If the pollution problems—and they are less formidable than the dangers in nuclear energy—could be overcome, geothermal energy, virtually unlimited as it is, could make a much larger contribution to our total energy production.

#### E. SOLAR ENERGY

The amount of energy in the Sun is immense, and enough of that energy reaches the Earth daily to more than supply all the energy the world needs. Long underrated as a source of energy, solar energy is attracting more attention. Utilization of this source is almost nonexistent. Since solar energy is thinly distributed and intermittent, with night and overcast skies often prevailing, its efficient collection and storage present difficult technological problems. Although costs are likely to be high, solar energy is clean, renewable and abundant, and these qualities provide strong incentives to develop it, especially for heating and cooling buildings, which now consume more than 20 percent of our total energy requirements.

This year, Federal funding for solar research was increased from \$3 million to \$12 million. Even this figure is low and should be increased.

#### F. HYDROGEN GAS

Although little time or money has been put into research and development of hydrogen fuel, it is an appealing source of energy because it is abundant and clean, with no waste disposal problems. The production of hydrogen, though, requires large amounts of electricity, and at present all known methods of producing electricity, except solar power, cause pollution. When the collection of energy from the sun becomes feasible, it could be used to generate hydrogen. Such a combination, though still lying far in the future, could be a clean, usable, and abundant source of energy.

Until these alternatives and largely untapped sources of energy fulfill their promise, the United States must rely on more conventional fuels and confront the problems they entail. The energy shortage today arises because we failed to plan adequately yesterday. Today we must plan to assure sufficient energy for tomorrow and these far-out and far-off solutions demand attention and development.

#### II. REASONS FOR THE ENERGY CRISIS

But for the immediate future many of these forms of energy are not yet available to us. It is only too obvious that the United States was pitifully unprepared for the energy crisis. Many voices correctly foresaw the coming of the crisis, but with remarkable consistency the top policymakers failed to pay enough attention to advocate and take the painfully unpopular steps needed. The energy crisis is a classic illustration of the difficulty democratic governments have in heading off a crisis before it breaks.

In hindsight, at least, the reasons for our shortage are easy to identify.

#### A. DEMAND

Burgeoning demand is far and away the most important cause of the energy crisis. The explosive economic growth in Western Europe, Japan, and the United States has led to a dramatic increase in worldwide demand for energy. As other countries become more prosperous, they are demanding, and competing with the United States to obtain fuel supplies.

The United States, with 6 percent of the world's population, is now consuming some 35 percent of the world's energy. We consume twice as much energy per capita as the prosperous West Germans, four times as much as the Japanese. We are the world's largest consumer of oil, natural gas, and coal. Our demand for energy continues to increase at a rate far in excess of population growth.

Furthermore, a major shift in the pattern of energy use has occurred with demand for cheap, clean, but scarce, natural gas going up while relative demand for abundant but dirty coal declines.

Low energy prices in the United States have encouraged high levels of consumption. We have been paying recently 35 to 45 cents for a gallon of gas compared with prices of between 75 cents and \$1 in Western Europe, and Government regulated low prices for natural gas has exploded demand for it.

#### B. GOVERNMENTAL ACTIONS

Bad governmental policy has contributed to the energy shortage, too. The Nation has simply failed to manage its energy resources well.

Government has done little, until very recently, to discourage high consumption and waste. Research and development were inadequate, poorly organized and with insufficient cooperation between Government and industry.

Federal policies, by their lack of stability, thoroughness and long-term planning, have inhibited the power companies from looking for greater resources. Oil companies and utilities have been in constant uncertainty over Federal policy.

For many years Federal policy included oil import quotas, established at a

time when we produced more oil than we were using domestically. The President delayed much too long in lifting the quotas, even waiting long after his own Commission advised him to do so. Phase IV regulations, which set price ceilings on fuels, may have encouraged the oil companies to withhold production as a means of pressuring the Government to raise the ceilings. Oil companies complain that the regulations holding prices at unnaturally low levels have inhibited further exploration, and that accumulation of adequate capital to develop new resources has been discouraged.

Another aspect of Government policy, environmental regulation, has forced cutbacks in polluting fuels, stymied efforts to site powerplants, caused increased fuel consumption—as with automobile emission standards—postponed construction of the Alaska pipeline, and discouraged strip mining of coal.

As Americans increasingly realize the crunch of the energy shortage, the search for scapegoats intensifies and the environmental movement is a likely candidate. While the primary culprit is the explosive growth in demand, not the tentative success of the environmental movement, it is nonetheless true that environmental controls have increased consumption of energy somewhat—that is, automobile emission controls have resulted in an average 10-percent loss in fuel economy.

Even as the Nation squandered nearly half of its energy by overheating, overcooling, and overlighting, the President dragged his feet in developing tough conservation measures.

Moreover, the administration underestimated the repeated threats from the Arab States to halt oil shipments unless the United States changed its pro-Israeli policy, and it also misjudged the severity of the crunch that the lack of Arab oil could have on the U.S. economy.

The energy shortage has also been due to distribution difficulties. Last winter some parts of the country suffered from severe shortages while other parts had all the fuel they needed.

#### C. OIL COMPANIES

The oil industry can share much of the blame for the energy crisis. It refused until recently to acknowledge a shortage, claiming even in 1972 that crude oil stocks were sufficient to meet demand and over a period of years opposing efforts to remove import quotas. The companies now admit that they failed to appreciate how rapidly the demand for oil would grow. Even as late as 1968 the oil companies thought that with oil discoveries in Alaska, the North Sea, and near Santa Barbara, their supply problems were over.

The allegation is often heard that the major petroleum companies are creating an artificial shortage by restricting output in an effort to fatten profits. Critics of the oil companies, citing profit increases of up to 90 percent for this year over 1972, have discounted industry claims of a squeeze by an international cartel of oil-exporting countries and insufficient economic incentives to explore for more oil. They accuse the producers

of reducing supply and raising prices to eliminate cut-rate dealers.

Oil companies, while admitting that their profits are much higher than they were in 1972, attribute the increase to a mild winter, which slowed business last year, and inadequate profits in earlier years for adequate investment and exploration.

Although there is little direct evidence of abuses, we should not discount the possibility that they may have occurred. It is possible that short-term oil shortages may be partly artificial, and that some companies have acted to exploit the shortages, but, even so, these instances should not be allowed to obscure the fact that the long-term problem is real and not contrived.

### III. PROSPECTS FOR THE FUTURE

#### A. SHORT-TERM

The immediate concern in the United States centers around the short-term availability of fuel supplies, from now into the 1980's. Little that we can do now can possibly make any more fuel available for 3 to 5 years at the very least. For now, the only way to make energy supplies stretch farther is to consume less.

On a nationwide basis, the recently implemented mandatory allocation controls will not make any more energy available, but hopefully, will provide a more even distribution of scarce resources. If controls work, no one will be totally without fuel, and neither will anyone have unlimited access to energy.

No one can be sure how severe the shortage will be. In November 1973 a Library of Congress study summarized the impact this way:

The shortage will be the most severe since World War II and will affect every energy-consuming phase of American life. At the worst, some factories, schools and businesses may have to close or limit operations, and many personal activities may have to be curtailed. Many homes may be cold and many electric utilities may have to limit output because of fuel restrictions. If the shortage is as severe and protracted, serious strains could develop in the U.S. economy.

We can expect to have enough heat this winter only if:

American oil refineries continue to operate at capacity, without major breakdowns.

The winter is not unusually cold, either here or in Western Europe.

We are able to import enough oil to make up the difference between domestic supply and demand. The Interior Department figures that the country will have to import 650,000 barrels of heating oil a day to supply adequate heat, but many fear that other nations will sell us only 350,000 or less.

Our best hope is that an early settlement on the Middle East will induce the Arabs to increase their oil production immediately and to resume sales to the United States and Europe. Until this situation changes, though, we will have to look elsewhere for up to 20 percent of our oil or, more likely, go without. There is little the United States can do to increase supply during the next 12 months. Even a favorable Middle East settlement and renewed imports of Arab oil would

not close the gap between present supply and demand, although it would be much eased within 6 weeks after the embargo and production cutback ended.

#### B. LONG TERM

There appears little relief in sight until sometime in the 1980's. It takes 3 years to build a refinery, 5 years to create a port, 5 years to develop an oil field, and 8 years for a nuclear plant. Development of nonconventional fuels such as solar, geothermal, and so forth, will take even longer.

