

to exceed 10 minutes, and that the junior Senator from West Virginia (Mr. ROBERT C. BYRD) be recognized for not to exceed 10 minutes; that there then be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements limited therein to 3 minutes, at the conclusion of which the Senate return to the consideration of the unfinished business, H.R. 8214.

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

#### QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene tomorrow at the hour of 12 o'clock noon. After the two leaders or their designees have been recognized under the standing order, the

distinguished Senator from Michigan (Mr. GRIFFIN) will be recognized for not to exceed 10 minutes, after which the junior Senator from West Virginia (Mr. ROBERT C. BYRD) will be recognized for not to exceed 10 minutes, after which there will be a period for the transaction of routine morning business of not to exceed 15 minutes, with the usual 3-minute limitation on statements therein.

At the conclusion of routine morning business the Senate will resume consideration of H.R. 8214, an act to modify the tax treatment of members of the Armed Forces of the United States and civilian employees who are prisoners of war or missing in action, and for other purposes. Yea-and-nay votes will be conducted on amendments thereto and on final passage.

The conference report on the National Emergency Energy Act is still pending and action could be taken thereon likewise, that being a highly privileged matter.

#### ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 12 noon tomorrow.

The motion was agreed to; and, at 6:25 p.m., the Senate adjourned until tomorrow, Thursday, January 24, 1974, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate January 23, 1974:

##### DEPARTMENT OF STATE

Nancy V. Rawls, of Georgia, a Foreign Service Officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Togo.

##### DEPARTMENT OF JUSTICE

Sidney I. Lezak, of Oregon, to be U.S. attorney for the district of Oregon for the term of 4 years. (Reappointment)

William J. Mulligan, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years, vice David J. Cannon, resigned.

##### IN THE COAST GUARD

The following named commanders of the Coast Guard Reserve to be permanent commissioned officers in the Coast Guard Reserve in the grade of captain:

Herbert A. Johnson	William B. Korth
Charles W.	Morris O. Parker
Koburger, Jr.	Nils E. Hansen
Joseph N. Shrader	Bill C. Vendl
Frederic C. Sponholz	Winfield H. Adam
Dean A. Ridyard	William T. Sheppard
Dan H. Briganti	James L. Howard
Eugene F. Trainor	

## EXTENSIONS OF REMARKS

### BLACK MAYORS: MESSAGE FROM THE VOTERS

#### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 1974

Mr. STOKES. Mr. Speaker, a few days ago it was my honor and great pleasure to attend the inauguration of young Maynard Jackson as the first black mayor of Atlanta, Ga.

With Mr. Jackson's installment in office, Americans may now count 101 cities through the Nation with black mayors.

The Washington Post of January 14, noting this fact, pays tribute in an editorial to the growing political sophistication of blacks in America. Our achievements at the ballot box belie the supposed loss of new power which many have claimed to detect in the evolution of the black struggle. Far from losing power, by building on the successes of the civil rights movements of the 1960's, black Americans have launched campaigns for community empowerment in the 1970's. The success of the new movement in many places is already very clear not only in election results but also in voting patterns. I find it highly significant that Deep South whites cast a huge vote against racism as they elected a mayor and city council pledged to work from a basis of biracial harmony for the health, prosperity, and development of all Atlantans.

I commend the Post's fine editorial to the attention of all my colleagues:

[From the Washington Post, Jan. 14, 1974]

#### BLACK MAYORS: MESSAGE FROM THE VOTERS

In Atlanta, the other day, the inauguration of a 300-pound 35-year old black lawyer as mayor was closed by a chorus based on Schiller's "Ode to Joy." Just a week earlier a 55-year-old black former state senator declared at his inaugural as mayor of Detroit that it was time for racial harmony to replace the distrust and divisiveness that have touched that city so often in the past.

In a ceremony marked by a delighted outpouring of his enormous family, Atlanta's new mayor, Maynard Jackson, said, "Are we a city too busy to love? . . . Love must be strong economic growth and prosperity for all . . . Love must be a balanced diet for all our children . . . Love must be an open door to opportunity instead of a closed door of despair . . . Love must be a chance for everybody to be somebody." Those are uncommonly powerful words from a black mayor in the capital city of Georgia which gave us some of the ugliest evidence of rampant racism not too many years ago.

The symbols of Detroit and Atlanta are monumental. But, there was similar news from all over the country. Earlier in 1973, Thomas Bradley was elected mayor of Los Angeles. In Raleigh, Clarence Lightner became the North Carolina capital city's first black mayor. Blacks were elected to city halls in Chapel Hill, N.C.; College Park Md.; Grand Rapids, Mich.; Dayton, Ohio; East Orange, N.J. and Greenville, Ga., as well. In all, there are 101 black mayors around the country.

It is fashionable to bemoan the loss of the civil rights momentum generated in the 1960s. Much of the high intensity and the highly visible activity have subsided; some of the legislative initiatives generated in those days have been blunted. But the country has

clearly come a long way from 1966 when Carl Stokes was elected as the first black mayor of a major American city and 1967 when Richard Hatcher became the second.

One of the major developments shown by the Atlanta and Detroit elections is the growing political sophistication of blacks and the growing political strength generated by black precincts. Interestingly enough, the voting divided more sharply along racial lines in Detroit than it did in Atlanta. There, despite a last minute appeal to white racism by Mr. Jackson's opponent, 20 percent of the white voters cast ballots for the black candidate. The Atlanta voters went farther and elected a city council where Mayor Jackson can count on 10 of the 18 council votes on racial issues and on 6 to 8 on many others. When he was vice mayor, Jackson could only count on one or two.

The fact that voters in Georgia can't be stampeded by predictions of white flight from the city and that blacks are participating ever more significantly in the political process are good omens. America has much more to do in healing its racial wounds. But the sounds from the voters in a lot of America's municipalities in 1973 were the healthy grounds of recovery.

### STANLEY CLEMENTS—A CHAMPION FOR BOXERS

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ANDERSON of California. Mr. Speaker, when one thinks of boxing one tends to think of the champions—those

who have demonstrated their marked superiority.

I was recently privileged to attend a testimonial dinner given by the Golden State Boxing Association to honor such an outstanding individual—Stanley Clements.

Although Stanley Clements is not a professional boxer, this fine Los Angeles-based organization chose to honor him for another quality of a champion—one who does battle for others.

Stanley Clements has indeed been very generous in helping others throughout his life. As the youngest of 10 children, he helped his widowed mother by earning money during the Depression singing and dancing in the streets of New York. Later, after winning first place on the Major Bowes Amateur Hour, he chose to remain with the show to assist others to get a start.

Since those early difficult days, Stanley has achieved quite a career for himself in show business. He now has 40 motion picture credits, including his classic role of the tough kid in "Going My Way" and his academy award nomination for best supporting actor in "Salty O'Rourke."

Yet Stanley Clements is not content to sit back and ride on his success. He is active helping others. During World War II he chose to suspend his film career and fight for his country. After the war, encouraged by a war-buddie, Frank Gill, he began to take a more active role in the boxing world. Not only is Stanley an avid fan and former manager, but his love of the sport and his concern for the boxers has made him one of the leaders in the Golden State Boxing Association.

Under the guidance of men like Ray Owens, Frankie Garcia, Hugh Sublett, George Levine, and others; the Golden State Boxing Association began in 1968 a crusade to promote not only the well-being of former boxers, but also the boxing profession. Today the dedicated organization is made up of many of our Nation's most outstanding boxing personalities. These fine athletes represent the best of the boxing world of both present and yesteryears.

Unfortunately, times have not always been favorable for many of these boxers since retiring from the ring. Although some may be down, they definitely are not out. The Golden State Boxing Association—with men like Stanley Clements—is there to help. They personify the adage, "A friend in need is a friend indeed."

Stanley Clements has been with this organization since its beginning, generously giving both his time and talents drawing the public's attention to the needs of these former boxers.

Mr. Speaker, I was deeply touched by the warmth I felt from this outstanding gathering honoring "Stash"—as the president of the Golden State Boxing Association, Nobel "Kid" Chissell, and his buddies call him. These former boxers were there to show their appreciation for the contributions which he has made in their behalf.

We are indeed fortunate to have leaders in our community who are willing to give of themselves to help others. I am

certain that his wife, Marie, and his son, Sylvester, share in the pride we in Southern California have for Stanley Clements.

#### RESOLUTIONS OF THE DEMOCRATIC WOMAN'S CLUB OF KENTUCKY

### HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. PERKINS. Mr. Speaker, recently, the Democratic Woman's Club of Kentucky adopted two resolutions honoring our late Presidents, Harry S. Truman and Lyndon B. Johnson. I would like to call these resolutions of respect to the attention of the Congress, and include them in the RECORD at this point:

#### RESOLUTION OF RESPECT—HARRY S. TRUMAN (May 8, 1884 to December 27, 1972)

Whereas, during the year since this body last met in convention, the people of the Commonwealth of Kentucky, the United States of America, and the Democratic Party have suffered a grievous loss in the person of a great man, a great president, and a great leader of our party, the Honorable Harry S. Truman, who departed this life December 27, 1972, at the age of 88; and

Whereas, Harry S. Truman, as President from April, 1945, until January, 1953, showed great strength, courage, and the ability to determine and to take action in an era of war-time crisis, seeing this country through the surrender of Germany and Japan in World War II, difficult post-war problems in Berlin the cold war, and military actions in Korea; and

Whereas, during his Presidency, which began with the explosion of the atomic bomb, the future of all mankind at many times rested on the decisions he was called upon to make, a fact which he faced squarely and publicly, by proclaiming through the sign on his desk, "The buck stops here;" and

Whereas, Harry S. Truman showed himself a true citizen of the world through his efforts to help create the United Nations; his Truman Doctrine, which stopped Communist encroachment in Turkey and Greece; his espousal of the Marshall Plan for reconstruction efforts in war-torn Europe; and the granting of Independence to the Philippines; and

Whereas, Harry S. Truman showed himself as a strong President at home, urging measures to protect the post-war economy, federal aid to education, increases in minimum wages, civil rights legislation, and the recommendation of statehood for Alaska and Hawaii; and

Whereas, throughout his career as a public servant, from 1922 as a Judge of the County Court for the Eastern District, Jackson County, Missouri, ten years as a United States Senator from Missouri, and his years in the White House, Harry S. Truman was at all times a Man of the People and an eloquent spokesman, defender and champion of the Democratic Party, who could and did "give 'em hell," and who was the living embodiment of the party's ideals; and

Whereas, Harry S. Truman, in his private life, was a devoted husband and father to his wife, Bess Wallace Truman, and daughter, Margaret Truman Daniel, and doting grandfather to his grandsons, thus demonstrating to the world the American ideal of a warm, happy, and loving family;

Now therefore, be it resolved that the Democratic Woman's Club of Kentucky,

meeting in full convention, does mourn the loss to our country, our state, and our party, of the Honorable Harry S. Truman, and that it is the will of this convention that this document shall attest to that fact and shall be recorded for posterity in the minutes and archives of this body, and that further, a copy of this Resolution shall be transmitted to Mrs. Bess Wallace Truman, the Truman Memorial Library, Independence, Missouri, and to the Congress of the United States of America.

In witness whereof, the President of the Democratic Woman's Club of Kentucky and the Resolutions Committee, have hereunto set their hands this sixth day of October, 1973.

Mrs. F. GLENN BOCK,  
President.  
Mrs. CLIFFORD B. LATTA,  
Chairman.

#### RESOLUTION OF RESPECT—LYNDON BAINES JOHNSON

(August 27, 1908 to January 22, 1973)

Whereas, during the year since this body last met in convention, the people of the Commonwealth of Kentucky, the United States of America, and the Democratic Party have suffered a grievous loss in the person of a great man, a great President, and a great leader of our party, the Honorable Lyndon Baines Johnson, who departed this life January 22, 1973, at the age of 64; and

Whereas, Lyndon Baines Johnson, who proudly claimed his Kentucky heritage, stood at or near the center of power in our nation's capital for all of the great political events of more than a third of a century, assuming with dignity and assurance the role of advisor and leader in matters of national and international interest, while at the same time guiding, directing and then standing at the helm of the Democratic Party; and

Whereas, he entered the public role that was to become his life's work in 1931 at the age of 23 as a legislative aide in Congress, rapidly earning the respect of those who knew him, and initiating a career that would come to include eleven years in the House of Representatives, twelve years in the Senate, three years as Vice President, and five years in the highest office of the land, the Presidency; and

Whereas, Lyndon B. Johnson at all times upheld the traditional beliefs of the Democratic Party, as the party of the common man, and guided by said beliefs, declared "unconditional war on poverty in America," instituted the Job Corps; and drove to passage by Congress such outstanding achievements as medicare, massive federal aid to elementary and secondary schools, and the Economic Opportunity Act; and

Whereas, in the same tradition of government for all people, Lyndon B. Johnson was a champion of minority rights, personally guiding the nation's first civil rights in eighty-two years through Congress in 1957 as Majority Leader, and as President, bringing about the historic Civil Rights Act of 1964, including public accommodations and fair employment practices sections, and the Voting Rights Act of 1965; and

Whereas, Lyndon B. Johnson stood as a political genius without parallel in American history, whom Adlai Stevenson cited as "a master of the art of the possible in politics," and of whom it was said by former Democratic leader James A. Farley, "we never had a finer leader"; and

Whereas, Lyndon B. Johnson, through his devotion to his wife, Lady Bird, and his two daughters, Lynda and Luci, and to his grandchildren, demonstrated to all his belief and joy in a close and loving family;

Now therefore, be it resolved that the Democratic Woman's Club of Kentucky, meeting in full convention, does mourn the loss to our country, our state, and our party, of the Hon-

orable Lyndon Baines Johnson, and that it is the will of this convention that this document shall attest to that fact and shall be recorded for posterity in the minutes and archives of this body and that, further, a copy of this resolution shall be transmitted to Mrs. Lady Bird Johnson, the Johnson Library at Austin, Texas, and the Congress of the United States of America.

In witness whereof, the President of the Democratic Woman's Club of Kentucky and the Resolutions Committee, have hereunto set their hands this sixth day of October, 1973.

Mrs. F. GLENN BOCK,  
President.  
Mrs. CLIFFORD B. LATTI,  
Chairman.

## OIL DEPLETION ALLOWANCE

### HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. GIBBONS. Mr. Speaker, I would like to call to the attention of Members two statements which advocate the removal of the controversial oil depletion allowance. One is by Atlantic-Richfield Oil Co., the Nation's fourth largest producer of domestic oil, the other is by Roy L. Ash, Director of the White House Office of Management and Budget.

For a long time I have urged the reduction or removal of the oil depletion allowance. Mr. Bradshaw, president of ARCO, says that the oil depletion allowance is "an albatross around our necks." I agree. It is also an albatross around the necks of consumers who foot the bill for the gigantic tax breaks of the oil companies.

There is a great deal of support in Congress for changes in tax treatment of the oil industry. I hope a thorough study will be undertaken soon.

The articles follow:

[From the Washington Post, Dec. 25, 1973]

#### BIG OIL FIRM ASKS FOR ELIMINATION OF DEPLETION BENEFIT (By Robert Meyers)

LOS ANGELES.—Atlantic-Richfield, the nation's fourth largest producer of domestic oil, will shortly begin a concerted campaign to eliminate the controversial oil depletion allowance.