If the Nation does embark on a national energy strategy, the long-run prospects for self-sufficiency beyond 1980 seem excellent. As noted, several of the energy sources are promising for the long run. For most, the technology exists, and it is simply a matter of time—and large sums of money—before the difficulties are worked out and the present technical complications overcome.

#### IV. ENERGY STRATEGY THUS FAR

Confusion and lack of direction have characterized the early months of the energy crisis. Until December 1973, there was no centralization of energy policy and no central source of information on fuel supplies and outlook. For months the President, the Congress, over 50 Federal regulatory agencies and the oil companies debated the crisis without appreciable results. Governor Love's Energy Policy Office, with a professional staff of less than a dozen, failed to serve as a focal point for policy. The President's creation of a Federal Energy Administration has come far too late. It is still too early to predict how the new agency will function. However, its existence is an encouraging sign that perhaps the President is finally beginning to realize the magnitude of the crisis.

#### A. THE ADMINISTRATION

Notwithstanding this most recent action, it remains true that the President has simply failed to provide strong leadership in alerting the Nation to the energy crisis, or in planning and acting to meet it. Often he has only thickened the fog surrounding the energy problem. So far this year he has delivered five separate energy messages, each containing different proposals, some conflicting with his previous proposals, and each trying to correct the deficiencies of its predecessor. He has called for halfway measures, and demonstrated a lack of commitment to tough conservation and exploration of alternative energy sources. Even his recent message seriously underestimates the shortfall in oil. Rather than the two or three million barrels per day the President suggested, it may be more like 6 million barrels each day.

The President's mistakes are numerous. He impounded millions of dollars for energy research, maintained an oil import control program too long, refused to implement the mandatory fuel allocation authority granted by Congress until too late, failed to devise contingency plans and to stockpile fuel reserves in the face of the Middle East instability, mishandled the price control program forcing refiners to convert crude oil to gasoline rather than heating oil, and

failed to inform the American people of the gravity of the energy crisis.

The actions he calls for, though some are desirable and necessary, are insufficient. His suggestion for the conversion of industry to coal, for example, should have been made months ago. For too long he emphasized increasing fuel supplies, when, in the short term, the only really effective step was to curb rising demand. Even in April of 1973, he denied the existence of a crisis, refused to discuss the foreign policy implications of the energy shortage and, declined to increase sharply energy research.

In view of the record, his repeated efforts to blame the Congress for the energy crisis simply will not wash. Nor will his attempt to deride the Congress for failure to act on his energy program of seven pieces of legislation. He thereby overlooked the fact that the Alaska pipeline bill is now law; one piece of legislation—providing compensation for the companies that had drilling leases canceled in the Santa Barbara Channel—was not an energy bill at all, and the President has himself withdrawn support for it; the proposal for a tax credit to encourage exploration no longer seems necessary, given the present boom in exploration currently limited only by severe shortages in drilling equipment, the proposal for deep water ports is still under consideration, but with diminished urgency in view of the Arab embargo and the goal of self-sufficiency.

Other proposals, one to simplify powerplant site selection and another to set new standards for strip mining, are moving slowly because of difficult environmental and safety problems, and neither offers great relief from the shortage. The proposal to deregulate natural gas is the only one that would help the country this winter, and it raises many complex questions of balancing industry and consumer interests which simply cannot be easily resolved in the Congress, even though the case for deregulation gets stronger as the price of oil rises.

In his November 1973 speeches, the President finally began to acknowledge the magnitude of the crisis. For the first time, he urged Americans to start conserving fuel. The legislation he proposed in that message has merit, particularly the request for broad Presidential authority to take emergency measures to cut consumption and, if necessary, institute rationing.

The President is also right in wanting to reorganize and streamline the Federal agencies dealing with energy policy. In December, Nixon established the Federal Energy Administration to coordinate the energy programs of Government agencies. Earlier this year he proposed division of responsibility for energy research and development on the one hand, and licensing and regulatory functions on the other, between new agencies. Existing programs would be split to fit the new organizational structure, with most functions placed under the proposed Energy Research and Development Administration.

#### B. CONGRESSIONAL ACTION

The congressional record of action on the energy crisis has been decidedly un-



distinguished, and the Congress must share the blame for the current energy crisis with the Executive.

In some respects the Congress has been ahead of the President. For instance, in April the Congress gave him stand-by authority to make mandatory fuel allocations, but he did not use it until November. And many elements of the President's program to deal with the energy shortage have been proposed or forecast by Members of Congress throughout 1973, including the need for stepped up energy research, the rejection of the oil import quotas and the necessity of developing a national energy strategy.

A few Members of Congress have been urging action on energy legislation for several years, but the legislative branch began seriously to tackle the problem only in the late part of 1973. Even now, its performance is hampered by many shortcomings, organizational and otherwise:

Energy policy on Capitol Hill is fragmented, with no clear-cut lines of responsibility in the committees, and a proliferation of energy-related bills emanating from many committees, without an overall plan.

Congress is split over administration reorganization proposals to meet the energy crisis.

Even as shortages become more and more acute, the Congress is unable to decide whether it wants to dampen demand for gasoline by rationing, by taxation or deregulation.

The President's accusation that the Congress has been inactive on energy policy has some merit, but the Congress has passed, held hearings, or is otherwise acting on most of the energy legislation proposed by Nixon, and has had difficulties in keeping up with his fluctuating views on fuel. As with all important legislation, Congress needs strong Presidential leadership in order to act decisively.

The fact, then, is that there is plenty of blame for both the President and the Congress to share.

The roots of our energy difficulties extend deep, of course, and although the President and the Congress in power at the time the difficulties erupt must take most of the blame, it is probably true that the Nation slid into the energy crisis over a period of years, with many leaders and groups contributing mistakes and failing to act with foresight.

Late in 1973 the President and the Congress responded to the energy crisis with several important pieces of legislation. The trans-Alaska oil pipeline was approved, the President was required to institute mandatory allocations of petroleum, a National Energy Emergency Act granted the President extensive authority to allocate supplies and reduce demand, a major reorganization of the Government's energy research and development functions was approved, and all-year daylight saving time—exempting Indiana—was authorized. Other energy legislation can be expected in 1974, including authorization for deepwater ports and further increases in funds for energy research.

We can take hope, then, that with the organizational changes, the conservation measures already announced and under consideration, and the spate of energy legislation the Congress enacted in late 1973, we are beyond the takeoff stage, always a difficult one in a democracy, and on our way toward a coherent and systematic approach to the energy crisis, recognizing, of course, that many obstacles still remain.

#### V. RECOMMENDATIONS

The overriding question, then, is what steps should be taken to resolve the energy crisis. It seems to me several steps are required, among them:

##### A. NATIONAL ENERGY STRATEGY

The most important step is to develop a comprehensive national energy strategy. This strategy will require that we limit our demand for energy, expand our research, exploration, development and production of energy, resolve the conflicting demands of energy production and environmental protection, and adjust American foreign policy to the challenges of the crisis.

Energy policy in this country should aim at an adequate supply at reasonable prices without unacceptable abuse to the environment and without dependence upon foreign sources. Such a target must be approached with appropriate regard for costs and for the environment. Development of U.S. energy sources, for example, could be very expensive in the short term as compared with some reliance on imports, and the production of energy without heed to environmental damage could be disastrous.

A national energy policy should set forth steps the Nation could take in the immediate, short and long term, as suggested, for example, in this listing prepared by the Energy Subcommittee of the House Science and Astronautics Committee:

##### 0 TO 1 YEAR

Energy conservation: voluntary, encouraged and mandatory; rationing of all finished petroleum products; use naval petroleum reserves; convert to daylight savings time, and insulate homes.

##### 1 TO 5 YEARS

Revitalize the coal mining industry; improve transportation facilities for coal; convert central power stations to coal; modify air quality standards to allow use of coal with best-available sulfur removal technology, enact strip mining legislation; provide incentives for small cars; improve and use more mass transit; complete the Alaska pipeline; provide incentives for new drilling programs for gas and oil; build new oil refineries; and develop a coordinated energy planning and management authority.