Atlantic-Richfield (ARCO) will thus become the first oil producer to come out against the nearly 50-year-old tax write-off, which currently permits oil producers to deduct 22½ per cent of their gross income from taxes.

"The oil depletion allowance once had validity and good purpose," ARCO board chairman Robert O. Anderson told this reporter, "but unfortunately it has become an absolute battlefield for the industry.

"It's hard to advocate giving up a financial resource, but the domestic oil producers have recently had a low rate of return on invested capital, and I have a strong feeling that we have to reintroduce the dynamics of the marketplace back into the industry."

ARCO president Thornton Bradshaw called the oil depletion allowance "an albatross around our necks."

"The so-called tax breaks it provided with its enactment in the 1920s did provide a good way of compensating for a depleted resource. But since that time it has ceased to be needed and there is no way of explaining to the

public that the oil depletion allowance is a subsidy to the consumer, not to the companies. Why should we go on taking the rap?"

The oil depletion allowance tax statute originally allowed oil producers to deduct 27½ per cent of their gross revenues from their taxes. The theory was that once taken from the ground and sold, that oil could never benefit the company again. Money saved through the tax write-off could then be used to explore for more oil reserves.

ARCO claims that the write-off also functions as a consumer subsidy, keeping the price down. A spokesman says that the write-off is now worth about a penny a gallon, and for competitive reasons, the oil companies charge consumers a penny a gallon less at the pump than they would otherwise. The lower price, he said, thus encourages consumption.

If the oil depletion allowance is abolished, executives hope that the Cost of Living Council will then let the oil companies raise prices by the same amount previously covered by the depletion allowance—about a penny a gallon. The higher price will then help discourage consumption, they reason, as well as bringing in new capital for refineries and exploration.

Ending the allowance, these executives feel, will also be a public relations plus in their upcoming battle on Capitol Hill over new, possibly restrictive, legislation.

Critics have long charged that the depletion allowance was a billion dollar advantage not enjoyed by other taxpayers, and that it allowed oilmen to become inordinately rich.

"Perhaps there were a few individuals who abused the privilege," Bradshaw says. "But by and large the companies did use the money for more drilling. The problem, now, however, is that the oil industry, in part, has a poor public image" partly because of pollution and partly because of profits.

"The public thinks all oil companies make much too much money. They read that Atlantic-Richfield made \$200 million last year, and they think that's too much. But in fact it's only 9 per cent return on our capital investment, whereas the average for all other American industries is 12 per cent. That means that the domestic oil industry has roughly a return on investment of 30 per cent less than other industries.

"We have got to get some credibility with the public, or else the public might decide it doesn't need the private oil industry anymore."

Eliminating the oil depletion allowance, Bradshaw says, is one way of restoring credibility.

Senior ARCO officials say they don't care how long it takes to eliminate the oil depletion allowance, but they want to see some government controls on price kept in effect in the meantime.

"The administration seems to be of the disposition that energy is going to be high-priced," Bradshaw said. "We agree. What we want to do now is clear out the underbrush—the oil depletion allowance."

Gaining a better public relations image for the oil industry is more than a concern about appearances. In its current "anti-oil industry mood," says ARCO executive vice president W. F. Kieschnick Jr., "the Congress might enact legislation that, however well-intentioned, could harm the industry."

Doing away with the oil depletion allowance—even though some price controls would be retained—would signal the end of the "era of cheap and abundant energy," Kieschnick says. "The oil depletion allowance in effect is a government subsidy to the consumer.

"But we are in a new era now."

ARCO chairman Anderson, thinks that ending the oil depletion allowance might help make this country self-sufficient in terms of oil supplies. "If we permitted the dynamics of the marketplace to operate, and

realize that energy is not cheap, then in three to seven years we might move towards self-sufficiency."

Bradshaw says that ARCO's campaign to end the oil depletion allowance "will be conducted primarily in Washington, in talks with congressmen, and with the press. If we ran an advertising campaign, it might look a little self-serving."

Atlantic-Richfield is headquartered in Los Angeles. It reported sales last year of \$3.32 billion, and is ranked 25th of all U.S. corporations. It is the ninth largest of all U.S. companies producing oil around the world, and the fourth largest among those U.S. companies dealing primarily with domestic production and consumption.

[From the Wall Street Journal, Jan. 21, 1974]  
NIXON AIDE URGES OIL-DEPLETION ALLOWANCE BE RESTUDIED AND POSSIBLY CUT OR ELIMINATED

WASHINGTON.—The oil industry's 22% depletion allowance, long a major tax advantage for oilmen, should be "reconsidered" in light of the energy crisis and possibly abolished, a top White House official said.

Roy L. Ash, director of the White House Office of Management and Budget, told a television interviewer that it's "quite possible" that President Nixon will recommend a reduction or elimination of the oil-depletion allowance soon. "This is certainly the time to look at it and therefore if there's to be any action taken, it should be one taken early rather than later," Mr. Ash said in an interview in the Public Broadcasting Service's program, Washington Straight Talk.

The depletion allowance permits oil and gas producers to deduct from their taxable income 22% of the gross income from oil and gas production, up to a maximum of half their taxable net income. Many years a target for liberal tax "reformers," the depletion allowance was cut from 27.5% to its current level in 1969.

The White House official observed that the depletion allowance was written into tax laws for "the purpose of generating additional oil out of our land so that we would have an available supply." But he added: "Now I think it is a good and fair question as to whether that should be continued. Maybe that isn't a tax (sic) that now should be continued, given the wholly changed circumstances we have at this time." Mr. Ash didn't say so, but some economists and others contend that the oil industry doesn't need the depletion tax-incentive any longer because crude-oil prices have risen enough to provide incentive for all-out production.

Mr. Ash said the government should study whether the depletion allowance "continues to serve the purpose that it originally served," adding that he isn't "convinced" it does. Asked if the Nixon administration would recommend outright elimination or just a reduction of the provision, he responded, "Either of those are possibilities."

Previously, some administration officials publicly talked of recommending that oil companies be required to invest money saved through the depletion allowance in new efforts, such as research and exploration, to expand the oil supply. Mr. Ash didn't refer to this so-called "plowback" idea in discussing possible changes.

There's considerable sentiment in Congress for some changes in tax treatment of the oil industry, including possible reduction or elimination of the depletion provision. In addition, numerous lawmakers have proposed other ideas, such as an excess-profits tax on oil companies, and the administration has proposed a crude-oil excise tax that it calls a "windfall profits tax."

The House Ways and Means Committee is expected to take up the matter of energy-related taxes soon after Congress reconvenes this week.

PUBLIC SUPPORTS RIGHT TO  
ABORTION

## HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DELLUMS. Mr. Speaker, 1 year ago today the Supreme Court affirmed the right of all women to elect abortion without restriction by State law. This right was written into law in a 7 to 2 decision, which stated in part that the right to privacy "is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."

And, contrary to a lot of mere demagoguery, I believe evidence has been growing in recent years to demonstrate that most Americans welcome such a policy and such a decision.

Further, evidence shows clearly that the Court's decision has brought great benefit to our society—as well as to individual women and families. I would like to call attention to some of this evidence here today and also to warn my colleagues of some ill-advised attempts to circumvent this law of the land as enunciated by our Highest Court.

## PUBLIC ATTITUDE TOWARD ABORTION

From every indication, a majority of Americans believe in the principles that lie behind the Court decision. A June 1972 Gallup poll showed that 64 percent of the sample agreed that the decision to have an abortion "should be made solely by a woman and her physician." And 56 percent of the Catholics polled in that survey agreed with the statement.

When the Journal of Modern Medicine surveyed doctors after the Court decision, 65 percent were in favor of the ruling.

As recently as November 1973, the National Catholic Reporter commissioned and published a poll directed by Father Andrew Greeley of the National Opinion Research Center. These data showed that Americans of all religions believe that abortion is justified if there is danger to a woman's health—91 percent of Protestants, 88 percent of Catholics, and 100 percent of Jewish people polled agreed.

Mr. Speaker, I am also aware of several polls done by my own colleagues here in the House of Representatives in their own districts, that also show definitive approval by striking majorities of the decision of the High Court.

Although we are hearing from those who oppose any abortions at all, it seems clear to me that we should heed the views of the far greater number of Americans who have reached the opposite conclusion in their own consciences. That conclusion is that no law or doctrine imposed by others can or should interfere with a woman's decision whether or not to continue a pregnancy. The Court has agreed with this view, and I hope my colleagues would do the same.

## MEDICAL BENEFITS OF NEW ABORTION LAW

I wish each of my colleagues could join me in a tour of emergency room facilities in our Nation's cities, to hear the views of those who had to deal firsthand with

the tragedy of illegal abortion. And to hear, as well, how the Supreme Court has changed that medical nightmare. We know that where there were laws against abortion in the past, women who, for whatever reason, did not wish to continue a pregnancy subjected themselves to all manner of unsafe and even self-induced procedures. And flooded emergency rooms when complications arose.

Fortunately, those days are at an end. Medical staff tell me that the incidence of these visits to emergency rooms for incomplete abortions or postoperative complications has dropped dramatically. Dr. Christopher Tietze, Associate Director, Biomedical Division of the Population Council, tells me that 1 million illegal abortions were being done each year before States or the Supreme Court changed the law. Thus, 1 million women lived through the personal trauma of seeking an illegal procedure, and underwent the uncertainties of back-alley medicine. Furthermore, we have seen no great increase in this number as the laws have eased, perhaps 1,250,000 abortions in 1972, of which half were by then legal and medically sound. I hope soon we will see the day of no illegal abortions, if only on medical grounds.

We can be encouraged, also, by viewing the effect of enlightened abortion laws and the Court ruling on maternal and child health, both physical and mental. As I have pointed out, deaths due to complications of abortion have dropped, as has the incidence of complications themselves. But I would like to say that health departments have noted a decline in infant mortality rates, and there appears to be well-grounded reason to think that women who really did not want a child, and who might not have sought adequate prenatal care or nutrition, are in lesser numbers carrying through to full-term pregnancies. With abortions more difficult to procure in past years, such unwanted children might have died in the early months of life.

I should like to observe, too, that an enlightened abortion policy seems to benefit the mental health of women. While even prior to the new law, abortion appeared to be accompanied by few, if any, negative psychological consequences in itself, the added burden of breaking the law was heavy. Thus feelings of guilt were associated with lawbreaking, where there would have been no need for such thoughts. The decision to terminate a pregnancy is rarely an easy one, but it appears that the reaction of most women who elect abortion is relief, and I am pleased that the new ruling and laws no longer add other burdens of seeing oneself as a criminal. There even seems to be some evidence that there are more psychological problems associated with giving up a child for adoption or keeping a child after abortion was requested and denied.

## STILL TOO MANY UNWANTED BIRTHS

Even though effective contraception is increasingly available, the 1970 National Fertility Study by Norman B. Ryder and Charles B. Westoff of the Princeton University Office of Population Research found that 15 percent of births to married couples are unwanted, and that be-

tween 1966 and 1970, almost half—44 percent—of reported births were unplanned. It was also learned in the study that a quarter of couples who use contraceptives get pregnant sooner than intended and more than a third who use birth control because they want no more children become pregnant within 5 years. I believe these findings underscore the need for programs of education in family planning, to lower the incidence of misuse or misunderstanding of effective contraception. And in this connection I hope I will be able to vote funds or otherwise support the excellent work begun by the National Center for Family Planning Services. But certainly we should not in any way restrict the right of couples to seek abortion if other methods of family planning are unsuccessful.

## ABORTIONS ARE AVAILABLE IN MANY MORE STATES

I am gratified to see the leadership exerted by a number of the States in changing their laws to reflect the High Court decision during the last year. Before the Court action, only four States—Alaska, Hawaii, New York, and Washington—made abortion available to most women who requested it. In each of these there has been a decline in abortions performed, as it has become easier to obtain the procedure in other States. We have seen clinics opening, and hospitals offering the service immediately, in some places; elsewhere, it has taken court challenges to force compliance with the Court ruling. I hope in another year, we will no longer force women of any State to travel very far from home to exercise a right enunciated by our Supreme Court.

## CHALLENGES AHEAD TO MAINTAIN THE LAW

I am encouraged by the events I have reviewed today in my remarks. But I am discouraged by some other actions in the past year, as measures have come before us in the Congress that would weaken or overthrow the Court decision which is meaning so much to women in my own State of California and elsewhere.

I am particularly distressed by amendments on this subject that have been attached to unrelated legislation. I refer to an amendment to the Legal Services bill (H.R. 7824) that restricted Legal Service attorneys from giving counsel to poor women with any abortion-related problems. I refer also to an amendment to the omnibus health bill (S. 1136, Public Law 93-45) that in effect allows hospitals to turn away patients seeking abortions and physicians who wish to perform abortions in these facilities. While no individual should be forced to participate in an abortion if he or she chooses not to, a facility that receives Federal dollars surely must be available for abortions, as they have been declared legal by our highest Court.

I am discouraged also by two additions to the Social Security Amendments of 1973 (H.R. 3153) adopted by the Senate just before the end of the session. One is a further attempt to allow hospitals to turn away abortion patients—as well as those seeking sterilization—and the other would forbid the use of Medicaid funds for payment of abortion costs. The conferees from both houses will continue

their work on these amendments this year, and I urge them to look again at the facts that are available before they report to us these particular provisions. A majority of our constituents would wish us to protect women's rights to privacy and dignity in determining the course of a pregnancy. And, as I have tried to point out, where we restrict abortion, women simply seek illegal abortions, with large attendant risks and medical consequences.

Most fundamentally, Mr. Speaker, I urge all my colleagues to consider the gross discrimination of any statute restricting abortion. For the effect of such measures as we have before us does not fall equally on all women, but chiefly on the poor, on minority groups, and on the young people—on all groups of women who unlike the rich cannot afford a quick jet trip to another country, or who cannot afford the easy purchase of signatures on a consent form from three high-priced psychiatrists. It is the poor who suffer at the hands of the illegal abortionist, and who, without decent medical knowledge, try the most tragic self-induced methods. I am convinced that it is only a minority of Americans who would wish us to revoke the decision of our Supreme Court, who wish to remove a woman's constitutional and human right to determine when to have her own children, who wish to send so many of our young, poor, and minority women once again into the hands of unskilled and illegal quacks. I encourage my colleagues to seek the views of all Americans on this vital subject, before accepting the minority view.

Finally, I would like to insert into the RECORD a selection of materials supporting my views on this issue:

[From the New York Times, Dec. 30, 1973]  
**ABORTIONS, LEGAL FOR YEAR, PERFORMED FOR THOUSANDS**

A 30-year-old divorcee, who was eight weeks pregnant entered the brightly colored office of Women's Health Services, an abortion clinic in downtown Pittsburgh, and within three hours had had an abortion, rested in the clinic's recovery room, paid the \$150 fee and gone home.

A year ago the procedure would have been illegal in Pennsylvania and in every other state, but today, almost a year after the Supreme Court ruled that abortions are legal, similar scenes are being played out in clinics and hospitals in virtually every part of the country.

The sweeping change that has resulted from the court decision has removed much of the social stigma associated with the operation and has taken abortions out of the backrooms of the illegal abortionist and brought them into the mainstream of modern medical care.

While there are few official figures on the number of legal abortions performed since the court decision, interviews conducted by The New York Times in a dozen major cities disclose that tens of thousands of abortions are being performed in cities where a year ago it was impossible to obtain the operation.

#### USED FALSE NAMES

"Before the decision, women would come begging for abortions," said Marilyn Cringer, a counselor for Arkansas Woman's Rights, an abortion referral agency. "Many used false names, and most were extraordinarily concerned over our confidentiality."

"Now, when women call, they feel that an abortion is their right," she added. "We

don't have to assuage their guilt. Women just want the facts—where they can go for the best and least expensive abortion."

The Times survey also indicates that in some states roadblocks, such as restrictive state laws and high prices, still exist for women seeking the operation. However, in most cases, legal abortion facilities can be found in a neighboring state, only a few hours' drive away.

The Supreme Court ruled last Jan. 22 that all state laws that prohibit or restrict a woman's right to obtain an abortion during the first three months of pregnancy are unconstitutional. The Court also ruled that abortions after the first three months are also legal but are subject to limited state regulations.

#### FOR ALL BUT FOUR STATES

The decision, in effect, overruled laws in all but four states—Alaska, Hawaii, New York and Washington, which already had liberalized laws. Since the decision, there has been a decline in the number of abortions performed in these states.

New York City, where the operation has been legal under a liberalized law since 1970, recently released a report that showed that more than a half million abortions had been performed since the law was enacted. In the year from July 1, 1971, to June 30, 1972, before the Supreme Court ruling, 228,094 abortions were performed in the city. In the following year, when the decision was handed down, the number of abortions declined by 15 per cent to 196,224.

#### 22 CLINICS IN DETROIT

According to the city's Health Services Administration, the decline resulted in part from a decrease in the number of out-of-state residents who sought abortions in New York.

Atlanta, which until January was subject to Georgia's stringent anti-abortion law, now has seven abortion clinics, some of which are performing 100 cases a week. Almost all of the city's hospitals, except for the Roman Catholic ones, are also performing them.

Detroit, which serves as an abortion center for much of the middle West, has 22 abortion clinics and referral agencies listed in the telephone directory. The average cost for a first trimester abortion at the clinics is \$150, while the hospitals charge an average of \$350. Second trimester cases can run as high as \$1,400 at the hospitals.

#### NOT CHALLENGED

Until the Massachusetts anti-abortion law was struck down by the Supreme Court most women from the state seeking abortion would come to New York. This year, the Massachusetts Department of Public Health estimates that \* \* \* in Massachusetts. Most of these abortions will be performed during the first three months of pregnancy, the agency says.

In some states, however, the situation has not changed despite the court decision. Arkansas, for example, enforces a state law specifying that abortions may be performed only if the pregnancy "threatens the life or health" of a woman. A pro-abortion group in Little Rock refers its clients to clinics in Dallas or Kansas City, Mo.

To date, the Arkansas law has not been challenged in court, but an attorney general's ruling has declared it unconstitutional.

"It's just easier for a person to go out of state than it is to go through the legal hassles involved in a court case," an abortion counselor in Little Rock explained.

#### HALF DO NOT COMPLY

In Virginia, the 1973 session of the state legislature refused to make the Virginia law conform with the Supreme Court ruling. Instead, the General Assembly passed a resolution requesting the court to reconsider its decision.

"The General Assembly's action had a chilling effect on doctors and hospitals

around the state," said Mrs. Shalom DuBow, director of the Virginia Civil Liberties Union. "In Virginia, there is still the attitude that abortion is immoral. The General Assembly reinforced that."

After the Court ruling was issued, Virginia's attorney general, Andrew P. Miller, issued an advisory opinion that the state's medical profession should be guided by the Supreme Court ruling rather than by the state's restrictive law.

As a result of the conflicting rulings by the state legislature and the attorney general, about 50 per cent of Virginia hospitals still do not comply with the Court ruling.

Mrs. DuBow said the state's Civil Liberties Union was seeking a test case to attack the state law.

In almost all of the states in which such suits have been filed and ruled upon, the courts have ordered compliance with the Supreme Court ruling.

#### HASN'T HEARD OF ONE

In Pennsylvania, a Federal judge ordered the state Department of Social Welfare to pay abortion costs for those on public assistance. And in Florida, a judge ruled unconstitutional a provision of the state law that required the consent of the patient's parent or spouse before an abortion could be performed.

Another apparent effect of the ruling has been to put the illegal abortionists out of business. In Dayton, Ohio, which has a clinic that performs 200 abortions a month, law enforcement officials could not remember the last time an illegal abortionist was apprehended.

In Tacoma, Wash., where a liberal law was approved in 1970, a state health official said she had not heard of an illegal abortion in several years.

"They probably would be less expensive legally," she said.

National organizations that have taken major stands on the abortion law have redirected their efforts in the year since the Court decision.

The National Association for Repeal of Abortion Laws, known as N.A.R.A.L., has preserved its acronym but has changed its name because the laws have already been repealed. The organization, which was in the forefront of the fight to legalize abortion, is now called the National Abortion Rights Action League. It now concentrates on preserving and enforcing the new laws.

The National Right to Life Committee, which for many years supported the status quo, is now seeking to change the law. The group plans to push for a constitutional amendment, in Congress and in the state legislatures, to guarantee the rights of a fetus, thereby nullifying the Supreme Court decision.

YWCA, DECEMBER 1, 1973.

HON. RONALD V. DELLUMS,  
 House of Representatives,  
 Washington, D.C.

DEAR MEMBER OF CONGRESS: The YWCA, an organization with a Christian purpose and a long history of thoughtful concern for the ethical implications of Legislative action, is deeply disturbed about the present threat to the Supreme Court ruling that abortion is a private matter between a woman and her physician.

Our long study of the abortion issue resulted in a unanimous vote by the delegates from 48 states to the 1970 Convention of the YWCA of the U.S.A. that called for an emphasis on the repeal of all laws restricting or prohibiting abortions performed by a duly licensed physician, and in its 1973 Convention for the support of efforts to provide safe, low-cost abortions to all women who desire them.

The majority of our more than a million members had been convinced that Federal or state laws in the area of abortion that

permit one group of people to impose their views on another are unconstitutional and an invasion of privacy. We believe that any woman should be able to have access to safe medical abortions if this seems the solution that she and her physician decide upon in her best interest.

The issue of moral and ethical values related to abortion must be considered from many perspectives in a nation of such religious, cultural and racial diversity as exists in the U.S.A. A highly ethical stance must also concern itself with the quality of life for the living as well as for the potential of life. The coercive effects of laws which limit a woman's right to decide in this area are also of paramount ethical concern. In the matter of abortion we believe the lawmaker's greatest responsibility is to safeguard the individual rights and liberties of all citizens and the right of privacy guaranteed by the Constitution.

We urge you to resist efforts towards a constitutional amendment to make abortions illegal, which would prevent women from making a responsible decision about private matters.

We urge you to support the decision of the Supreme Court so that the poor as well as the wealthy can secure good health care and physicians will be able to act in the best interests of their patients.

Sincerely,

ELIZABETH S. GENNE,  
President.

#### POSITION STATEMENT OF THE YWCA OF THE U.S.A.

In the 24th National Convention of the YWCA of the U.S.A. in Boston, Mass., April, 1967, the delegates voted to work to liberalize the abortion laws, and in the following three year period many YWCAs studied the issues, attended hearings in their State Capitals, and kept in touch with the results of liberalization. Across the country members became convinced that repeal of abortion laws was the answer because laws with specifications can discriminate against the poor who cannot afford to travel to places where legal, safe abortions are available. These women are at the mercy of unskilled abortionists working under unsanitary facilities.

The decision to give emphasis to the repeal of all laws restricting or prohibiting abortions performed by a duly licensed physician was voted in the 25th National Convention of the YWCA of the U.S.A. in Houston, Texas, in April 1970. Delegates representing 48 states were selected by their local Associations, and voting delegates were empowered to cast their votes, keeping in mind the best interests of the total YWCA. The decision to support repeal of restrictive abortion laws was passed unanimously.

In the 26th National Convention in San Diego in March 1973, delegates voted to "support efforts to provide safe, low-cost abortions to all women who desire them."

In line with our Christian Purpose we, in the YWCA, affirm that a highly ethical stance is one that has concern for the quality of life of the living as well as for the potential for life. We believe that a woman also has a fundamental, constitutional right to determine, along with her personal physician, the number and spacing of her children. Our decision does not mean that we advocate abortion as the most desirable solution to the problem, but rather that a woman should have the right to make the decision. Along with the YWCA many religious, social work and medical groups have endorsed repeal of laws because this makes it possible for a woman to have access to safe medical service if this seems the solution that she and her physician decide upon. This point of view is taken by many women who themselves would not seek an abortion.

Because the YWCA voted as its overall

imperative to work to eliminate racism wherever it occurs in institutions, it has a concern that no woman should be deprived of services that others can have, but it also is concerned that no women be pressured into decisions which are not in their best personal interest.

#### UNITED CHURCH BOARD FOR HOMELAND MINISTRIES, New York, N.Y., September 24, 1973.

To ALL MEMBERS OF CONGRESS: The Eighth General Synod of the United Church of Christ supported the position of freedom of choice for all women facing problem pregnancy. A statement referred from the Ninth General Synod to the Board for Homeland Ministries reaffirms this position. In this statement, the constituency of the church and the Congress are urged to "resist attempts to erode or negate the recent Supreme Court decision (on abortion)".

The issue, as we have interpreted it, is not whether a fetus is a human being from time of conception but whether those who so believe should impose their views and the personal consequences they entail on those who do not share that belief. Certainly those who do not believe are entitled to their opinions and are not to be condemned for them. It is quite a different matter to demand by law that others should believe likewise, and in any event, submit to the consequences of those views.

It should be a matter of deep concern to observe persons with differing religious backgrounds divided within their own communions. This has indeed occurred already in some areas of the country. Congressional submission to the proposed constitutional amendments that would undercut the present separation of church and state relating to the issue of abortion would expand this confrontation to national proportions. Surely this would not be in the public interest.

Enclosed are position papers on abortion developed in the United Church of Christ. We hope you will consider this position carefully and respond by letting us know your opinion on this issue and your feelings about our particular position.

Sincerely,

LOUISE M. WALLACE,  
Co-Chairwoman, Task Force on Women  
in Church and Society.

HOWARD E. SPRAGG,  
Executive Vice President, Board for  
Homeland Ministries.

TILDA A. NORBERG,  
Co-Chairwoman, Task Force on Women  
in Church and Society.

LAROLD K. SCHULZ,  
Executive Director, Center for  
Social Action.

#### BACKGROUND STATEMENT FOR THE VOTE OF THE UNITED CHURCH BOARD FOR HOMELAND MINISTRIES ON ABORTION, APRIL 1970

##### THE RIGHT TO CHOOSE

The abortion problem in the United States is of such enormity that the church cannot ignore it but must deal with it seriously. Doctors, lawyers, ministers, social workers, and women generally are seeking guidance and support in the search for resolutions to this problem, which affects the physical and spiritual well-being of so many millions of persons. Until very recently, the thinking on the subject has been hindered by lack of information, fear, misconceptions, prudery, and a general unwillingness to discuss the problem. Now public pressure for reform or repeal of the present laws against abortion is growing. In order to deal responsibly with the issue, the legal, medical, and moral aspects should be examined.

##### The legal aspects

Our United States abortion laws were introduced during the last century in an effort to reduce the high number of maternal

deaths accompanying abortion in the days before sterile operating procedures were standardized. Now, the laws are not retained to protect the mother's life and health but rather in order that the fetal life may be protected. The present laws reflect the strong feeling among many individuals and religious groups, particularly the Roman Catholic Church, that any termination of a pregnancy constitutes the taking of a human life. However, the fetus is not legally considered as a human being. The view that the fetus is a fully human person can no longer be considered normative in our society. It is challenged by a large body of legal, medical, and theological opinion that considers the fetus as potential, not actual human person. According to this view, the fetus cannot be considered as a person until it is viable: that is, sufficiently developed to live should it be born.

Today, forty of the fifty states consider it a serious crime to terminate a pregnancy before birth unless it is necessary to preserve the mother's life. Thirteen states have more liberal laws, most of them passed within the last two or three years. Hawaii has repealed all legal restriction on licensed physicians or osteopaths performing abortions in a hospital licensed by the state or Federal government. On April 11, 1970, Governor Rockefeller signed the new New York State law which took effect on July 1, which makes abortion a matter of choice between a woman and her doctor up to the 24th week of pregnancy. On April 30, the legislature in Alaska overrode Governor Keith Miller's veto of a liberalized abortion law which leaves abortion up to a woman and her doctor for reasons of personal conviction.

It is obvious that the trend in almost all of the states is toward more liberal abortion laws and toward consideration in many of the states of repeal of all laws which prohibit women and doctors from freedom of choice in decisions concerning the termination of pregnancies.

Of the 1,000,000 abortions performed each year in the United States, 99% are illegal. (Abortion in America, Beacon paperback, originally entitled Therapeutic Abortion, 1968. The editor, Harold Bosen, recently raised the estimate to 1,500,000. The Planned Parenthood Federation reports in its statistical studies an estimate of 1,200,000). Women are continually being refused the abortions they so desperately need: the 14- or 15-year old girl, the poor 45 to 50 year-old woman, and the college student who desires to continue her education. Most women have no choice except through illegal channels.

The sentiment against these laws is widespread, and the pressure to evade them is so great that they cannot in fact be enforced. If a woman has financial resources and sufficient educational background to obtain the information she needs, she finds that abortions are available. Law enforcement agents, doctors, ministers, and social workers are willing to turn their backs on the law in the effort to make abortions available. The state will find it increasingly difficult to uphold these laws in this new age of women's liberation when control over the reproductive life is being viewed more and more as human right.

The constitutionality of the present laws is presently being tested in the court. Last November, Washington, D.C.'s anti-abortion statute was declared unconstitutional by Federal District Judge Gerhard Gesell, who held that it was so vague that physicians could not be certain that they would not be prosecuted if they decided in good faith that an abortion was justified. The most recent decision was by the United States Supreme Court on February 25, 1970, citing the California abortion laws as unconstitutional. Some of the charges being upheld are: violation of individual rights, violation of class rights in that the laws are oppressive of women, "vagueness," and that they discrimi-

nate against the poor and minority groups in favor of the affluent. It is also charged that the laws have the effect of favoring the married woman as against the very young and the unmarried.

The public outcry has led to a continuing liberalization of the laws. However, "reforming" of the law can hardly meet all the justifiable categories for an abortion. These include allowing abortions in such cases as: ones in which the woman's physical or mental health is endangered, if the woman is pregnant because of rape or incest, if there is a strong possibility that the child will be seriously deformed or retarded, or if there is a strong possibility that the woman will be unable to care for the child for mental, physical, or social reasons. The present reform measures, although making legitimate abortions available to a wider group of women, still remain inadequate in providing for countless other women who feel they have a right to control the quality of their own lives as well as that of the children they bear. Reform measures may in fact make matters worse, since there appears to be a tendency to interpret the liberalized laws narrowly and to try to apply them rigorously; whereas laws that are more comprehensive in their prohibition of abortion often lend themselves to relatively broad interpretation. Father Drinan, the eminent Catholic lawyer and theologian, has stated that if change is necessary he would prefer the law being silent on the subject of abortion rather than specifying instances in which abortions may be performed. The state should not be in the business of trying to determine who shall or shall not be born. Cardinal Cushing recently stated that Catholics do not need the support of civil laws in order to be faithful to their religious convictions.