##### 5 TO 20 YEARS

Develop solar energy for heating and cooling; develop geothermal energy; develop oil shale; enact legislation to facilitate powerplant siting and eliminate delay in construction; develop a nuclear breeder reactor; enlarge uranium enrichment programs, and gasify and liquefy coal.

#### MORE THAN 20 YEARS

Develop nuclear fusion; develop solar farms to make electricity; develop satellite solar energy, and develop a hydrogen energy economy.

We need a national commitment, with strong leadership from Congress and the President, to develop and follow a comprehensive energy strategy. The public must be educated to recognize the dimensions of the problem and to participate in finding solutions. No matter how expensive the national energy search may prove to be in the short run, it is preferable by far to the alternative—the prospect of increasingly scarce, expensive, and dirty fuels coupled with the diminished flexibility in international affairs that would accompany dependence on foreign sources.

##### B. CONSERVATION

Any national energy strategy must create a political and economic environment that will encourage conservation. It is important that government officials, and the Federal Government itself, lead by example in reducing wasteful practices. If each of us becomes energy conscious, we can substantially reduce our consumption of energy.

These energy-saving suggestions may be helpful:

Before buying any new appliance, be sure it is really needed.

Stop using unnecessary gadgets.

Turn off lights and appliances when not in use.

Shop for energy-saving appliances. For example, regular refrigerators—which use 40-percent less power than the frost-free variety—and black and white TV sets—which use 30-percent less voltage than color sets.

Use fluorescent lights instead of regular light bulbs.

Wash clothes in cold water and dishes by hand.

Use recycled paper.

Use containers that can be recycled.

Eliminate unnecessary packaging.

Insulate buildings better.

Set thermostats lower.

Keep cars tuned properly.

Use car pools.

Drive smaller cars.

Drive more slowly and less frequently.

Use mass transit.

##### C. GOVERNMENT ORGANIZATION

The creation of the Federal Energy Administration in December 1973, is an encouraging step. It must be given the authority to implement a national energy policy, oversee energy research, development and demonstration, gather and assess all information, direct the energy conservation program, and evaluate economic and environmental factors in energy proposals.

The President's plan to create a new Federal agency to manage research and development on energy should be approved in the Congress and is expected to be. For the present, action is delayed on his allied proposal to create a new Department of Energy and Natural Resources because there are too many controversial issues, but such a reorganization should be pursued.

## D. RESEARCH AND DEVELOPMENT

As already suggested, a national energy strategy should increase investment on a major scale in diversified research and development of fossil fuels and newer forms of energy. Price, lead times, environmental abuse, availability and other factors will have to be taken into account in the range of choices of energy sources. The proposal in the Congress for a crash program of new investment in energy with \$20 billion of Federal money over a 10-year period should be enacted as a part of our overall energy strategy for the future. This research will not close the gap between demand and supply today, but it is essential for tomorrow.

It is also imperative that the Federal Energy Administration develop more accurate statistics on both the supply and demand of energy resources. The beginning of every solution is an accurate understanding of the problem and such understanding can be based only on accurate information. The lack of information makes difficult policy decisions more difficult, and increases the risks of bad decisions. There have been too many uncertainties about how bad the shortage will be and how much it would be relieved by particular actions.

## E. SPECIAL POLICY MEASURES

The problem for the Federal Government in the face of a fuel shortage of growing but uncertain dimensions is to make choices in devising a program among alternatives that most Americans will not like. The Government programs will likely develop in stages as the gravity of the shortage becomes clearer. One task of the Congress, already achieved, was to pass legislation to help us cope with shortages this winter. Key bills are those concerning mandatory allocation and special Presidential powers to order emergency curtailment of a variety of energy-consuming activities. The Congress was forced to arm the President with broad powers to dictate a national response to the shortage, simply because the unwieldy Congress cannot devise quickly an intricate program of allocation and conservation.

The Government must also act to develop reserves of fuel, such as shale reserves and oil in the outer continental shelf and encourage greater exploration and research.

No matter how vigorously pursued, voluntary conservation probably will not save enough fuel. If it does not, Federal energy policy will have to consider other laws to cut energy consumption. Most of these proposals are matters of real controversy and they raise questions with no simple answers, but they are proposals which such policy must confront.

No one wants rationing, but for the first time since World War II, 110 million American motorists may soon have it. At this moment, no final decision has been made, and the President has said he would turn to rationing only as a last resort. He is seeking the least painful way to achieve a 30-percent reduction in gasoline consumption in early 1974. The Congress has granted to the President the authority to employ some kind of

end-use allocation. Several alternative approaches to restrict consumption are under consideration: First, a tax increase of 30 to 40 cents per gallon, coupled with a possible tax writeoff for low-income groups; second, an increase in the price of oil to whatever level it takes to clear the market; third, rationing, with either a plan of nontransferable coupons assigned to motor vehicle owners on the basis of their occupations, or a plan to distribute transferable coupons to every licensed driver, allowing a motorist to sell his unnecessary coupons to others; or fourth, any combination of these approaches.

In Washington rationing is coming to be regarded as increasingly likely, especially since there are no signs of a letup in the Arab oil export embargo. No system will be equitable and any system will have disadvantages, but there is simply no way to manage scarcity with complete fairness.

William Simon, the head of the Federal Energy Administration, has stated that no decision on rationing will be made until January 1974, and even then it would take another 2 months to draw up plans, print coupons, and get the program started.

New approaches to discourage consumption should also be examined: For example, a tax on automobiles with a sharply rising tax rate according to weight or gasoline consumption or tax incentives to owners of automobiles with more efficient engines. The entire price structure for consumption of natural gas and electricity may have to be revised, and instead of the price being lowered as more energy is consumed, the price could be raised to encourage conservation. Peak-load pricing, charging more for electricity at peak use periods, should also be considered. Advertising that promotes energy use could be banned or disallowed as a business deduction, building codes could encourage buildings that use energy efficiently, and industry could be required to label fuel consumption on products. Industry incentives to expand production including guarantees that construction of refineries will not be interrupted, and tax incentives can be given.

A difficult area of energy policy is to balance the demand for energy with the protection of the environment. For example, Federal standards for auto emissions help to clean the air, but reduce gasoline consumption by about 10 percent. Is conserving energy through relaxation of clean air standards more important than cleaner air? Single-minded pursuit of either desirable goal—clean air or fuel economy—will lead us astray, and the task of Government policy is to strike an appropriate balance. Any changes should be made in ways that will minimize potential adverse effects on efforts to clean up the environment. Perhaps the best approach is that environmental regulations should be relaxed on a "temporary, case-by-case basis," as the President suggested, and not by sweeping suspensions of environmental standards.

A growing concern for Government policymakers is that the spiraling energy shortage will cause a serious slowing down of the Nation's economy. Already automobiles and airline industries have announced employment layoffs. Economic forecasts for 1974 are being revised downward.

Chairman Stein of the President's Council of Economic Advisers says the energy shortage could slow real growth to only 1 percent and cause unemployment to increase from its present 4.7 percent to nearly 6 percent. Economists are quick to admit they are engaging in much more guesswork than usual, but in general the pre-Arab embargo forecasts for 1974 of reduced but respectable economic growth have been changed to near zero growth or even a recession. Many experts expect a first half of the year recession, coupled with more inflation and higher unemployment. A major aim of the Nation's energy policy must be to insulate the productive sector of the economy, as much as possible, from the energy shortage, and to keep the economy operating as close to full employment as possible.

## F. FOREIGN POLICY

A vital portion of a national energy strategy, until we are self-sufficient, will be foreign policy. Our energy consumption and available domestic supply require that we import more energy from abroad. We presently import about one-third of our consumption of oil, and by 1980 we could be importing about 50 percent of our total consumption. Only in the long term can our foreign dependence be reduced without sharp limits on domestic demand. With the recognition of U.S. dependence on foreign oil all sorts of difficult foreign policy issues are raised, including the impact of the Arab-Israeli conflict, Soviet-United States relations, the relationship of the United States to the oil producing States, cooperation among the oil consuming States, and many others.

## THE MIDDLE EAST

Our strategy toward the Middle East must reflect our realization of a number of important factors.

Close to 75 percent of the free world's proven oil reserves are in the Middle East area. Saudia Arabia's proven reserves alone are almost four times those of the United States.

With American production of both oil and natural gas declining, we will have to import significant quantities of petroleum products from the Persian Gulf. Like it or not, there is no other source available.

The United States, wealthy and powerful as it is, finds itself in the uncomfortable position of being dependent upon small, independent, and potentially unstable States, which have the quantities of oil our gargantuan appetite requires. The annual cost of these oil imports in 1980 could be on order of \$70 billion, some of which may flow back to the United States through the purchase of goods and services. The prospects of huge additional cash outlays of this magnitude, at a time when the United States



already has trade problems, raise potentially serious economic and political problems.

Peace in the Middle East is vital to the flow of oil to the United States. Though we cannot forget our need for good relations with the rest of the world, the Persian Gulf area will have to assume high priority among our international concerns. We will need excellent Presidential leadership to insure us a continual supply of Arab oil, at the same time we continue to demonstrate support for Israel.

Our policy toward the Middle East should emphasize several features:

First. A peace settlement of the Arab-Israeli conflict is an urgent national interest. A thorny linkage exists between our policy toward this conflict and our access to Middle East oil, as President Nixon has acknowledged. A quick, permanent settlement of the conflict may not be likely, but some movement toward a settlement may be possible. Peace should not be imposed from the outside, and can only be achieved by the Arabs and the Israelis themselves, but we must impress upon them our deep desire for peace. The proposals for a time-related, phased withdrawal peace plan and the idea of big power guarantees of any agreement need concerted attention.

Second. We must pay more attention to the Arab world, learning more about it, demonstrating a concern for its economic development and acknowledging its place in the international economy. The oil rich Arab States can buy technical assistance and technology to help them diversify and strengthen their economies. Effective economic, political and security policies toward the Arab States are our best guarantees that they will be willing to help us with our energy problem. Our present policy toward the Persian Gulf has a strong military flavor, emphasizing arms sales to Iran and Saudi Arabia, but our policy should be more comprehensive with equal emphasis on economic and social development.

The United States, however, cannot allow the Arab world to undermine its political and economic independence, and we must be prepared as a nation to take whatever steps may be necessary to keep the Arab world from bending our interests.

These policies will allow us to remain committed to Israel's survival, and her deterrent strength. They will offer acceptable alternatives to the distasteful choice between an adequate oil supply or support of Israel.

Our foreign policy must also take into consideration the U.S.S.R. and Canada, countries with an important actual or potential bearing on our fuel supplies. It is important that the United States diversify our sources of foreign supply.

U.S.S.R.

In the U.S.S.R., immense gas fields have recently been discovered. Though more expensive than domestic, regulated gas, Soviet natural gas could eventually become competitive if the price of gas is allowed to rise in the United States. Of potentially great significance in maintaining our gas supply, therefore, is our ability to continue détente with the U.S.S.R. We must assure that we not

rely too heavily on the U.S.S.R., and that any dependence is mutual and in pursuit of détente.

CANADA

Canada has been our best source of imported oil. Recently, fearing shortages at home and anxious not to alienate the Arabs, Canada has imposed export quotas and a stiff tax on oil exports to the United States. This marks a break in our normally friendly relations with our neighbor, one which must be resolved without delay. The United States and Canada are economically and culturally interdependent, and it is to our mutual advantage to negotiate resumption of this important element in our national energy strategy.

VENEZUELA

Although Venezuela is today our major supplier of imported oil, its production has peaked, and the political condition in the country make it unlikely that the United States can count on it for a major portion of its oil imports. Nevertheless, a sympathetic understanding by the United States of the Venezuelan desire for a balanced economy would be helpful to the United States in assuring access to a stable supply of oil.

OTHER COUNTRIES

Cooperation with the industrial nations in research, emergency planning and sharing should also be a part of our national energy strategy. We have suddenly, surprisingly, become one of the many oil-importing countries. We can compete with others for fuel suppliers, but we must also cooperate. We can work with Western Europe and Japan to develop jointly new energy sources, to develop mutual assistance programs, to guard against short-term supply interruptions and to avoid destructive price competition for fuels, and in efforts to bring about negotiations which may lead to peace or a reduction of tensions in the Middle East.

CONCLUSION

As difficult as it may be for Americans to comprehend, we are in an energy crisis. Perhaps a situation as serious as this was needed to jolt us out of our complacency and force us to act with resolve to find ways of using the limitless energy around us. We can do it, but eventual self-sufficiency will require the cooperation of all parts of society—government, business, and individual citizens.

Undoubtedly, Americans will find inconvenience and some may experience hardship in the energy shortage. But, the shortage may not be all bad. Many of our troubles today stem from our surpluses, and the extravagant consumption of many of us simply could not go on forever in a finite world. For those of us maybe a little belt tightening will be good. Fifty mile-per-hour speed limits, cooler rooms and staying home can have some benefits, too. One writer put it this way:

We need to cut down, slow up, stay home, run around the block, eat vegetable soup, call up old friends, and read a book once in a while. Americans have always been able to handle austerity and even adversity. Prosperity's what's been doing us in.

As important, then, as any single step, is for all of us to change some of our basic attitudes. The energy shortage is here to stay for several years. It is not an isolated, passing event, and we had best learn to live with it.

It is encouraging that, by decisive margins, the polls show that the American people are prepared, not only to go along with the demands put upon them by the President in the energy crisis, but they are willing to go well beyond current sacrifices if necessary.

Technology alone will not save us from the enemy crisis. It will help ease the crunch, but the basic solution lies in politics, not science—the politics of developing and implementing a national energy strategy and in evolving relations with the rest of the world that make for peace, stability and international economic order.

A difficult era lies ahead. But that is nothing new in the American experience and we should enter it not with panic, but with confidence that by good sense and determination, the American dream can continue to be realized.

#### BALTIMORE WORKERS FEARED EXPOSED TO CARCINOGENS

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. OBEY. Mr. Speaker, I am inserting in the RECORD a copy of a most disturbing story which appeared in the Washington Post this morning. It concerns a number of workers at a Baltimore textile dye firm who may have been exposed to a highly carcinogenic substance in their day-to-day workplace.

This story again highlights the need to substantially increase the budget for the National Institute of Occupational Safety and Health—NIOSH—the research arm of OSHA. I know that all of us have received objections to the way that OSHA inspectors have handled their inspection assignments, but we cannot allow frustrations about actual on-site inspection procedures to divert our attention from the real need to substantially increase research budgets to enable NIOSH to better determine which chemicals and substances found in the workplace are actually endangering human health.

This year NIOSH will try to come up with standards for 15 hazardous substances—one of which contains 14 separate cancer-causing agents—covering more than 4 million workers. Look what it is up against:

First. There are about 12,000 chemicals in common or widespread industrial use with an annual production of 120 billion pounds.

Second. Some 3,000 new chemicals are synthesized each year, and about 500 of these find uses in industry.

Mr. Speaker, the article follows:

BALTIMORE WORKERS FEARED EXPOSED TO CARCINOGENS

(By Bill Richards)

BALTIMORE.—For the last year, the J. S. Young Co. a small textile dye firm on the

Patapsco river here, has been the focus of concern by employees and federal industrial health officials who fear that company employees have been unwittingly exposed in the past to a chemical that can cause cancer.

The chemical is benzidine. It was listed as one of 14 industrial carcinogens—or cancer-causing substances—by the Labor Department in May. So potent are the 14 substances that the Labor Department's Occupational Safety and Health Administration (OSHA) overrode intense opposition from the chemical industry to declare that any exposure at all to one of them poses "a grave danger" to workers.

The last three workers to retire from J. S. Young's Aniline dye works had bladder tumors but tests of about 30 current employees have shown no evidence of bladder tumor growth. Researchers say however, that no trace of the tumors begins to show for at least 10 years and often does not show up until years later.

In January a small item alerted the employees of J. S. Young's Aniline dye works of the danger of benzidine. At the time, workers at the plant were handling 10,000 pounds of a watery solution of the chemical daily.

The item, which passed virtually unnoticed in the newspapers, stated that the Oil, Chemical and Atomic Workers International Union and the Health Research Group, a Washington-based, public-interest organization sponsored by Ralph Nader, was petitioning the Labor Department to set emergency handling regulations on cancer-producing chemicals to insure that workers had no exposure to them.

Last May, the emergency regulations were put into effect for six months by the Labor Department, but then were allowed to lapse in November. On Nov. 29, the two groups sued the Labor Department in Federal District Court in Washington to reinstate the regulations on a permanent basis. No action has been taken so far on the suit.