Finally, the inadequacies of our sex and family planning education, the lack of availability and out and out refusal of contraceptives to minors, the inadequate instruction—especially to the poorly educated on the use of contraceptive devices and their present rate of failure—coupled with simple human error or carelessness mean that women will still be forced outside the law to obtain abortions. It should be noted that the panic created by the Senate inquiry on the birth control pill has already led to obstetricians and gynecologists across the country reporting an upsurge in the number of pregnant patients. Suffering and misery will continue both for those denied an abortion and for those who obtain medically unsafe ones. It seems apparent that halfway measures which fall short of removing all legal restraints in physician-performed abortions only perpetuate many of the present injustices.

#### The medical aspects

Abortion is a major health problem in America. The late Dr. Kline's research reported that one in five women who had ever been married had had a criminal abortion and among pregnancies conceived and ending outside marriage, nine out of ten ended in induced abortions. It is estimated that as many as 8,000 women, 90% of them non-white, die each year from illegal abortions. (Public Affairs Pamphlet No. 429, "When Should Abortion Be Legal?"). Countless others are impaired or made sterile as a result of the bungling of non-professional practitioners. Yet abortion in the first trimester can be safe, quick, and simple an operation in which the medical risks are, according to Dr. Christopher Tietze in his studies on abortion  $\frac{1}{10}$  to  $\frac{1}{100}$  as dangerous as those of pregnancy and childbirth. (American Journal of Obstetrics and Gynecology, Vol. 101, No. 6, July 15, 1968, "Therapeutic Abortions in the United States"). Ironically, the simple, safe, hospital abortion is becoming harder and harder to obtain. Even in those states where repeal of the abortion laws has taken place, concern is being voiced that medical conservatism, foot-dragging and institutional

reluctance to get involved will continue to be a grave hindrance in achieving the goal of safe abortions for all women who need them. Hospital boards are set up to determine the eligibility of individual cases but unfortunately quota systems and lack of uniform standards in a geographic area prevent doctors from offering the medical help they feel their patients should have.

Most physicians and psychiatrists would agree that a woman's health and well-being are impaired by the bearing of unwanted children, and it is also well established that being wanted is essential to emotional stability. Unwanted children, as Lawrence Lader points out in his book on Abortion, contribute to the problems of poverty, family instability, and personal emotional damage. Studies have also shown that an unwanted child's own health and well-being may be similarly affected. A follow-up study done in Sweden by Drs. Forssman and Thume of children born to women who were refused legal abortions between 1939-1941 showed that the unwanted children were worse off in every respect to the control group. More were delinquent, more were declared unfit for military service, more were educationally subnormal, fewer proceeded to higher education, and more were divorced. This study is reported in the Cambridge University Press book on Contraceptive Practice by John Peel and Malcolm Potts.

The present abortion laws do in fact constrain the physician to the point that he is unable to serve the best medical interests of his patients. Modern Medicine, November 6, 1969, reported a poll of 27,000 doctors who were asked whether abortion should be available to a woman on consultation with her doctor. 73.3% of all doctors answered in the affirmative. The board of trustees of the American Medical Association proposed a liberalized abortion policy to the House of Delegates in June. It is clear that the removal of all legal restrictions on physician-performed abortions would enable a doctor to do something which is at present denied him; he could practice medicine which in his opinion would best serve his patient, without fear of entanglement with the law.

#### The moral aspects

The moral dilemma surrounding the question of abortion calls on Christians to use all resources of wisdom and compassion to clarify the issue and learn to deal with it. Human lives and potentially-human lives are involved. The Christian tenet of respect for life must be weighed heavily in the discussion. Understanding and respect for differing views must also be upheld. These include the official stand of the Catholic Church that human life begins at conception, as well as the view expressed by the United Methodist Church adopted by its Board of Christian Social Concerns on October 8, 1969, which states "Since personhood is more than physical being, we affirm that the fetus is not a person, but rather tissue with potentiality in most cases for becoming a person." There is a wide range of views which fall somewhere between these two extremes. Some of these were: the American Baptist Convention adopted a resolution on June 2, 1968 affirming the belief that abortion be a matter of responsible personal decision; on October 31, 1969, the Board of Directors of the American Friends Service Committee endorsed the report *Who Shall Live? Man's Control over Birth and Death*, prepared by their working party. This report held up the fact that in the matter of abortion, the immediate concern for the welfare of individuals, the family, and the society as a whole may conflict with what seems otherwise a desirable absolute standard; and the accompanying program of the United Church of Christ which calls for a program of Freedom of Choice in the area of Abortion. The argument has lasted for centuries and will no doubt continue well into the future.

The most pressing moral issue centers around the question as to when a human life begins and whether it is permissible to terminate a life, whether it be termed potential or fully human. Both scientists and theologians hold widely disparate views, some emphasizing the decisiveness of a certain point in the developmental process: fertilization, implantation, quickening, viability; while others emphasize the continuity and hesitate to name a decisive point at which the fetus can be thought of as a person. This wide disagreement about which moment is sufficiently decisive to be used as the point of marking human life from not-yet human life is the crux of the debate for most scientists and theologians. And yet while the debate continues, we must weigh carefully the circumstances surrounding the lives of those individuals who are now facing decisions about abortion. A responsible position concerning abortion should be based not just on the rights of fetus but also on a consideration of the whole quality of life, a consideration of the rights of the individual woman, her potential child, her family and society, as well as the rights of the fetus. James Gustafson, a professor of Christian Ethics at Yale University, has written a treatise on a *Christian Approach to Ethics of Abortion* in which he tries to point out the importance which so many theologians give to sanctity of life. However, he also states that all the circumstances of the life of the individuals concerned should be weighed before moral judgments are made about the person's actions. He writes, "God wills the creation, preservation, reconciliation and redemption of human life. Thus, one can infer, it is better to prevent its coming into being than to destroy it when it has come into being".

However, it is hardly an intellectual and scientific debate for that woman who knows in every fibre of her being that she does not want to bear the fetus she carries within her. She is willing to be confronted by all the moral issues as long as the deepest moral question of all is confronted. Must she be forced to bear the child she carries whether she wants it or not? Not only is this the vital issue for her but it is also vital to the child yet to be born. A pregnant woman who does not want to bear the child is the one who has to wrestle with the moral issues involved in abortion. She is the only person who can determine what is the most responsible action to take under the circumstances. She must deal with the fact that the fetus growing within her is potentially-human life. She must honestly deal with her own feelings about the pregnancy and her own best predictions about the feelings she will have toward the child if the pregnancy is allowed to go to term. She must deal with the relation of these feelings to the kind of life the child will have, and of her own eighteen-year commitment to the nurture of that child. She must deal with her own convictions about the rightness or wrongness of the abortion. Although consultation with a clergyman, social worker, or doctor will help her to raise the questions with which she must deal—and her every effort should be made to provide this kind of support—ultimately only she can determine her own position on these questions.

Also involved is the whole matter of the way our society injects its norms to enforce moral behavior. The sex mores of our cultures must be questioned. Most women and some men are well aware of the subtle and sometimes not so subtle victimization under which a woman lives her life in a male-dominated society. As it is the woman who bears the inescapable consequences of the sexual act, the present abortion laws may indeed be termed "oppressive" of her rights. In addition, the notion that the abortion laws should be kept in order to deter or control behavior—for their moral or peda-

gical effect—is offensive and should be rejected. Again it is the woman who must bear the consequences. It should be remembered that the consequence is a human being, who may very well have to suffer not only from being unwanted by his mother but, if he is born out of wedlock, of being rejected by the very society that forced his mother to bear him. The society and the community need to be continually reminded that every living person within that society and community should be its concern. The question of the morality of a society which perpetuates laws causing this situation is to be questioned.

Finally, there are few who would not question the morality of bringing more unwanted children into a world already threatened by its overpopulation. Many ministers and doctors who are counselling the young are advising that after two children of their own, couples should consider adoption if they desire more children. Obviously, contraception is the best means of birth control and abortions cannot be considered a substitute. However, enabling a woman to make a choice as to the termination of an unwanted pregnancy does in fact work toward checking the population explosion which is becoming a threat to us all.

Perhaps for many women an abortion in the early stage of pregnancy is not the "terrible choice" some theologians hold it is. (*The Terrible Choice: A Colloquium on Abortion* held at the Harvard Divinity School, Fall 1969.) Rather, women would like to hope that the birth of each child might in every sense be a cause for joy and celebration for all. Only by removing all legal restrictions on physician-performed abortions will this begin to be possible.

#### RESOLUTION ADOPTED BY THE EIGHTH GENERAL SYNOD, JUNE 1971

##### FREEDOM OF CHOICE CONCERNING ABORTION

A responsible position concerning abortion should be based on a consideration of the rights of the individual woman, her potential child, her family and society, as well as the rights of the fetus.

##### Theological and ethical factors

Standing in the Hebrew-Christian tradition, we affirm God as the Source of life—our life, all life, life to the full. He has called us to share the work of creation with him, giving us the privileges and responsibilities of fellowship in the family and in the wider unities of society. Thus we affirm the freedom with which God endowed men and women, but we affirm and receive this as freedom bound to responsibility. At its best our Western legal tradition, too has served the dual purpose of protecting human freedom and helping human beings to discharge their responsibilities to one another.

Our religious heritage has also stressed reverence for human life. Accordingly, the enhancement of human life and the protection of the rights of persons, particularly the weak and defenseless, has become an important element in our legal system. It has found expression in laws intended to protect those who cannot protect themselves, such as children, including the unborn. It is neither likely nor desirable that organized society would disavow its responsibility in this regard.

Inevitably, therefore, a judgment will be made or assumed as to when personal human life begins and at what point society has an interest in it and affirms an obligation toward it. Although a form of life exists in the sperm and the unfertilized ovum, a new kind of life emerges at the moment of their union. Many regard conception (up to 72 hours after coitus), other implantation (7 days), as the beginning of an inviolable life. But while such life is human in origin and potentially human in character, the integra-

tion of bodily functions and the possibility of social interaction do not appear until later. Alternative candidates for the beginning of significantly human life are the final fixing of the genetic code (3 weeks), the first central nervous system activity (8 weeks), brain development and cardiac activity (12 weeks). Some time after the twelfth week "quickening" occurs; that is, the mother can feel the arm and leg movements of the fetus. "Viability" in the present stage of technology begins between the 20th and 28th week, and the fetus has a chance for survival outside the womb. At some point in the process from conception to birth there comes "a period when a life contains that which is essentially valued as significantly human and should be vested with a sanctity uncompromisable to the interest of lesser claims" (Robert M. Veatch in *Social Action*, March 1971).

An ethical view does not require an undifferentiated concern for life. It places peculiar value upon personal life and upon the quality of life, both actual and potential. In that light it is understandable that today an increasing number of persons find it difficult, if not impossible, to attribute anything more than the potentiality of human personhood to the embryo in its early stages. The implication is that factors other than its existence may appropriately be given equal or greater weight at this time—the welfare of the whole family, its economic condition, the age of the parents, their view of the optimum number of children consonant with their resources and the pressures of population, their vocational and social objectives, for example.

On the other hand, many would agree that during the later months of a normal pregnancy life should not be interrupted except for the most serious reasons (such as the physical or mental health of the mother, abnormality or disease of the fetus, incest, or rape).

This distinction is of the greatest importance. Individuals contemplating an abortion should make a responsible decision early, certainly within the first two or three months.

##### Legislative policy

The theological and scientific views on when human life begins are so numerous and varied that one particular view should not be forced on society through its legal system.

Present laws prohibiting abortion are neither just nor enforceable. They compel women either to bear unwanted children or to seek illegal abortions regardless of the medical hazards and suffering involved. By severely limiting access to safe abortions, these laws have the effect of discriminating against the poor.

The mere liberalization of the laws has not proven to be a viable solution to the problem of illegal abortions. The liberalized laws tend to cause more rigidity and narrowness of interpretation, and in any case, cannot cover all circumstances in which an abortion may be appropriate.

For these reasons, the Eighth General Synod of the United Church of Christ calls for the repeal of all legal prohibitions of physician-performed abortions. This would take abortion out of the realm of penal law and make voluntary and medically safe abortions legally available to all women. Simultaneously we ask that adequate protection be given to "conscientious objectors" against abortion, including physicians, nurses, and prospective mothers.

##### Call to action

In order to give effect to its concern for freedom with responsibility, and acknowledging the church's obligation to aid in the resolution of the problem of unwanted pregnancies, the General Synod of the United Church of Christ takes the following action:

1. The General Synod calls upon the churches of the United Church of Christ and

their members to involve themselves extensively in programs which would support repeal of present abortion legislation and to expand their ministries of counsel and concern to all women who have problems related to unwanted pregnancies.

2. The General Synod calls upon pastors, members, local churches, Conferences, and Instrumentalities to provide programs of counseling and education as to the meaning and nature of human life, sexuality, responsible parenthood, population control, and family life.

3. The General Synod calls on pastors, members, local churches, Conferences, and Instrumentalities to support and expand programs of family life and sex education in schools, agencies for adult education, communications media, and other public institutions; and to encourage the extension of information and services related to contraception as instrumental to the prevention of undesirable pregnancies and the achievement of wholesome family life.

4. The General Synod calls on pastors, members, and local churches to offer counseling opportunities and supporting fellowship for persons facing problems of unwanted or ill-advised pregnancies; to assist such persons in making wise ethical decisions regarding their problems; and to help them find professional assistance if necessary, as through existing noncommercial consultative services.

5. The General Synod urges the Council for Health and Welfare and its member agencies to work for the expansion of family planning services in the communities they serve and to initiate new programs that can serve as models to other hospitals and institutions.

6. The General Synod requests the Division of Health and Welfare and the Division of Christian Education to provide educational resources, consultative services and training for constituents who wish to sponsor programs which are consistent with this General Synod position.

7. The General Synod calls on pastors, members, health and welfare committees, The Division of Health and Welfare, and other agencies to develop ministries on behalf of disadvantaged and minority groups which would give them freedom of choice in the area of family planning and in the termination of unwanted pregnancies in keeping with this statement.

8. The General Synod calls the above action to the attention of Conferences and Instrumentalities and urges their appropriate staffs to cooperate closely in the implementation of the purposes of this statement.

#### VOTE OF THE BOARD FOR HOMELAND MINISTRIES, APRIL 1970

##### FREEDOM OF CHOICE IN THE AREA OF ABORTION

The Board of Directors of the United Church Board for Homeland Ministries, in recognition of the urgency and seriousness of the abortion problem in the United States, adopts the following:

A reasonable position concerning abortion should be based on a consideration of the rights of the individual woman, her potential child, her family and society, as well as the rights of the fetus.

The theological and scientific views on when human life begins are so numerous and varied that one particular view should not be forced on society through its legal system.