Federal and private industrial health officials and Young Aniline workers here fear that the question of whether or not the regulations are implemented on a permanent basis may be moot for the dye firm's employees—as well as for hundreds of people who have been exposed to benzidine at the plant in the past.

"That stuff was handled here like water in the past and no one knows what is going to happen to us now," said Thaddeus McDaniels, president of the plant's union local.

Behind that fear is a peculiar property of benzidine which researchers who have studied the effect of the chemical over the last 30 years have pointed out.

According to the researchers, even the slightest contact with the chemical can cause bladder tumors to develop. But no trace of the tumors begins to show for at least 10 years and then often don't show up for 20 or 30 years after exposure.

"What we have," said McDaniels, "is a situation where our people have to live the rest of their lives waiting for the other shoe to drop. It's a hell of a worry."

The bladder cancer level, among the general population, according to statistics compiled by the American Cancer Institute, is slightly more than 13 in every 100,000 persons.

According to a number of studies done on workers exposed to benzidine both in the U.S., Japan and Europe, the level of bladder cancer cases has ranged as high as one in four persons who have been exposed.

Researchers at the National Cancer Institute in Bethesda said that once a person exposed to benzidine begins to develop tumors of the bladder there is a "high probability" that the tumors will recur and turn cancerous.

Statistics published by the American Cancer Institute show that 42 percent of the persons who develop bladder cancer will die within five years.

A spokesman for Young Aniline and other chemical industry officials have labeled reports on benzidine as misleading and charge that the union and the Nader group have indulged in "scare tactics" that have blown the chemical's cancer-producing property out of proportion.

"If we found that any worker in our plant was being put in danger of developing cancer we'd shut the place down," Joseph R. Gilman, Young Aniline's president, said during a recent interview with The Washington Post.

"But," Gilman continued, "you just can't put 110 people out of work because there's a vague chance that 10 or 15 years from now someone may develop a tumor."

Industry spokesmen have argued that the danger from benzidine is no worse than that from cigarettes. The chemical, they claim, is irreplaceable in manufacturing quality dye. To discontinue its use and undertake a search for all those exposed to it would bring about a serious economic hardship, they argue.

Federal officials point out that benzidine has been manufactured and used in dozens of plants and that the number of workers exposed runs well into the thousands.

"We are coming to a point where we have to ask ourselves whether we really need chemicals like benzidine," said Dr. William M. Johnson, an occupational health specialist who until June was in charge of a federal inspection team for the National Institute for Occupational Safety and Health (NIOSH).

"The companies say the chemical is necessary to achieve quality in their dyes," he said. "But we must balance the question of dye quality against people's lives."

Dr. Joseph K. Wagoner, who presently heads the division of field studies and clinical investigations for NIOSH concurred in this opinion during a recent interview.

"We have an ethical responsibility to find these people who may have worked years ago with benzidine and don't realize today that they are walking time bombs," he said.

Anthony Mazzocchi, legislative director for the Oil Chemical and Atomic Workers International Union estimated that as many as 6,000 of the union's present membership alone may have been exposed to the chemical.

At NIOSH headquarters in Cincinnati, investigators have compiled microfilm employment records for a dozen firms that have used benzidine. But no program has been undertaken to either locate or warn these persons of the danger of their exposure to the chemical.

Nor has Young Aniline, where 525 workers have been employed since the firm began handling benzidine in 1937, tried to track down former workers. Young Aniline's president Gilman said the company's position is that its responsibility ceases when an employee leaves his job.

From 1937 to 1943 the company produced benzidine in open wooden vats with virtually no protection for its employees. Workers who handled the chemical at that time recalled recently that no safety clothing was worn by employees and benzidine dust often covered their clothes, their hair and faces.

Young Aniline dropped its benzidine production in 1943 and contributed \$100,000 two years later to help form a manufacturing facility in New Jersey. The reason for discontinuing production of the chemical, according to a present company official, was a report from Germany that benzidine workers there were developing cases of bladder cancer.

The firm later purchased its benzidine supply from a Connecticut manufacturer and then shifted to buying benzidine from the Lakeway Chemicals Corp. in Muskegon, Mich.

Lakeway halted its benzidine production this year and Young Aniline began once again to manufacture the chemical. Company officials said they spent \$200,000 on a manufacturing system initiated this summer that

they say totally shield workers from exposure.

"They do seem to have made an effort to clean up the production system," said the company's union local president McDaniels. "But the trouble is that we have all been exposed already. The people who didn't actually handle the stuff ate lunch with those who did or used the same lockers and bathrooms."

On February 22, a NIOSH inspection team visited Young Aniline and reported later to the Labor Department that inspectors saw "a great deal of splatter and improper handling of benzidine." The report charged that the firm had "a serious occupational health problem" and that engineering controls on benzidine were "grossly inadequate."

"We visited more than 20 plants around the country and Young Aniline was one of the worst," said Dr. Johnson, who headed the February inspection.

Gilman, who did not accompany the inspectors, challenged the report's observations. "Those people came in here looking for ways to put us out of business," he said. "They wouldn't listen to our side of the story at all."

A major portion of Young Aniline's side of the story, according to Gilman, is that there is no proved link between sporadic exposure to benzidine and bladder cancer.

Gilman cited observations by members of the Johns Hopkins Hospital urology department as substantiation for his belief.

Dr. Hugh Jewett, one of two Johns Hopkins urologists mentioned by Gilman, said in an interview that benzidine is just one of a number of chemical compounds suspected of causing bladder cancer.

But Jewett, who has treated more than 100 bladder cancer victims who handled benzidine and other industrial chemicals, said he never warned Young Aniline or any other company that sent workers with bladder cancer to him that there might be a link between the chemicals and the disease.

"It's none of my damn business to tell them how to run their plants," Jewett angrily told a reporter recently during a telephone conversation on benzidine danger among workers.

Jewett removed a cancerous bladder in 1964 from John Anderson, one of the latest three men to retire from the Young Aniline works. All three workers have had bladder tumors and have been treated at Johns Hopkins. Anderson was head of plant safety procedures for Young Aniline until he developed bladder cancer.

During an interview recently he said that at the time of his operation he became worried about a possible link between his exposure to benzidine and the cancer. Dr. Jewett and Robert Grant, the former president of Young Aniline, talked him out of seeking a Labor Department hearing to determine the source of his cancer, Anderson said.

"Grant was upset that I asked for a hearing before I went to him," Anderson recalled. "I told him, 'Mr. Grant, if there's a hazard I'm sure you want to know about it to protect the workers in the plant.'"

Anderson said Grant told him he had made a "medical investigation" of the matter.

"He told me, 'John, it couldn't happen because of the benzidine' and said mine was an isolated case," Anderson said. "Grant and Jewett persuaded me to drop my request for a hearing."

Grant's certainty apparently did not extend back to 1943 when he decided to pull Young Aniline out of the benzidine manufacturing business because of the reports of cancer among German chemical workers.

Gilman—who succeeded Grant as company president—said recently "Grant and the company decided in 1943 that it was apparent that dyestuff chemicals could produce cancer. They were aware of the German situation so they dropped our benzidine production."



Grant, now in his 80s and semiretired from the company, was not available for an interview.

Anderson, who now wears a plastic pouch strapped to his side in place of his missing bladder, received a wristwatch and a part-time job from the company when he retired last year.

Despite the appearance of two more cases of bladder tumors in Young Aniline employees after Anderson, no attempt was made by the company to check its workers until 1971.

In that year, Gilman ordered all 110 employees to undergo urine analysis to determine whether bladder malignancies had already formed.

The tests were done by Dr. Horst Schirmer, Jewett's colleague at Johns Hopkins. Schirmer found no malignancies, a point cited by Gilman as backing for his contention that the cancer scare is unrealistic.

During a recent interview Schirmer told a reporter, "We can tell if the malignancy is already developed from these tests but we'd need a crystal ball to tell whether there were tumors there still in the development stage."

After the initial test Schirmer continued monitoring urine samples of about 30 employees and a handful of former officials. So far, he said, he has not found any evidence of bladder tumor growth in any of the tests.

The Johns Hopkins urologist said he had suggested informally to Young Aniline officials that other former employees be located and sent to him for testing. The company has so far made no effort to find any past employees exposed to the chemical.

NIOSH officials, however, said that such testing on a frequent periodic basis is necessary to spot tumor growth as its likelihood increases years after exposure to benzidine.

The agency has recommended that employees undergo annual urine tests during the first five years after their exposure to benzidine. Between five and 10 years after exposure, semiannual urine testing is recommended. After that, NIOSH recommends urine testing every three months and more thorough direct examination of the person's bladder requiring hospitalization.

Gilman who came to Young Aniline five years ago from the Geigy Chemical Corporation, is well acquainted with benzidine and its suspected danger.

As a Geigy executive he was active in the operation of an Ohio chemical plant Geigy bought in the early 1960s.

Shortly after the plant was bought, the University of Cincinnati began a 13-year medical study of the plant's employees who handled benzidine. The study, published last year, showed 13 of 25 workers developed malignant bladder tumors.

Gilman also spoke with a reporter recently about another study of workers at a chemical plant in Buffalo, N.Y., in 1965. In that study researchers found that 21 per cent of the benzidine workers developed bladder tumors and half of the 21 per cent died of bladder cancer.

Workers at the Young Aniline plant said, however, that last January Gilman assured them that news reports linking benzidine and bladder cancer were false and that no such medical evidence existed.

"We went to Gilman and told him we were afraid," said the plant's union president McDaniels. "He said there was no evidence to show that benzidine caused bladder cancer. He said if we didn't like working with chemicals then we were in the wrong business and should find another job."

Gilman acknowledges speaking to the workers but said he merely warned them that if the union's petition for more rigid handling standards were enforced the plant might have to shut down.

Inspectors for the Baltimore City Bureau of Industrial Hygiene, which has jurisdiction

for enforcing industrial safety regulations inside the city, acknowledged during an interview recently that, although they had inspected the Young Aniline plant 17 times since 1939, no warning was ever made concerning benzidine.

"We've felt in the past that it wasn't the best controlled system," said David T. Lewis, head of the bureau's investigative unit. "But I guess we weren't aware of the significance of the danger."

Lewis and Elkins W. Dahle, head of the bureau, said they were not aware of reports in 1968, 1970 and 1971 by the American Conference of Governmental Industrial Hygienists identifying benzidine as a cancer-causing agent.

Both men accompanied the NIOSH inspectors in February but neither filed a report concerning benzidine after the visit.

Employees at Young Aniline said recently that the NIOSH inspectors witnessed only a demonstration of benzidine handling procedures that had been set up by the company.

Prior to the inspection, said Louis Martin, a laborer at the plant who was a member of a team that emptied 500-pound drums of the chemical, the chemical often splashed on workers covering their face, arms and clothing.

"We're not rich people," he said of his co-workers, "we can't afford to go to doctors and no one told us about cancer. We relied on the company and the inspectors for that. We never really had a chance."

#### PITFALLS OF GAS RATIONING

### HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. ARMSTRONG. Mr. Speaker, during the last few weeks there has been a great deal of speculation and discussion about the possibility that gasoline rationing will be implemented as one measure to deal with the energy crisis.

I deeply regret the growing impression that rationing would be a panacea.

Personally, I hope rationing can be avoided and that other, more promising, solutions will be adopted. Rationing does nothing to increase supply; rationing will require the creation of a huge and costly bureaucracy to administer the programs; rationing will foster economic dislocations.

Most people realize these inherent shortcomings of any rationing program. But recently the Washington Post published an article by Mr. J. W. Anderson which succinctly and forcefully underscores another drawback of rationing which is far less widely recognized. I commend it to the attention of my colleagues:

#### How FAIR Is RATIONING

(By J. W. Anderson)

Rationing gasoline, the argument goes, is fairer than raising prices. A surtax on gasoline to cut consumption, would hurt the poor. The administration is deeply divided on the issue. The economists in the Treasury and the Council of Economic Advisers favor a stiff surtax, perhaps as much as 40 cents a gallon. The politicians in the other agencies are generally horrified by the idea and lean strongly to rationing with books and coupons as in World War II. President Nixon is going to have to make up his mind soon, for even an immediate decision could hardly put a rationing system into actual operation before March.

Since the issue is fairness, a lot depends on the way a rationing system would actually work. The dilemmas are clear enough. The more closely you look at the structure of a rationing scheme, the less obvious it becomes that rationing is necessarily and absolutely fairer than even a stiff surtax.

The first question is whether to give ration books to cars, or to drivers—or, perhaps, to everybody. Suppose that three households, side by side in the same block, have roughly the same commuting pattern. The first is a bachelor with a car. The second is a couple with three children, all over 16, with three cars. The third is also a couple with three children over 16, but they have only one car. How do you distribute the ration books?

If families get a book for each car, that gives the second family three times as much gas as the third family. That's fairness? It only encourages people to buy cars (including as in World War II, wrecked cars) to get the books. But if you give a ration book to each driver, then both of the families with children have five times as much gas as the bachelor. But they don't have five times as many errands or five times as much shopping to do. That doesn't seem fair, either. And then what about the people, of whom there are thousands in every big city, who have driver's licenses but no cars? Many of them occasionally rent cars. Are they going to be cut in, or cut out?

Before you make up your mind on those choices, consider the next one, which is even worse. Should the ration coupons be transferable? In other words, should it be legal to sell them? A legal market—call it a "white market"—eliminates the otherwise inevitable black market. More important, it rescues the government from the necessity of entangling itself, as it did in World War II, in literally hundreds of categories and sub-categories of users, with hair-splitting distinctions among degrees of need and hardship. With a white market, everybody would get a basic weekly ration. People who use less could sell coupons. People who need more can buy them at the going price.

But hold on a minute. If the coupons are saleable, then they are in fact money. By mailing out the ration books, the government is distributing a subsidy that can be used to buy gas or, through the white market, to buy anything else. (Let's try to avoid frivolous suggestions about using gas coupons to solve the energy shortage and reform the welfare system simultaneously.)

If the government is going to start handing out cash subsidies in the form of gasoline ration coupons, how can it possibly justify limiting them to drivers? If our purpose is fairness, then surely people who do not drive have the same right to this subsidy as drivers. That takes us back to the first question. Perhaps we have to give ration books to all citizens over 16 years old. But the more people who get books, the less gasoline each book is going to be worth and the more coupons will have to be bought and sold on the market.

World War II rationing does not offer any very useful guide for the experience on which we may shortly have to embark. There are nearly three times as many cars in the country today as in 1940. The average American car, having grown steadily bigger and less efficient, gets 30 to 40 per cent less fuel mileage today than it did in 1940. Since the war, we have built vast suburban subdivisions miles from any shops or public transportation. We have built whole industries, from resorts to roadside restaurants, that depend on the automobile.

During the war, the basic A ration was four gallons a week. To get more, drivers had to prove need. Government officials believe that by next March we shall have to get consumption down to an average of about 10 gallons a week for each of our 90 million private cars. That would pull our national demand down by about one-fourth of our current level.

Fuel oil for home heating is also going to have to be rationed, of course, but here there is no need for ration books or coupons. Distributors will simply deliver somewhat less to each house than they did last winter. If you run out, it's your own fault.

But what about the houses heated by gas or electricity? What about the oil-heated house whose owner installs a couple of electric space heaters, or leaves the oven on? The only solution in sight is a very heavy tax on each household's utility bill for any gas or power beyond the amounts that it used last year. But that would require new legislation, and that legislation is still a long way off.

The cutbacks will assume that the householder is turning his thermostat down six degrees. If the average setting was 74 degrees, it will have to go down to 68. But what about the family that has always kept the house cool? If it was down to 68 last winter, will it have to go now to 62? Is it fair that the family that has always been economical must now suffer unusual cold, compared with its more wasteful neighbors? By the end of the winter, fairness is likely to have joined the long list of commodities in shortage.

#### WHERE ARE THE MIA'S?

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. RANGEL. Mr. Speaker, I have been for some time attempting to find out from the Department of Defense why so few of the POW's returned to us by North Vietnam and the Vietcong have been enlisted. The percentage of enlisted men listed among the missing in action is a great deal higher than was found among the POW's, but I have been unable to obtain from the Defense Department specific information regarding the likelihood of survival of those listed as missing in action.