The present abortion laws are neither just nor enforceable. They compel women either to bear unwanted children or to seek illegal abortions regardless of the medical hazards and suffering involved. By severely limiting access to safe abortions these laws have the effect of discriminating against the poor.

The mere liberalization of the laws has not proven to be a viable solution to the problem of illegal abortions. The liberalized laws tend to cause more rigidity and narrowness of

interpretation, and, in any case, cannot cover all circumstances in which an abortion may be appropriate.

For these reasons, the United Church Board for Homeland Ministries calls for the repeal of all legal prohibitions of physician-performed abortions. This would take abortion out of the realm of penal law and make voluntary and medically safe abortions legally available to all women.

The Board calls upon the churches of the United Church of Christ and their members to involve themselves extensively in programs which would support repeal of present abortion legislation and to expand their ministries of counsel and concern to all women who have problems related to unwanted pregnancies.

To implement the foregoing policy statement, the Board of Directors:

(1) Calls the foregoing action to the attention of the Health and Welfare Committees of the several conferences of the United Church of Christ and urges the Division of Health and Welfare to work closely with the Conference Committees to promote new programs and strengthen existing ones in support of legislative change in the area of abortion.

(2) Notes the variety of interdenominational and non-church programs now being sponsored in many communities which enable clergy to provide consultative services on problem pregnancies, and urges the Conference Health and Welfare Committees to expand existing work and set up new counseling services where none now exist.

(3) Requests the General Secretary of the Division of Health and Welfare to call this action to the attention of the Council for Health and Welfare Services and to urge that Council work closely with its constituent members to the end that family planning services to the various communities may be expanded and new programs initiated which can serve as models to other hospitals and institutions.

(4) Requests the Division of Health and Welfare and the Division of Christian Education to assume responsibility for providing educational resources, consultative services and training for constituents who wish to sponsor programs which are consistent with the Board's policy position.

(5) Requests the Division of Health and Welfare, in cooperation with the other divisions, to develop ministries in behalf of disadvantaged and minority groups which would give them freedom of choice in the area of family planning and the termination of unwanted pregnancies.

#### FREEDOM OF CHOICE IN THE AREA OF ABORTION, NINTH GENERAL SYNOD, JUNE 1973

The Ninth General Synod affirms the Supreme Court decisions of January 22, 1973, removing the legal restrictions on medical termination of pregnancy through the second trimester. We further commend the Instrumentalities of the General Synod that have influenced abortion reform.

While respecting the rights of individuals of various convictions on medical termination of pregnancy and family planning, we re-affirm the Eighth General Synod call to action for freedom of choice with responsibility in the area of abortion.

We direct the Executive Council to implement the following actions (through appropriate Instrumentalities' cooperation):

1. To urge pastors, members, local churches, Conferences and Instrumentalities to resist attempts to erode or negate the recent Supreme Court decision as well as to strengthen state and local efforts in this regard.

2. To urge pastors, members, local churches, Conferences and Instrumentalities to support and expand programs in the understanding and responsibility for human sexuality in the schools, agencies for adult education, communications media, and other public institutions; and to encourage the

extension of information and services related to contraception as instrumental to the prevention of undesirable pregnancies and the achievement of wholesome family life.

3. To urge pastors, members, local churches, Conferences and Instrumentalities to provide new and better counseling services to all persons who have problems related to unwanted pregnancies. Training and facilities for these services must be expanded.

4. To provide educational resources, consultative services, and training for conferences, associations and local churches who wish to sponsor programs concerned with human sexuality and family planning.

5. To urge the Division of Health and Welfare to work for the expansion of family planning services in the communities they serve and to help to initiate new programs.

6. To develop ministries on behalf of disadvantaged and minority groups of the young and the poor, which would give them choice in the area of family planning and in the termination of unwanted pregnancies.

JANUARY 15, 1974.

Representative RONALD V. DELLUMS,  
House Office Building,  
Washington, D.C.

DEAR MR. DELLUMS: The statement enclosed is sent to you for its pertinence to various topics of proposed legislation you will be called on to consider in the coming Session of the Congress.

The topics all relate to excessive population growth and what can be done about it.

Sincerely yours,

ELIZABETH P. DUNN.

#### PEOPLE MULTIPLICATION (By Mrs. Elizabeth P. Dunn)

Why we must be for abortion—  
(a) Supporting the January 1973 favorable decision of the U. S. Supreme Court;  
(b) Opposing a constitutional amendment on the subject of abortion;  
(c) Effectuating the recommendations of the U.S. commission on population growth, relative to abortion.

#### THE SPACESHIP EARTH

Paul Ehrlich has likened the planet Earth to a spaceship of limited carrying capacity and has stressed the need to arrive at a consensus on the ideal size of the human crew. "Saying that the population explosion is a problem of the underdeveloped countries is like telling a fellow passenger 'Your end of the boat is sinking.'" (8)

#### THE UNITED STATES IS A PART OF THE WORLD

The U.S.A. is a part of the World, though our behaviour would often indicate that we think otherwise. Although the U.S. population represents less than 6% (or 209 million) of the total world population (estimated at 3,782 million), it consumes annually a far higher proportion of the world's non-renewable resources than any other country of the world (estimates have run as high as 50%). The U.S. has been appallingly profligate not only with its own national resources, but also with those of other countries. (2) (9)

#### NATURE'S BALANCE

The World is horribly over-populated today—a condition for which the U.S. can take much of the credit, or blame, depending on the point of view. Our motives were good, but we forgot about "Nature's Balance," which requires an approximate balance between births and deaths in order for the species to survive. Through the medical and health sciences, we took a leading role in reducing deaths and saving lives throughout the World without at the same time teaching the essential element of birth control. Thereafter, births and deaths became woefully out of balance.

#### BIRTH RATES VERSUS DEATH RATES

The "War Baby Boom" in the U.S. follow-

ing World War II "peaked" in 1957, when the birth rate reached 25.3 babies per 1,000 population—the highest rate since the 1929 stock market crash and the ensuing Depression. The U.S. death rate for 1957, on the other hand, was only 9.6. For every 1 death in that year, there were 2.5 births. Even as late as 1972, there was still gross imbalance in the U.S., with a birth rate of 15.6 and a death rate of 9.4. (3)

Averaged out on a world basis, for the year 1972 the annual birth rate was 33 per 1,000 population, while the annual death rate was only 13 persons per 1,000. (3)

#### NATIONAL POLICY—INACTION

In the face of runaway multiplication of human numbers, the majority of governments—often under severe pressures from the wealthier and more ossified religious hierarchies—instead of advocating and stimulating birth control for man on a universal basis, took the position (through inaction or inadequate action) that all other life forms must be destroyed to make room for man's burgeoning numbers. Too late came the admonition:

"In this day of automation, we must also learn to view each new baby as a potential member of the unemployed, an additional polluter, a user of irreplaceable resources, an increaser of crowds . . ." (8)

Today, we are seeing the fruits of national inaction.

#### MAN, THE DESTROYER

Lack of responsible guardianship of the other life forms (animal and plant) essential to man's own survival are today imperiling the whole planet as a "livable" place for human habitation. Today we are seeing the results of an era of "man the predator," marked by the destruction of wildlife—animals, birdlife, fish and other sealife; and of wilderness areas, forest areas, mountain slopes and canyons once lush with natural vegetation.

"Our national symbol, the bulldozer, flattens the hills, fills the ponds, and smooths our path to man-made monotony . . . We are altering to a common way the planet's holy heterodoxy." (12)

Whence comes man's distorted "compulsion" to change the whole configuration of the planet for the convenience of man, ignoring the needs of the other life forms—animal and plant?

We are faced today with a plethora of man-made problems left in the wake of too many people: Area after area of one-time woodlands and meadowlands stripped to make space for more houses to shelter more people who will consume more non-renewable resources, and who will require more shopping centers and parking lots, and an endless procession of more paved roads for more polluting automobiles.

Perhaps most important of all, the continuing destruction of the natural environment has meant the loss to man of not only beauty, but also of certain spiritual values which he has heretofore been able to renew periodically through communion with that universal which is unspooled nature.

"Only within our lifetime has technology and population reached the point where absolute control—or, more accurately, absolute destruction—of the world's remaining wilderness becomes a real possibility." (12), p. 216.

Some will ask: What about all those "national public lands" that are on the books—the National Parklands, the National Forests, the Wilderness Areas, and the like? According to some of those who know and report back (11), the quality of these is being steadily pulled down, in many cases:

By sheep ranchers and cattlemen who lease the lands from the Government and then put in more stock than is allowable, maximizing their financial "take" but resulting in overgrazing and erosion by water and wind, of the land stripped of vegetation.

By lumbermen who are permitted to "clear-cut" magnificent stands of trees in our national forests—trees which have survived the centuries but not man—a heritage which those yet to come will never get to see.

By roads, roads, roads cut into our earlier "Wilderness Areas" which were to be reserved for "hikers" and "backpackers."

QUALITY VERSUS QUANTITY

We have seen the steadily decreasing quality of life as the quantity increases; ever-increasing numbers of inmates in institutions for the hopelessly defective (mentally and physically); increased crime, violence, brutality, and other forms of social destruction. We see more unethical behaviour, more flagrant dishonesty, more greed for money "by hook or crook." We see the prospects that without more effective fertility controls, the World is well on its way to becoming one big human ant colony, with the individual counting for less and less. Such a world is not a "livable world."

ABORTION AND "THE ETHIC OF TWO," TO SAVE NATIONS AND HUMANITY

Two countries in particular come to mind, which faced up to catastrophic population growth and brought the situation under control rapidly and effectively: Japan, following World War II, through legalized abortion with good medical care available to all; and France, a Catholic nation, through large-scale permissive illegal abortion.

Throughout the world, abortion has been the oldest and the most universal method of controlling births. Estimates today are that, on a world basis, one pregnancy in three is deliberately terminated by abortion. (6) It is also estimated that only one-third of the world's population has enough knowledge of contraception to regulate family growth. Thus, whether we like it or not, until effective, safe and convenient contraceptives are universally available, abortion will continue, with or without official encouragement or prohibition. (5) So, it is just a question of who will have access to good, safe medical care for termination of pregnancy.

Report of the commission on population growth and the American future (I)

This Report, released in the Spring of 1972, was described as "The most definitive investigation ever made into the problems of population growth—and the consideration of the legal and moral complexities they pose." The prestigious Commission of 24 members under the chairmanship of John D. Rockefeller III, was established jointly by the President and the Congress of the U.S. in 1969. It operated with a nucleus staff, aided by some 80 consultants of high professional repute and knowledgeability in the pertinent fields of the Report.

Of particular and immediate interest to those of us who perceive man as destroying the planet by over-breeding, were the following findings of the Commission's Report: (1)

Page 115. The conclusion that regardless of what happens to the birthrate from now on, "At a minimum, we will probably add 50 million more Americans by the end of the century [from future parents already born], and the figure could easily be much higher than that."

Pages 177-178, Specifically Respecting Abortion Policy:

"The majority of the Commission believes that women should be free to determine their own fertility, that the matter of abortion should be left to the conscience of the individual concerned, in consultation with her physician, and that states should be encouraged to enact affirmative statutes creating a clear and positive framework for the practice of abortion on request.

"Therefore, with the admonition that abortion not be considered a primary means of fertility control, the Commission recommends that present state laws restricting

abortion be liberalized along the lines of the New York State statute, such abortions to be performed on request by duly licensed physicians under conditions of medical safety.

"In carrying out this policy, the Commission recommends: . . . That abortion be specifically included in comprehensive health insurance benefits, both public and private."

The 1972 Report of the Commission on Population Growth provided a firm base for the subsequent favorable abortion ruling by the Supreme Court in 1973. Ironically enough, the Report was brushed aside by the same President who had asked for it, and little or nothing has been done to implement its recommendations, partly because attention was diverted by "The Watergate Mess." The Report will be an invaluable "blueprint" now and for many years to come.

Supreme Court's 1973 decision on abortion

In January 1973 came the Supreme Court's decision on abortion. This represented a major step in eliminating oppressively restrictive laws on abortion, and in beginning to develop a safe and accessible program of abortion services. The ruling provided, among other things, that: (14)

(a) During the first trimester of pregnancy, decisions regarding abortion may be made solely by a woman and her physician.

(b) After the first 13 weeks, such decisions can be subject to state regulation, but only "to the extent that the regulation reasonably relates to the preservation and protection of maternal health."

(c) "The word 'persons' as used in the 14th Amendment, does not include the unborn," nor had the unborn ever "been recognized in the law as persons in the whole sense."

Incidentally, the American Public Health Association (with a membership of more than 27,000) served as an *amicus curiae* in this Supreme Court case. (14) Many hailed the decision as providing, for the first time, some measures of common basic standards from one State to another. Further protective guidelines for abortion services could then be set through the respective State Medical Boards.

At present, efforts are underway to nullify the Court's decision, through amendment to the U.S. Constitution, and through threats to office holders of removal from office at the next election if they fail to "vote right." These efforts would appear to stem principally from such organizations as "Right-to-Lifers," "Birthrighters," and like groups of myopic perception, who are unfamiliar with or disregarding of, the "Dynamics of Population" and the destructive effects on all life forms and on the total environment, of too many people.

Morality cannot be legislated, because it is dependent on the individual's conscience, and varies greatly. What is viewed by one person as moral may appear immoral to another. For example, the edict of the Catholic Church forbidding the use of (preventive) contraceptives in the sexual act has long been regarded by many as immoral because it has impeded efforts to halt population growth and poverty, and has actually promoted greater human misery.

The idea of legislating prohibition of abortion through amendment to the U.S. Constitution or through State Laws would be short-sighted indeed. Until the 100%-effective contraceptive is universally available, abortion must continue to be an essential "stop-gap."

STABILIZATION OF POPULATION IN THE UNITED STATES—WHEN AND HOW

Long gone are the days when "It is nobody's business how many children I have!" Today, the number of children anyone has—rich and poor alike—is everybody's business. Why? Because it is unfair to the ethical, responsible parents who are restricting their family size to replacement only (i.e., 2 chil-

dren) to be required to pay for the "excess children" of irresponsible parents in terms of roads, schools, hospitals, consumption of non-replaceable resources, clean air, clean water, and the destruction of the natural environment—a heritage which is fast shrinking in the face of mounting numbers of users.

We must try to agree on an optimum level of population; then work toward stabilization (i.e., the 2-child family); and thereafter reduction of our population to a figure not exceeding, say, 200 million. (The present U.S. population already exceeds 209 million, and by the year 2000 is expected to reach 271 million as a minimum if families average only 2 children in the interim period.)

Far too little attention and resources have been devoted, either nationally or worldwide, to research in fertility control and the evolution of "the perfect contraceptive." To our everlasting discredit, we have failed miserably both our country and the world—to channel adequate sums of money into research for this most important need of all people—to hold human numbers in check. Wars, exploration of outer space, jumbo jets—you name it, we provide the astronomical funds requested; but not the relatively minor funds needed to implement population limitation efforts. A recent 5-year study of women under contraceptive programs indicated failure of effectiveness in 1/3 of these women. (7) Recently, the President signed a \$73 billion+ Military Appropriations Bill; but a \$39 million+ appropriation for population research has been "frozen." The \$39 million appropriation represents considerably less than one-tenth of 1% of the military appropriation.

It is noted, for example, that HR 11511, as now written "would abandon the priority which was given in the Family Planning Services and Population Research Act to population research (fundamental and applied biological research in human reproduction, assessment of the safety of current fertility control methods, development of new methods and research in population dynamics)." (13)

Of one thing we may be sure: Unless positive, vigorous, and widespread actions are taken to encourage the restriction of population growth, all of our ills will continue to worsen rather than improve. We must provide the means for people to keep their families small. We must make it easy, rather than difficult, to be responsible parents.

GOALS DEPENDENT ON POPULATION GROWTH RESTRICTION

(a) Optimum level of population. In 1969, an AAAS Symposium, after much struggle, defined the optimum level of population as: "The situation in which the population as a whole enjoys the highest quality of life."

(b) Health for all. In 1946, the World Health Organization in its Constitution defined "health" as: "Health is a state of complete physical, mental, and social well-being, and not merely the absence of disease and infirmity."

U.S. initiative, leadership, and example in the area of population limitation could lead to a better world for all.

SOME REFERENCE SOURCES

(1) *Population and the American Future*. Report of the Commission on Population Growth and the American Future, established by the President and the Congress of the U.S. New American Library, Inc., 1301 Ave. of the Americas, New York, N.Y. 10019. March 1972 ed., 362 pp., price \$1.50. Also published by U.S. Govt. Print. Office.

(2) *1972 World Population Data Sheet*. Population Reference Bureau, Inc., 1755 Mass. Ave., N.W., Washington, D.C. 20036.

(3) *Annual and Monthly Volumes of Vital Statistics for the United States*. Issued by National Center for Health Statistics, U.S. Public Health Service, HEW.

(4) *The Population Council*, 245 Park

Ave., N.Y. City 10017. Publishes *Reports on Population and Family Planning*.

(5) Christopher Tietze, M.D., 2 East 103rd St., New York, N.Y. 10029. "Abortion Laws and Abortion Practices in Europe"; "Induced Abortions and Sterilization as Methods of Fertility Control"; others.

(6) J. Corbett McDonald, International Planned Parenthood Association Conference, London, October 1973.

(7) Norman Ryder and Charles Westhoff, *National Fertility Study, 1970*. Princeton University.

(8) Paul R. Ehrlich, *The Population Bomb*, Ballantine Books, 1968; "World Population—Is the Battle Lost?", 1969; "Eco-Catastrophe," 1969, booklet; others.

(9) *Birth Rate and Birth Right*. Edited by Marian Maury. A Macfadden book, 1963. See especially the article, "United States Population Growth—An Appraisal," by Lincoln and Alice Day.

(10) *The Frail Ocean*. By Wesley Marx. Ballantine Books, 1970.

(11) William O. Douglas. *My Wilderness: The Pacific West*, Pyramid Books, 1968; also *My Wilderness: East to Katahdin*, Pyramid Books, 1968.

(12) *Roadless Area*. By Paul Brooks. Ballantine Books, 1971.

(13) Planned Parenthood—World Population Washington Memo, Jan. 7, 1974.

(14) "Abortion: Supreme Court Meets New Challenges," *Nation's Health*, Sept. 1973.

#### POPULATION GROWTH—CONTROL IT—HERE'S WHY

1. Population of U.S. reached, in 1968, 200 million,<sup>1</sup> p. 19.

2a. If families average 2 children, population by year 2000 (just 32 yrs. later) would reach 271 million,<sup>2</sup> p. 19-20.

In Dec. 1972, revised by Census Bureau to 251 million,<sup>4</sup> p. 26.

2b. If families average 3 children, population by year 2000 (just 32 yrs. later) would reach 322 million,<sup>2</sup> p. 19-20.

In Dec. 1972, revised by Census Bureau to 300 million,<sup>4</sup> p. 4.

3. One hundred years later (i.e., around 2068):

a. The 2-child family would result in a population of around 350 million,<sup>2</sup> p. 20-21.

b. The 3-child family would produce a population of around one billion,<sup>2</sup> p. 20-21.

4. Population for U.S., 1970 Census (April 1) 205 million,<sup>2</sup> p. 20.

5. Population for U.S., mid-1972 (est.) 208 million,<sup>2</sup> p. 2.

6. Median age of the population, 1970 Census, 28 years,<sup>2</sup> p. 11.

7. Vital statistics, 12-mo. period ending 6/30: (8/29/72)<sup>5</sup>

a. Gen. birth rate (per 1000 tot. pop.) 1970, 17.9 added, 3,635,000.

b. Gen. birth rate (per 1000 tot. pop.) 1972, 16.4 added, 3,408,000.

c. Gen. death rate (per 1000 tot. pop.) 1970, 9.5 deducted, 1,920,000.

d. Gen. death rate (per 1000 tot. pop.) 1972, 9.4 deducted, 1,947,000.

e. Fertility rate (No. of women in population aged 15-44 yrs. divided by total No. of births, rate reported per 1000 women in this age span):

1970 (calendar year), 87.6,<sup>2</sup> 9/21/71.

1972 (calendar year), 73.4,<sup>5</sup> 3/1/73.

8. The all time high of U.S. births occurred in 1957, when a birth rate of 23.8 (and a fertility rate of 122.9) produced: (1968,<sup>2</sup> p. I-4) 4,308,000 babies.

9. Numbers and ages of the population already here, as well as rates must enter the forecasts of population changes. For example: (1968,<sup>2</sup> p. I-4)

In 1940, the birth rate of 19.4 produced 2,559,000 babies.

In 1965, a quarter of a century later, the same birth rate (19.4) produced 3,760,000 babies.

This represented an increase approaching 50% in the number of births, or 1,201,000 babies.

10. It would be a serious error to conclude that our problems of over-population would be resolved immediately or in the very near future, even if all parents decided to have no more than two children. The baby "boom" is still with us; the babies have only grown older and are now having babies of their own. An average of two children per completed family from now on would slow population growth, but would not stop it soon because the number of persons of child-bearing age is increasing. In the words of the recent Population Commission Report:<sup>1</sup>

11. "... Our past rapid growth has given us so many young couples that, to bring population growth to an immediate halt, the birthrate would have to drop by almost 50 percent, and today's young generation of parents would have to limit themselves to an average of about one child. That is just not going to happen." (p. 15,<sup>2</sup> italics is mine.)

12. "Regardless of what happens to the birthrate from now on, our past growth commits us to substantial additional growth in the future. At a minimum, we will probably add 50 million more Americans by the end of the century, and the figure could easily be much higher than that." (p. 115,<sup>2</sup> italics is mine.)

13. "It takes a long time to affect population growth rates in a democratically and ethically acceptable manner. Even with a two-child average from now on, it would take 60 years or so to achieve a non-growing population." (p. 11,<sup>2</sup> italics is mine.)

#### FOOTNOTES

<sup>1</sup> *Population and the American Future*. Report of the Commission on Population Growth and the American Future, established by the President and the Congress of U.S. New American Library, Inc., 1301 Ave. of the Americas, New York, N.Y. 10019. March 1972 ed., 362 pp., price \$1.50. Also published by U.S. Government Printing Office.

<sup>2</sup> *Themes and Highlights of the Final Report of the Commission on Population Growth and the American Future*. 16 pp. U.S. Government Printing Office, Washington, D.C.

<sup>3</sup> U.S. Bureau of the Census. *Current Pop. Reports. Pop. Estimates and Projections*. July 1, 1971 and 1972, Series P-25, No. 488, Sept. 1972, p. 2.

<sup>4</sup> ———. *Projections of the Population ... 1972 to 2020*. Series P-25, No. 493, Dec. 1972, pp. 26 and 4.

<sup>5</sup> HEW. PHS. National Center for Health Statistics. *Monthly Vital Statistics Reports; Annual Summaries; Vital Statistics of U.S., 1968, Vol. I, Natality*, p. I-4.

[From the New York Times, Sept. 19, 1973]

#### ONE IN THREE WOMEN FAIL ON CONTRACEPTION

(By Nancy Hicks)

Despite advances in birth control techniques that have sharply lowered the nation's birth rate, more than a third of the women in a national study of couples practicing birth control over a five-year period became pregnant anyway, according to a report made public yesterday.

The study, an evaluation of birth control effectiveness, was extrapolated from the authoritative 1970 National Fertility Study, directed by Dr. Norman Ryder and Dr. Charles Westoff, sociologists at Princeton University.

This portion of the study, conducted by Dr. Ryder, showed that even though birth control devices such as the pill and the intrauterine device (IUD) had cut the risk of contraceptive failure in half in the last 10 years, that over a five-year period, a third of the women who wanted to delay or prevent conception failed to do so.

#### 6,762 WOMEN INVOLVED

"The implication of this is that we have a substantial number of people in the United States using ineffective methods of contraception or using effective methods carelessly," Dr. Ryder said, adding that Americans did not as yet have adequate control over their reproduction.

The findings released yesterday were reported in the latest issue of *Family Planning Perspectives*, the quarterly journal of the Planned Parenthood Center for Family Planning Program Development, and were based on a national sample of 6,762 married or previously married women.

The data showed that within a year's time, 14 per cent of the women studied had an unwanted pregnancy and that 26 per cent get pregnant sooner than they planned.

"People have to get used to the fact that there is an awful lot of contraceptive failure in a society even as sophisticated as ours," Dr. Ryder said in an interview. "It is nonsense to say that Americans are now having the number of children that they want." ...

[From Parade, Dec. 16, 1973]

#### ABORTION IS BIRTH CONTROL

Abortion is the world's most widespread method of birth control. Nearly one pregnancy in three is deliberately terminated. More than half the money spent on birth control goes for abortions. Only one-third of the world's population has enough knowledge of contraception to regulate family growth.

These are some of the more startling revelations recently reported by Dr. J. Corbett McDonald at a conference of the International Planned Parenthood Association.

A survey that covers 209 countries shows that less than one fertile couple in three throughout the world practices any birth control, thereby placing 500 million women in danger of unwanted pregnancies.

The major need, according to Dr. McDonald, is to create a social, cultural, and educational climate throughout the world in which contraception is acceptable. This is particularly necessary in developing countries where the death rate is going down and the birth rate going up.

[From the Washington Star-News, Nov. 4, 1973]

#### WORRIED ABOUT POPULATION GROWTH RATE (By Abigail Van Buren)

Dear Abby: Someone signed "father of six daughters" wanted to know if there was a foolproof way for him to get a son, and you replied, "Yes. Adopt!"

I can't resist sending you this. We received it following the birth of a son—after having had four girls:

Dear Helen and Bill:  
So you finally had a boy?

The only thing you can be congratulated on is your perseverance.

You can't be congratulated on your morality or unselfishness. Adding three "extra" children to a world already reeling under its population load can't be called either moral or unselfish.

You can't be congratulated on your fertility. After all, any clam, chicken, or small furry animal can beat you at that.

You can't be congratulated on your fine family. A fine family is one which sets an example, and your example may kill us all in a few generations.

You can't even be congratulated on being able to afford five children because you're not paying for them. Oh, you provide their food and clothing and shelter, but the rest of the world pays for their roads, schools, hospitals, air, water.

You can't be congratulated on being a patriotic citizen, for if anything destroys the United States it will be our "growthmanias"

spiral through which this country even now gulps over 50 percent of the world's resources.

You can't be congratulated for carrying on the family name. Family names mean little unless people mean much and your kind of growth rate guarantees that people mean less and less.

Unless, of course, three of those children are adopted. . . ?

In that case, Congratulations.

RICK AND SUE.

**EIGHTH ANNIVERSARY OF THE SIGNING OF THE CUBAN EXILES' DECLARATION OF FREEDOM**

**HON. DANTE B. FASCELL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. FASCELL. Mr. Speaker, today marks the eighth anniversary of the signing on January 23, 1966 in Key West, Fla., of the Declaration of Freedom by Cuban exiles in the United States.

The 1,500 Cubans who had been forced to flee their country gathered in Key West to affirm their commitment to establishing once again freedom and human rights in their country that had fallen under the oppression of the Castro regime.

The principles outlined in the Declaration of Freedom are those which have been the foundation of our own Nation. Perhaps we in the Congress should reflect on the importance of these principles which many in the United States may take for granted. The Cubans in exile can remind us dramatically of the consequences of our failure to strengthen and defend the freedoms which U.S. citizens enjoy.

Mr. Speaker, I call to the attention of our colleagues the full text of the Declaration of Freedom:

**DECLARATION OF FREEDOM**

In the City of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the Martyr Island, do say:

That on January 1st, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the 19th century, was resumed.

That those responsible for this high treason to our Fatherland and to our People are just a score of traitors who, usurping the Government of the Country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our Freedom and our Dignity, also betraying the American Hemisphere.

That as a consequence of this high treason, those who are usurping the Power in Cuba (as they were never elected by the People), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being or the most elementary human rights.

That in their hunger for Power, these traitors, following the pattern of totalitarian regimes, are trying, within Cuba, to separate the Family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

That the rule of the Law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who are

acting under orders from their masters, the Sino-Soviet Imperialists.

In view of the foregoing, we declare:

First: That the actual Cuban regime is guilty of high treason to our Fatherland and to the ideals of the Freedom Revolution which was started on October 10th, 1868.

Second: That this score of traitors who have committed treason against our Fatherland, in case they survive the downfall of their regime, will have to respond, even with their lives before the Ordinary Courts of Justice of Cuba.

Third: That as the Noble Cuban People will not ever surrender, because that Nation was not born to be slave, we, the Cuban People, hereby make the present declaration of freedom.

We hereby swear before God Almighty to fight constantly, until death comes to us, to free Cuba from communism.

The fundamentals of this Revolution for Freedom are:

First: God Almighty, above all things, in Whom we believe as the essence of Life.

Second: The Fatherland, with all of its Laws, traditions, customs and history as a spiritual value, only surpassed by the concept of God.

Third: The Family, as the cornerstone of the Human Society.

Fourth: Human Rights, for each and every citizen, regardless of race or creed.

Fifth: The Law, as the foundation for the proper development of the Human Society.

Sixth: Democratic Government, with its three independent branches: Legislative, Executive and Judicial.

Seventh: Representative Democracy, through the exercise of Universal Suffrage, Periodically, Free and Secretive, as the expression of Popular Sovereignty.

Eighth: Freedom of Worship, Freedom of Teaching, Freedom of the Press and Free Enterprise.

Ninth: Private Property and Ownership, as the basic expression of Liberty.

Tenth: The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping in mind the legitimate interests of both Labor and Capital.

Eleventh: The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of Communism and any other form of totalitarian manifestation.

Signed and sealed in Key West, Florida, on the 23rd day of January, 1966.

**"E" AWARD PRESENTED TO SLANT/FIN CORP.**

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. WOLFF. Mr. Speaker, on January 19, I had the honor of presenting the Slant/Fin Corp. of Long Island with the President's "E" Award for Excellence in Export Promotion. Present to receive the award were Mel Dubin, president and Herbert Fahr, director of international division, Slant/Fin Corp. Slant/Fin is the largest manufacturer in the country of hot water baseboard heating equipment and a leading producer of packaged terminal heating and air-conditioning units for multiunit buildings. They are also a major manufacturer of other kinds of heating systems.