My inquiry has been paralleled by the anguished searching for the same answers by the families of the men who have become for most of the Nation almost forgotten statistics. The families of these missing men have joined together to form the National League of Families of American Prisoners and Missing in Southeast Asia. The national league has published a factsheet about their missing brothers, husbands, and fathers—our soldiers—who remain unaccounted for 11 months after the signing of the Paris Peace Conference Agreement.

As we approach, the holiday season we should remember especially, and pray for, the fate of these missing men.

#### FACTS ABOUT OUR MISSING MEN

At the time the United States signed the Paris Peace Conference Agreement on January 27, 1973, almost 2,000 Americans—1,925 members of the Armed Forces and 52 civilians—were missing in action (MIA) and/or being held as prisoners of war (POW) in Southeast Asia.

Today, more than 8 months after the peace agreement was signed, more than two-thirds of these men are still missing and there has been no information of any kind concerning their fate.

The question that continues to plague the wives, parents, and children of these men is this: Is it possible that any of the missing men are still alive and in Communist hands?

There is only one logical answer: "Yes, it is possible." No one can dispute certain facts: Some of the men who are still missing are known to have been alive and in communist hands at one time.

Some of the men were photographed in captivity. The U.S. Government has copies of the photographs.

In other cases, the enemy issued propaganda releases including photographs of the official Armed Forces I.D. cards of certain men, stating that the men had been taken prisoner. Our government also has this information in its possession.

In still other instances, the enemy made radio broadcasts announcing the capture of American servicemen. The United States monitored these broadcasts.

But when the peace agreement was signed and the other side handed our government a list of Americans who were to be repatriated (together with a list of 60 men who had "died in captivity") more than 50 men previously identified as prisoners of war did not appear on either list. The communists have since provided no information about any of them.

#### LESS THAN 4 PERCENT ACCOUNTED FOR

Similarly, many Americans who had been listed as "missing in action," but never classified as POWs, disappeared in the combat zone under circumstances that pointed to the strong possibility that they might have been taken prisoner. Yet, when the communists listed the Americans who were to be repatriated, the lists included only 47 men (out of a total of 1,334 missing) who were to be repatriated. Ten other men previously identified as missing also were included on the list of those who died in captivity. This means that a total of 57 MIAs (or less than 4% of all of the missing) were accounted for.

What happened to all of the others? The men Hanoi claimed to capture are either still alive or they are dead. If alive, they are still being held captive. If dead, there would be no apparent reason for the other side not to list them the 60 other Americans who they admit died in captivity. But one thing is certain: since some of the men were photographed in captivity; since the North Vietnamese took ID cards from other men; and since Hanoi claimed the capture of other specific individuals... Hanoi has to know if they are alive or dead.

And what happened to all of the other "missing"? When they disappeared under circumstances that pointed to the strong possibility of their capture—and their bodies were not recovered in subsequent searches of the area—it is difficult to believe they just disappeared into thin air.

#### IN LAOS, 98 PERCENT STILL MISSING

In Laos alone, 317 American servicemen were listed as missing in action or as prisoners of war. But when Americans were repatriated, only six men captured in Laos (all of whom had been held captive in the city of Hanoi) were released. There was no information of any kind about the other 98%. And after more than 8 months of waiting, there is still nothing.

When the Paris Agreement was signed, North Vietnam agreed to assume responsibility for the release and accounting of all missing and captured Americans (and members of allied forces) throughout Southeast Asia. Article 8B of the agreement also stipulates that all parties to the agreement will "help each other" obtain information about the missing, determine the location of graves of the dead, and facilitate the exhumation and repatriation of remains of the dead.

But even though the U.S. government has given the other side complete lists of missing American personnel and requested information about these men, no information has been provided. Similarly, the U.S. government has repeatedly sought to arrange the repatriation of remains of the 60 Amer-

icans the other side claims died in captivity. But not one body has been returned.

#### LEADERS STRANGELY SILENT

And yet America's leaders and the American people have remained strangely silent. We have heard no great cry of public outrage. We have waited in vain for our President, our Secretary of State, our Secretary of Defense, the elected leaders of the House and Senate, the Governors of our States, our mayors, and other officials holding positions of responsibility and trust, to charge the North Vietnamese with gross deception and to demand, in the strongest possible terms, that our dead be returned and our missing accounted for.

Only once since the Paris Agreement was signed last January, has the United States government issued any kind of formal protest—and this was done only after the Board of Directors of the National League of Families made a stern, face-to-face representation to Dr. Henry Kissinger concerning the growing dissatisfaction of the families of these men. But this protest, when it was finally made in a formal note to the North Vietnamese from the U.S. government, on July 30, 1973, was little more than a gentle, diplomatic prod. It did not even stir the curtain of silence that continues to shroud the fate of our men.

#### FAMILIES WANT ANSWERS

The League of Families is now more deeply disturbed than ever that our elected and appointed leaders are not making strong public demands that the North Vietnamese and their allies account for our missing, return our dead, and explain the discrepancies that exist with respect to men who we know were captured but who were neither released nor accounted for.

The American people must be made aware that even though some of our prisoners and missing men were returned, the vast majority were not, and that more than 1,200 families all across the country continue to live in the agony of not knowing the fate of their husbands, sons, and fathers.

We want our elected officials and our fellow citizens to start asking about these men.

Where are those men who were captured, who we know were captured, and who were not returned to us, who were not listed among the dead, and about whom the other side has furnished absolutely no accounting of any kind? Where are they?

Why have the bodies of the 60 men the other side identified as having died in captivity not been returned to their families? Why can't immediate arrangements be completed to return these bodies? Why?

Where are the more than 300 men listed as missing in Laos, about whom we have no information of any kind? Why has no information been provided on those taken prisoner in Laos and of whom we have capture photographs—the strongest possible evidence that they were, indeed, captured? Where are they?

Why are our search and investigating teams being denied the right to enter areas where most of the missing disappeared? Why can't they be given immediate access to these areas where the men were last seen alive?

These are a few of the questions we want our fellow countrymen to start asking—loud and clear.

And we want to hear them repeated at the White House, in the U.S. State Department, at the Defense Department, on the floor of the House and Senate, in Congressional hearings, in our Embassies abroad, in the chambers of our State Capitals, by our Governors, our mayors, and by our representative at the United Nations.

And we want, and demand, that these questions be asked again and again in every public form, until they have been satisfactorily answered.



**CREDIT DISCRIMINATION: A NEW  
POLICY FOR MORTGAGES; STILL  
THE NEED FOR LEGISLATION**

**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Ms. ABZUG. Mr. Speaker, yesterday the Federal Home Loan Bank Board published a policy statement in the Federal Register on the important issue of credit discrimination against women on the basis of sex or marital status, as well as other discriminatory bank practices.

The decision by the Board is now recommended policy for all savings and loan institutions. Although this policy does not have the effect of law it should be accepted by these banks and I hope that it will be.

The Home Loan Bank Board is to be commended for its decision but it can not and should not effect the push for equal credit opportunity legislation, such as I have introduced.

The legislation, H.R. 9110, the Equal Credit Opportunity Act, which now has 74 cosponsors, and the Senate passed title III of S. 2101, both would cover broader areas of credit than that covered by the Board's policy. The legislation would cover consumer credit, retail credit, national credit cards, and business credit. Because we live in a society that is so based on credit, because the Board policy does not have the effect of law, because the policy provides no sanctions for violations and is only self-enforcing, the need for legislation in this area is as great as it ever was.

In October Representative LEONOR SULLIVAN held hearings before the Consumer Affairs Subcommittee of the House Banking and Currency Committee on the issue of credit discrimination by reason of sex or marital status.

As the first person in either body to introduce legislation in this field it is my firm hope that we can look forward to Representative SULLIVAN bringing a bill to the House in this area soon after our return.

At this point I insert in the RECORD the statement of policy of the Federal Home Loan Bank Board and a New York Times news story on the subject:

[From the Federal Register, Dec. 17, 1973]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD: SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 73-1809]

PART 531—STATEMENTS OF POLICY: POLICY ON NONDISCRIMINATION IN LENDING

DECEMBER 7, 1973.

The Federal Home Loan Bank Board considers it desirable to amend Part 531 of the Regulations for the Federal Home Loan Bank System (12 CFR Part 531) for the purpose of adding a statement of the Board's policy regarding nondiscrimination in lending by Federal Home Loan Bank System member institutions.