The "E" award is presented to U.S.

companies and business organizations for successful efforts to increase sales overseas. This special award goes to fewer than 100 companies each year, and Slant/Fin is only the second company based on Long Island to ever receive the "E." Now, in a time when our balance of payments are so important, it was an especially great honor for me to be able to present Slant/Fin with the award.

**LEGALIZE LOTTERY ADVERTISING AND INFORMATION PUBLICATION AND BROADCASTING**

**HON. PAUL FINDLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. FINDLEY. Mr. Speaker, laws currently make it illegal to mail newspapers, letters, packages, postcards and other material bearing lottery information, even in States which have legal lotteries. It is also illegal to broadcast lottery information in any State.

Frankly, a Government-supported lottery strikes me as an undesirable way to raise revenue, but the issue is settled in Illinois and eight other States where lotteries are legal. The Commission on the Review of the National Policy Toward Gambling estimates that 30 States will have legal lotteries within 2 years.

Newspapers and the broadcasting industry are placed in an absurd position. Most papers are trying to serve the public by offering information on all subjects of general interest, but if they attempt to do so for lotteries, they are breaking the law.

The answer to this dilemma must come at the Federal level.

The Washington Star-News and the Washington Post periodically carry advertisements which appear to violate the law. A newspaper with the legal resources of the Star-News or the Post might be willing to risk this posture, but they, as well as small country media with fewer legal advisors, would be in a more comfortable position if such advertisements were legal.

Some of the other bills which have been introduced concerning this situation would permit publication or broadcast of lottery information only by the media in the States in which the legal lottery is located. This would needlessly hinder the Post or Star-News, as well as other papers whose circulation area lies largely within a State with a legal lottery, but is not, itself, located in that State. Broadcasting radii, also, seldom respect State boundaries.

The other bills restrict publication and broadcasting advantages to State-conducted lotteries. I believe this would not be fair to charitable organizations and other groups which run lotteries which have been authorized by the State.

The bill I am introducing today would eliminate this confusion and would permit the broadcasting, televising or publishing by any newspaper, radio, or television station of information concerning any lawful lottery.

## OIL SUPPLY AND CONSERVATION OF ENERGY

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DERWINSKI. Mr. Speaker, I insert into the RECORD two very pertinent articles on the subject of oil supply and conservation of energy. One is from the editorial page of the January 16 issue of the Chicago Tribune which discusses the need for conservation of our energy sources. The other article discusses the charges of conspiracy involving the oil supply, which appeared in the Wall Street Journal of January 15.

I found both articles to be very enlightening, objective reports on the conflicts involved in the energy crisis.

The articles follow:

[From the Chicago Tribune, Jan. 16, 1974]

## A CRUSADE FOR CONSERVATION

Since the energy crisis began affecting the lifestyle of many Americans, the nation has been subjected to conflicting and often contradictory statements about the severity of the shortages or whether a crisis exists at all.

A case in point was the testimony on Monday before the joint Senate-House Economic Subcommittee by William E. Simon, federal energy administrator and Consumer Advocate Ralph Nader. While Mr. Simon stated that the United States is threatened with dangerously low levels of petroleum products, Mr. Nader asserted that "the world is literally drowning in oil." He suggested that the shortages are due to "unarmed robbery by oil companies in collusion with government."

While no one can or should absolve government or the oil industry from all blame for the current shortages, Mr. Nader's remarks smack more of demagogery and sheer sophistry than of informed opinion. Both government and the oil companies failed adequately to communicate the fact that the United States was facing an energy crisis long before the Arabs placed their embargo on petroleum exports. Moreover, there is a growing body of opinion which holds that this country will face energy shortages, particularly in petroleum products, beyond the 20th Century.

If these forecasters are correct, it is essential that the American people begin a long-term program of energy conservation even if it means a change in our lifestyle.

It has taken a petroleum crunch to make both the government and the oil companies see the wisdom in having accurate statistics on energy supply and demand. We are just beginning to get these facts and figures. According to Mr. Simon, the energy czar, the nation's inventory of major petroleum products amounts to slightly more than a 30-day supply.

It is not the short-term crisis, however, that should concern us most. It is the long-term, to 1990 and beyond. Oil and coal, like iron ore and bauxite, are finite natural resources. Once these resources are depleted, there will be no more. To be sure, we have not discovered all the oil in the world or all the metals and mineral lodes. Demand for these resources, however, is growing faster than new sources are being found. This is true not only in the United States but throughout the world.

Production of oil and natural gas in the United States has peaked. New discoveries, new technology, and new sources of energy must be found, of course, but can they meet the growing demand for energy, which is expected to double in this country alone by 1990?

While we are searching out the new oil and

gas pools and developing the new technology and new energy sources, we must conserve what energy we can so that our grandchildren and their children will not blame us for squandering their energy inheritance. We must avoid what the conservationists so eloquently warned us against a few years ago, "a plundered planet."

Instead of suggesting in demagogic terms that the energy crisis does not exist, Mr. Nader and others should help mount a crusade for conservation of our energy. If we expect to maintain our standard of living at anywhere near its present level, energy conservation and brisk development of new energy sources are absolutely necessary.

[From the Wall Street Journal, Jan. 15, 1974]  
THE GREAT OIL CONSPIRACY

At cocktail parties, on railroad platforms, and in elevators, we have encountered an astonishing number of people who know all there is to know about the energy industry and how it conspired to cook up the energy crisis. They tell us the oil tycoons acted on an opportunity they contrived to push up prices, get the Alaska pipeline approved, and squeeze those pesky little independents out of business.

Conspiracy theories, of course, are inherently appealing in that they can be understood without regard to any messy little details. It's hard to understand the fall of China to the Communists in the sweep of Chinese civilization, but easy to understand "57 Communists in the State Department." It's hard to understand what went wrong in Vietnam, but easy to understand "the military-industrial complex."

Conspiracy theories, too, have a marvelous capacity to embrace contradictory notions. Apparently the same individual who believes the oil companies are running roughshod over the environment to get the 2 million-barrel-a-day output of Alaska can also believe they have contrived to boost prices by withholding 2 million barrels a day from unknown sources. And at one time the companies are accused of (a) keeping their prices predatorily low to destroy independents and (b) hoisting the prices unreasonably high to gouge consumers. From our perspective, finally, the hardest thing of all to believe is that oil executives would do anything so nicely designed to bring about what they fear most, which is the political destruction of their companies.

To the extent that the oil conspiracy theory has any intellectual foundation whatever; it is found in the November 8 staff report by Senator Jackson's Permanent Subcommittee on Investigations. In [more], a professed arbiter of journalistic performance, James Ridgeway writes that the report "explicitly demonstrates" that the oil companies, among other sins, "refused at government urging to import more crude oil from abroad." Mr. Ridgeway demonstrates that media critics have insights denied us ordinary journalists, for search the report as we may we can find no such statement.

The Jackson report was also cited in a CBS television special, "The Energy Crisis: How We Got There." The special reported that in late 1972 there was a shortage of fuel oil because the refineries did not operate at a high enough percentage of capacity. Walter Cronkite told viewers, "Senate investigators have not yet received an answer to why the refineries were operating at such a low level." Now, we revere Mr. Cronkite and every sentence he utters must be strictly true. Still, since the answer was readily available, we wonder whether the Senate investigators ever asked.

The report says that the industry ought to be able to use 92% of its refining capacity over a sustained period of time, and that the government estimated there would be no shortages in the winter of 1972-73 if that rate were maintained. However, in the final quarter of 1972, refineries "east of the Rocky

Mountains" operated at only 89% of capacity. The report does not exactly say this 3% drop was the result of a conspiracy to raise prices, but, judging from the emphasis on this particular statistic, we suspect this was the impression its authors wanted to leave.

Now, "east of the Rocky Mountains" is a bit slippery, since the report shows that nationwide the 10 largest companies operated at 93% of capacity in the fourth quarter, and the next 15 operated at 95%. So apparently the companies conspired east of the Rockies but not in California.

These utilization figures did drop from third-quarter levels of 95.5% for the top 10 and 96.3% for the next 15. But four of the top 10 actually increased their utilization, so apparently the conspirators failed to get word to Amoco, Gulf, Sun and Sohio. Indeed, the only companies in the top 10 to show sharp drops were Texaco and Mobil. So if anyone wants to find out why utilization was down, he can start by calling Texaco and Mobil.

Texaco said it was forced to take the crude units of two of its largest refineries out of production for maintenance scheduled two years earlier. It adds that refinery units often go down for maintenance simultaneously if they have been built or improved in the same capital expansion program. We suppose this explanation will be discounted by those who prefer to believe that Texaco was somehow named to take a bath for the industry.

Mobil says its percentages dropped because it kicked in a new refinery at Joliet, Ill. The capacity figures went into its total immediately, but you do not start off running a refinery at full capacity. So its percentage utilization went sharply down while its actual production went up, as fine print in the Senate report shows.

To us, all of this looks a good deal less like a conspiracy than like each company trying to cope on its own. Yet the conspiracy theory will no doubt thrive, nudging Congress to take all manner of punitive action against the companies, action that will prolong, not shorten, the energy crisis. We only hope that enough people can conceive that just as a nation's foreign policy can be distorted by believing in bogeymen in pinstripes, so energy policy can be warped by visions of bandits in the boardrooms.

SUPPORT OF H.R. 4861

## HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. SHOUP. Mr. Speaker, today I would like to express support for H.R. 4861, and not just because it would be a fitting memorial to the late John Saylor, distinguished Congressman from Pennsylvania since 1949.

Certainly, completion of the Piscataway Park on the Potomac River would be a very honorable tribute to a man such as Mr. Saylor who had worked very hard on this measure, as well as hundreds of other projects dealing with our Nation's natural wonders.

I need not extoll the virtues of this late Representative of the 12th District of Pennsylvania. We are aware of his work which won him many conservationist awards, of his work to do with our park system, and as the ranking Republican member of the Committee on Interior and Insular Affairs. And I hardly need to point out that it is a very fitting time since he was a former member of the

American Revolution Bicentennial Commission, and we are rapidly nearing the Bicentennial anniversary.

But, as my colleague, JOE SKUBITZ of Kansas, has pointed out, John would not want the bill passed simply as a memorial, that just was not his way. He felt the bill had high merit despite strong opposition from the Department of Interior, and he would want our votes to be cast for the bill, not just in memory of him.

This bill not only completes the park, but also removes serious hazards to its scenic resources and provides greater access for recreation.

In closing, I urge other Members of Congress to issue approval of this bill.

A CHALLENGE TO LIBERALS

HON. BOB BERGLAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. BERGLAND. Mr. Speaker, the November issue of National Right to Life News contains an editorial by Associate Editor Janet Grant. The title, "Will the Real Liberals Please Stand Up?" is a challenge to all of us who in this body and in our lives find ourselves more identified with those called liberals than with those called conservative. I do not suggest that the particular philosophy advocated or opposed by the sponsoring body is determinative of issues which must govern our colleagues in the pending legislation in the House. I do say, however, that the substance and the manner of expression of this editorial does compel each of us to search our consciences and our own ideologies as we confront this legislation. The editorial follows:

WILL THE REAL LIBERALS PLEASE STAND UP?  
(By Janet Grant)

How it happened is a mystery, but there is little doubt that, in the minds of many, being pro-abortion is equated with espousing a "liberal" cause.

Intelligent people, perhaps associates from rallies long past, ask: "You're against abortion? Why, I thought you were a liberal." The question usually is asked in a semi-state of shock.

Indeed, to many of us, liberal thought demands a pro-life position, for several reasons.

Great liberals have been men and women of vision and faith in the future who have fought their entire lives, without cynicism, to overcome tremendous obstacles.

Albert Schweitzer, whose respect for life is legendary, did not abandon his people; Martin Luther King did not let despair dim his dream.

Why, then, are so many professed liberals giving up hope? Are they getting cynical about efforts to make the world a better place? Are they, in fact, giving up?

Essentially, they are when they support abortion, for abortion is based on the principles of cynicism and despair.

Certainly those who presume to judge that a person's life is hopeless because he may be born into poverty, may be handicapped, may be abused and unloved—those who make these judgments are coping out.

They are admitting either that they cannot find solutions or that they do not want to

be bothered. Either admission is a denial of the liberal tradition.

It is the liberal position to remember, as John Donne wrote, that "No man is an island;" to plan for the future, to work for unborn generations, to sacrifice that men may live better lives.

In this way, we are involved with the unborn. Every child who is conceived is a member of mankind, and all of mankind is involved.

Liberals, too, should recognize that abortion on demand allows the much-feared concentration of power in one individual . . . the mother. Other anti-life decisions may give this power to the doctor.

They must see the arrogance of power in those who decide to terminate a life because they believe there is no hope or because they are selfish.

It is the same arrogance of power used by the air force general who decides to wipe out a village of poor peasants because the destruction provides a convenient solution to his problem and, besides, the peasants might be better off dead anyway—the "destroying the village to save it" mentality.

Thomas Jefferson said that "no man has a natural right to commit aggression on the equal rights of another." Another liberal, Henry Demarest Lloyd (who began his career by exposing the Standard Oil monopoly in 1881) had this to say about self-interest:

"Where the self interest of the individual is allowed to be the rule both of social and personal action, the level of all is forced down to that of the lowest."

The consciences of liberal men and women were aroused when the entrepreneur said, "It is my factory; I can work my people—until they drop," or when the bigots shouted, "It is my apartment building; I don't have to rent to niggers!"

Do their consciences react now when they hear, "It is my body; I can kill my baby," or "It is my deformed child; I can let him starve!"

It is very strange and a perversion of genuine liberal thought to attempt to solve the problems of human rights by denying the most fundamental human right of all . . . the right to live.

TRIBUTE TO THE LATE HONORABLE CHARLES M. TEAGUE OF CALIFORNIA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. EVINS of Tennessee. Mr. Speaker, it was with great regret and a deep sense of loss that I learned while Congress was in recess of the passing of our genial colleague and friend, Representative Charles M. "Chuck" Teague of California.

I want to take this means of paying a brief but sincere tribute to Congressman Teague, who served so ably and so well for some 17 years in the Congress. He served effectively and capably as a member of the Committee on Agriculture, and the Committee on Veterans' Affairs.

At the time of his unfortunate passing, he was ranking minority member of the Committee on Agriculture and second ranking minority member of the Committee on Veterans' Affairs. In those vital and important positions, "Chuck" Teague played a crucial role in the drafting of farm and veterans' legislation. He deserves our commendation and the thanks

of the Nation for his good works. He served his district, State, and Nation faithfully and well.

Mrs. Evins joins me in conveying our deepest and most sincere sympathy to Mrs. Teague and the members of the family in their loss and bereavement.

DECK BEING STACKED AGAINST PRESIDENT

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. HUBER. Mr. Speaker, while everyone can hope, and I certainly do, that the House Committee on the Judiciary will do a thorough and impartial job in evaluating whether or not the President should be impeached, there is reason to believe that the undertaking may not be so impartial. In this connection, I feel that the recent column by Mr. William Safire that appeared in the Richmond Times-Dispatch of January 17, 1974, is illustrative in that respect. The column follows:

DECK BEING STACKED AGAINST PRESIDENT  
(By William Safire)

WASHINGTON.—By its choice of counsel, the House Judiciary Committee has made it plain that it intends to look busy for a few months and then recommend the impeachment of the President.