Said Part 531 is amended by adding a new § 531.8 thereto (12 CFR 531.8), for the purpose of providing guidance to member institutions in developing and implementing

nondiscriminatory lending policies. The intent of the nondiscrimination policy guidelines is to point out that activities of lenders which may not be intended to be discriminatory might still be so in their effects, and thus contrary to the Board's nondiscrimination regulations or the purposes of the Board's basic statutes, and also to provide member institutions with examples of certain loan underwriting practices which might have the unintended effect of causing a prohibited discrimination.

Accordingly, the Federal Home Loan Bank Board hereby amends Part 531 by adding thereto new § 531.8 to read as set forth below.

§ 531.8 Guidelines relating to nondiscrimination in lending.

(a) *General.* Fair housing and equal opportunity in home financing is a policy of the United States established by Federal statutes and Presidential orders and proclamations. In furtherance of the Federal civil rights laws and of the economical home financing purposes of the statutes administered by the Board, the Board has adopted, in Parts 528 and 529 of this subchapter, nondiscrimination regulations which, among other things, prohibit discrimination based on race, color, religion, or national origin in fixing the amount, interest rate, duration, application procedures, collection or enforcement procedures, or other terms of conditions of housing related loans. This section provides supplementary guidelines to aid member institutions in developing and implementing nondiscriminatory lending policies. Each member institution should re-examine its underwriting standards from time to time in order to insure equal opportunity.

(b) *Loan underwriting standards.* The basic purpose of the Board's nondiscrimination regulations is to require that every applicant be given an equal opportunity to obtain a loan. Each loan applicant's credit worthiness should be evaluated on an individual basis without reference to presumed characteristics of a group. The use of lending standards which have no economic basis and which are discriminatory in effect is a violation of law even in the absence of an actual intent to discriminate. However, a standard which has a discriminatory effect is not necessarily improper if its use achieves a sound business purpose which cannot be achieved by means which are not discriminatory in effect or less discriminatory in effect.

(c) *Discriminatory practices.*—(1) *Discrimination based on age, sex or marital status.* The Civil Rights Act of 1968 does not specifically prohibit discrimination in lending on the basis of age, sex or marital status, and the Board's regulations are, at present, limited to the scope of that Act. However, such discrimination is contrary to the principle of, and may in fact violate, Constitutional provisions which guarantee equal protection of the law for all persons. In addition, such practices impede the achievement of the objectives of Federal laws intended to promote sound, economical home financing, fair housing opportunity and a decent home for every American. Discrimination on the basis of sex or marital status may additionally result in racial or ethnic discrimination. For example, a larger proportion of minority group families rely on the wife's income to afford housing and other necessities. The type of practices considered by this paragraph includes loan underwriting decisions which differentiate loan applicants on the basis of assumptions regarding comparative differences in credit worthiness between men and women, or between older and younger persons, or among married, single, widowed or divorced individual without actual consideration being given to the applicants'

credit histories and present and reasonably foreseeable economic prospects.

(2) *Discrimination on the basis of language.* Requiring fluency in the English language as a prerequisite for obtaining a loan may be a discrimination practice based on national origin.

(3) *Supplementary income.* Lending standards which consider as effective only the non-overtime income of the primary wage-earner may result in discrimination because they do not take account of variations in employment patterns among individuals and families. The Board favors loan underwriting which reasonably evaluates the credit worthiness of each applicant based on a realistic appraisal of his or her own past, present and foreseeable economic circumstances. The determination as to whether primary income or additional income qualifies as effective for credit purposes should depend upon whether such income may reasonably be expected to continue through the early period of the mortgage risk. Automatically discounting all or a part of the income of a working wife, or other income from bonuses, overtime, or part-time employment, will cause some applicants to be denied financing without a realistic analysis of their credit worthiness. Since statistics show that minority group members and low- and moderate-income families rely more often on such supplemental income, the practice may be racially discriminatory in effect, as well as artificially restrictive of opportunities for home financing.

(4) *Age, income level, or racial composition of neighborhood.* Refusal to lend in a particular area solely because of the age of the homes or the income level in a neighborhood may be discriminatory in effect since minority group persons are more likely to purchase used housing and to live in low-income neighborhoods. The racial composition of the neighborhood where the loan is to be made is always an improper underwriting consideration.

(5) *Borrowers' prior history.* Unstable or irresponsible behavior, especially toward credit obligations, is a proper consideration in making lending decisions. However, the application of a rigid and arbitrary rule may be a discriminatory lending practice. An isolated experience in the distant past should not be a ground for denial of a loan if subsequent experience and present circumstances indicate stability. A policy favoring applicants who have previously owned homes may perpetuate prior discrimination. Job or residential changes may indicate upward mobility. Emphasis should be upon a realistic assessment of the credit worthiness of each applicant without resorting to unreasonable standards.

By the Federal Home Loan Bank Board.

[SEAL]

EUGENE M. HERRIN,  
Assistant Secretary.

[FR Doc. 73-26663 Filed 12-14-73; 8:45 am]

[From the New York Times, Dec. 18, 1973]

HOME LOAN PANEL UPHOLDS WOMEN'S  
MORTGAGE RIGHT

(By Linda Charlton)

WASHINGTON, December 17.—The Federal Home Loan Bank Board made it a matter of policy that savings and loan institutions may no longer discriminate against women or families dependent on a working wife's income in making mortgage loans.

The board's statement of policy does not technically have the force of law, but it is accepted as binding by the savings banks, whose activities the board regulates.

The new policy statement was published today in the Federal Register, without the planned fanfare of a press release. The 10-inch snowstorm that muffled Washington

kept the board's public-relations staffers from their desks.

The statement noted that the Civil Rights Act of 1968 did not specifically outlaw discrimination in lending on the basis of age, sex or marital status, but that such discrimination was "contrary to the principle of, and may in fact violate constitutional provisions which guarantee equal protection of the law" and "may additionally result in racial or ethnic discrimination."

The "supplementary guidelines" against which the board's members institutions are asked to "re-examine" their policies state that certain "loan underwriting decisions" may be discriminatory.

#### ASSUMPTION ON DIFFERENCE

They are the decisions that "differentiate loan applications on the basis of assumptions regarding comparative differences in credit worthiness between older and younger persons, or among married, single, widowed or divorced individuals" without considering the specific circumstances of each case.

"As far as they go, we're happy with them. We think it's a major step," said Steven M. Rohde, a research associate at the Center for National Policy Review, a privately funded organization affiliated with Catholic University Law School that served as counsel for 13 civil rights organizations who petitioned the

board nearly three years ago to end discrimination in lending.

A survey taken by the board in 1972, Mr. Rohde said, indicated widespread discrimination against would-be borrowers on just such grounds. Marital status was considered by 64 percent of the institutions, and 18 percent said that marital status could disqualify a borrower. One quarter of the savings institutions said that they could not count a working wife's income at all in considering a mortgage-loan application.

A February study this year by the Oregon Student Public Interest Research group, an offshoot of Ralph Nader's consumer advocate organization, concluded that generally women enjoyed "second-class status" in dealing with banks.

At an October hearing by the District of Columbia Commission on the Status of Women, more than one-quarter of Washington's mortgage lenders conceded that they had discriminated against women applicants. And the president of the New York State Bankers Association told a state legislative hearing in New York City in the same month that banks did discriminate against women, but that "there is no conscious policy of discrimination. It's just that bank officers are operating the way they did 20 years ago."

The loan bank board's statement also said

that using only the "nonovertime income of the prime wage-earner may result in discrimination" because such standards "do not take account of variations in employment patterns among individuals and families."

To discount automatically a working wife's income or other income from overtime or part-time work, the board said, "will cause some applicants to be denied financing without a realistic analysis of their credit worthiness."

Because "minority group members and low- and moderate-income families rely more often on such supplemental income, the practice may be racially discriminatory in effect, as well as artificially restrictive of opportunities for home financing," it was said.

The policy statement also cited as potentially discriminatory the practice of requiring fluent English as a prerequisite for loan approval. It placed in the same suspect category the "refusal to lend in a particular area solely because of the age of the homes or the income level in a neighborhood."

The statement ended with a cautionary note regarding the evaluation of would-be borrowers on the basis of "prior history"; "A policy favoring applicants who have previously owned homes may perpetuate prior discrimination. Job or residential changes may indicate upward mobility."