The minority counsel, Albert Jenner, was represented to be a Republican conservative. But after he had been chosen, word leaked out that Jenner had been a fund raiser for Democrat Sen. Adlai Stevenson III or Illinois, certainly a material fact of his political background that he had concealed from the Republicans who chose him.

Jenner tried to brush the Stevenson connection off as some token activity because he was an old friend of the Stevenson family; now it develops that this sturdy Republican was one of the five sponsors of a breakfast to plan a fundraising dinner on Oct. 26, at which Stevenson announced his candidacy for re-election. The dinner, with Jenner proudly on the dais, raised \$165,000, his personal contribution was \$1,000. Every family should have such a friend.

This wrongheaded effort to conceal and then minimize his active support of a liberal Democratic senator—who has publicly predicted that Nixon would not "survive three more years in office"—indicates how much Jenner wanted the job as minority counsel.

Then along came his astounding appearance on a Chicago television show. If nothing else, counsel to the House committee deliberating about whether to recommend impeachment of the President should maintain a judicious silence.

But there was publicity-hungry Jenner popping off at the first opportunity with his opinion that the President should be "responsible for the action of aides," breezily commenting on matters that the House of Representatives will be called upon to decide in the most solemn proceeding of the democratic process.

What gets into some lawyers when they get into political cases? They ignore lifetimes of deference to legal procedure and safeguards, in order to emblazon their presence on the public consciousness. Few have the good sense to shut up and do their job.

Turning to Democrats, the selection of John Doar to be majority counsel also clearly telegraphs the Judiciary Committee's forthcoming punch.

Rarely, in the praise for Doar's record as a lawyer and as assistant attorney general for civil rights enforcement, has anyone mentioned a central fact about the man chosen to head the staff that will get the impeachment ball rolling:

In his most recent public job, Doar proved to be an unqualified flop.

As president of the New York City Board of Education in 1969, Doar permitted his fiercely held views and lifelong dedication to the cause of civil rights (which he held, to his credit, before and after they were fashionably liberal) to get in the way of providing good public education to all the children of New York.

Granted, it was a hot seat, but Doar's leadership fell far short of the challenge. He could not bear to fire extremist teachers who made anti-Semitic remarks in class; the Anti-Defamation League scorched Doar for his one-sided passivity "when forceful action is the only appropriate response."

Doar, whose ideology made him inflexible, presided over a calamitous teachers' strike; reporters on the scene say his rigidity lengthened and embittered it. He's hardly a man to look to for even-handedness.

Can such a man, who allowed his all-out commitment to the civil rights of one minority to affect seriously and adversely his judgment in his last public assignment, not be an implacable enemy of Richard Nixon, who obviously does not share the totality of Doar's commitment?

Both in terms of his motivation and past performance, Doar is the perfect choice to head the million-dollar legion of lawyers hired by the Judiciary Committee, if the ultimate advice desired is a firm recommendation to impeach.

Conscience or politics may cause members of the committee to set aside the stacked-deck staff recommendations in the end, but spare us the hypocrisy of protestations of staff objectivity.

With ideologue Doar and publicity-hungry Jenner in command, no fair hearing or dispassionate study is in the cards, a profound mistake in a procedure that should guard its ethics with infinite care.

Welcome to Washington, gentlemen.

## STATE OF VIRGINIA MOURNS PASSING OF BURR P. HARRISON

### HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 1974

Mr. DOWNING. Mr. Speaker, the entire State of Virginia mourns the passing of our former colleague, Burr P. Harrison.

I had the pleasure of knowing Burr Harrison for many years and I treasured his friendship. He was a gentleman in the finest sense of the word, and was one of the most admired and respected men in the Congress of the United States. His ability to bring complex and controversial matters into sharp, clear focus was a matter of common knowledge to his colleagues. And when he spoke on the floor of the House all the Members of the House knew he was speaking the truth, based on knowledge and they listened in respectful silence. He was one of the most influential Members ever to serve in the Congress and his performance on the House Ways and Means Committee resulted in much of the significant legislation that was passed by this body during his tenure of office.

Coupled with ability, integrity, and character was a wonderful sense of humor which I found irresistible. He could literally charm the birds out of the trees with his wit and warmth and it was always pleasurable to be in his company.

Our State and our Nation have lost a valuable asset. But the contributions which he made during his lifetime will be remembered for a long time.

I know that my memories of him will not soon fade.

## AMNESTY MUST NOT BE FORGOTTEN

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DELLUMS. Mr. Speaker, I would like to submit two excellent analyses of the amnesty question. The first is contained in a sermon preached on November 11, 1973, in the United Methodist Church in Peoria, Ill. The sermon was given by Rev. Robert Newton Barger, who is chairman of the church law committee of the priests' senate of the presbytery of Peoria.

The point I was most interested in was the demonstration that in Biblical terms the amnesty dilemma cannot be shown as of Old Testament versus New Testament. Reverend Barger points to a unity underlying the whole Bible. Whatever else this message implies, it should not make us hasty to condemn others.

I am also including the results of a survey conducted among delegates to the annual Convention of the California Diocese of the Episcopal Church. The conclusion drawn by Mr. Dwite Brown of the diocesan world without war program is that there is a wider basis of support for amnesty legislation than is commonly realized. I believe my colleagues would be interested in these data.

The material follows:

SERMON BY REV. ROBERT NEWTON BARGER

Today the United States of America, our homeland is a Nation divided, and as President Abraham Lincoln has reminded us, a house divided against itself cannot long stand. We have wounds, and they need to be healed, we are not at one, and so we stand in urgent need of reconciliation. The Vietnam war, whose decade-long duration was responsible for much of the division which we experience, has not left us totally at peace, even tho it is now over. There is still the question before us: . . . what to do with the war resisters. This question involves a tension between justice on the one hand, and mercy on the other. The resolution that we make of this tension between justice and mercy will provide the answer to what kind of reconciliation we can reasonably expect. In other words, how we treat those who have conscientiously evaded the draft or deserted from the war will determine in large part whether we will, or will not, have that domestic tranquility of which our Constitution speaks.

I am going to make here some theological observations on the political question of amnesty. I would like to say at the outset that I am well aware of the danger of attempting to take concepts from the spiritual realm and apply them in the political order. The brilliant protestant theologian, Rein-

hold Niebuhr, in his classic study entitled "Moral Man and Immoral Society," has expressed a healthy pessimism about the possibility of making an individualistic ethic apply to a collective such as a nation-state. But even such a realist as Niebuhr goes on to say: "Every genuine passion for social justice will always contain a religious element within it. Religion will always leaven the idea of justice with the ideal of love. It will prevent the idea of justice, which is a politico-ethical ideal, from becoming a purely political one, with the ethical element washed out." (p. 80, MM&IS) so, theology can and must supply ideals for the reflection of the national sovereign . . . and in the case of a democracy such as ours, the sovereign is us. The government is responsible to us, and that is why, ultimately, we the people, will get the kind of justice or mercy that we earnestly seek—or, . . . we won't get it, if we grow indifferent. The question of amnesty for the Vietnam war resisters illustrates the tension between justice and mercy which is troubling our society today, I should like to turn to sacred scripture for some insight toward a solution of this problem. But, before I do, I think it is necessary to point out that there are three possible motivations for the granting of an amnesty. First, we may believe that the war resisters were morally wrong, that their actions encouraged the North Vietnamese and thus prolonged the war, increasing the loss of life on both sides, but that by means of an amnesty we should forgive them. Secondly, we may believe that the war resisters were morally right, that the war had gone on for nearly a decade and might have continued much longer were it not for their dissent, and hence by means of an amnesty we should exonerate them. Or thirdly, we may not make a judgement about the war resisters, refraining from either condemning or condoning them, but simply repatriating them, bringing them back, forgetting about the guilt or innocence aspect. This is literally the meaning of the word amnesty: That is, "forgetfulness," or "oblivion."

For purposes of reflecting on the problem in the light of scripture, I will be dealing at various points in my scriptural examples with one or another of these three motivations to see if there might be a theological basis for amnesty, before I start, I'll give you my own personal opinion, as a former political science instructor and a current Christian morals instructor, and that is that the war resisters were in fact morally correct. . . . But I will go on to give you a preview of my ultimate conclusion: Which is, that we should avoid judgement on the morality of the war resisters actions and follow the third motivation for amnesty: Namely, that we take amnesty in its literal sense and not make a judgement one way or the other, but simply put the Vietnam war behind us and be reconciled to one another. Now, what does the Bible have to say about all this?

Let's look first at the Old Testament, we usually think of Old Testament morality as very harsh: "An eye for an eye and a tooth for a tooth." In fact, however, when we take the Old Testament as a whole and don't just draw out one-liners like the one I just quoted, we see that mercy is one of the most prominent features of the Old Testament. Beginning on the first pages of the Bible, where humankind messes up God's gift of life by sinning, we see the gracious mercy of God offering man another chance. As often as man sins—and according to salvation history, that's pretty often—God calls him back again. . . . God is not only a giving God, he is a forgiving God. And he tells us in the Jewish law, in what Jesus was later to join to love of God as the greatest commandment, that we must be giving and forgiving too. This is the way it's stated in the Book of Leviticus: "You shall not hate your brother in your heart, but you shall reason with your

neighbor, lest you bear sin because of him. You shall not take vengeance or bear a grudge against the sons of your own people, but you shall love your neighbor as yourself," (Lv 19. 17-18). The reading about the cities of refuge from the Book of Joshua (20. 1-6) reminds us of God's instruction that those who have killed thru accident should be allowed a place of refuge and then free return to their homeland. Of course the question before us today does not concern those who killed without premeditation, but rather those who, with premeditation, refused to kill. The cases are not the same, certainly, but I suggest that there may be a parallel. How God provided for the solution of this case in the Bible may provide a clue for the solution of our amnesty problem today.

The illustration of God's mercy and loving faithfulness of His people, despite their unfaithfulness, is spread upon almost every page of the Old Testament. But it is even more abundantly evident in the New Testament. It is in the New Testament that Jesus gives us the most amazing revelation from God, namely, that God is *communitiy*. God is three persons in one being: Father, Son, and Holy Spirit. St. John defines this unity in community with one word: *Love*. The first letter of John says quite simply: "God is love" (1 Jn 4.8). Jesus came to tell us that if we are to live the life of God, if we are to have the spirit of God in us, we must be loving people. To quote a little more from the first letter of John: "Beloved, let us love one another; for love is of God, and he who loves is born of God and knows God. He who does not love does not know God; for God is love" (1 Jn 4. 7-8).

But of course this leads us to ask the same question that the lawyer asked upon hearing the command of love from Jesus, and that is: "Who is my neighbor?" (Lk 10.29). It's not without relevance to our topic to note that the person that Jesus described as neighbor in his parable-answer was a Samaritan . . . one who had broken off from the land of Israel and who adopted an alternate form of the Jewish religion. He was a dissenter, yes, even a resister as far as the Jews were concerned. They hated Him, and He was the person that Jesus chose to exemplify the idea of neighbor!

In making mention of a parable, I would like to point out that Jesus gave neither specific commands nor ready answers for problems. The gospel records Him as giving only one directive, and that is to love. Beyond that He simply told stories. The parables of Jesus are meant to show the *quality* of love that He asks of us.

Let's take a brief look at two of them. First, the parable of the laborers in the vineyard. The householder in the parable represents God. He sends people out to work at the first hour, promising to give them a denarius. Later He sends other people out into the vineyard, promising to give them "what is right." Finally, at the eleventh hour, He goes out and finds some men still standing idle and He sends these in too. When it comes time to settle accounts, He treats all of them the same! They all get a denarius. And those who had been working all day long started to grumble. They said it wasn't fair! They said they had borne the heat of the day and here these malingers came in after the real work was done and they were rewarded the same as the people who had responded to the original call!

And what does Jesus say? I think the reply he has the householder give is really instructive for our handling of the amnesty question. He says to the one who bore the heat of the day: "Friend, I do you no wrong. I choose to give this last person as much as I give you. Am I not allowed to do what I choose with what belongs to me? Or do you begrudge me my generosity?" Translated into present terms, the teaching of Jesus seems to say that magnanimity to the war resisters would not be unfair to those who

served. The question before us, then, is whether we care to make God's logic our own.

I might remark in passing, that this fairness consideration can cut both ways, Russell Baker, a columnist for *The New York Times*, has suggested that it was really the American public who dodged the war issue, sending its young men off to fight and die and, to this day, not being able to tell them what it was all about. It is perhaps kinder to us all if we do not try to enter into judgement now.

I'd like to consider now the parable of the prodigal son, or, as I think it should be better named, the parable of the forgiving father. The younger son in the story took his part of the inheritance and went off to a far-away country. And after awhile, the memory of his homeland and his father's house awakened in him the desire to return. So he started back, thinking of the words he would say to ask for readmission to the family. He really didn't get a chance to get halfway thru what he had decided to say. The father, who represents God the Father in the parable, ran out to meet the son before he had even gotten back home. There was no knocking at the door or begging to come in necessary by the son. The father threw his arms around the son and invested him with all the signs of full membership in the household: The ring, the shoes, the robe. Then he decreed a feast to celebrate the return.

Now comes the most interesting part of the story, the older brother, the *older* one, comes along. When he finds out what's happened he is upset. He won't go in. Now he refuses to be part of the family. The father comes out to him and the elder son says: "These many years I have served you, and I never disobeyed your command; but when this son of yours came, who has devoured your living with harlots, you killed for him the fatted calf." The father responds: "Son, you are always with me, and all that is mine is yours. But it was fitting to make merry and be glad, for this *your brother*," (not "*that son of yours*" but "*your brother*") was dead and is alive; he was lost and is found."

This parable, as the former one, tells us that reconciliation, for God, isn't based in strict justice, but rather on generosity.

Now I'd like to look briefly at Paul's teaching, in his letter to the Ephesians (4: 30-5.2). He asks us not to grieve the holy spirit—God's spirit in us. He says: don't be unfaithful to it. He asks us to put all bitterness and wrath and anger and clamor and malice away from us, He asks us to be tenderhearted and forgiving, as God has forgiven us. We are called upon to be imitators of God. We have to pass along forgiveness. Thus in the Lord's prayer we pray: "Forgive us our trespasses, as we forgive those who trespass against us." I submit that that's a very risky prayer for someone to say who takes a hard line on amnesty!

Permit me to return, now to one final quote from the gospel (Lk 6.36-38): Jesus says: "Be merciful, even as your father is merciful. Judge not, and you will not be judged; condemn not, and you will not be condemned, forgive, and you will be forgiven . . . the measure you give will be the measure you get back."

It is perhaps thoughts such as these that inspired the late Richard Cardinal Cushing to ask the following question in his last Easter message: "Would it be too much to ask that we empty our jails of all the protesters—the guilty and the innocent—without judging them, call back over the border and around the world the young men called "deserters," drop the cases that are still awaiting judgment on our college youth? . . . Could we not do all this in the name of life, and with life, hope?"

The Cardinal puts that as a question—and that is the way it must be treated, as a question put to each of us.

I personally believe that it would not be too much to ask because I believe that we as a nation currently need reconciliation more than we need vindictive prosecution of illegal activity.

The best conclusion to these remarks might well be a prayer. The one I choose is attributed to a man from several hundred years ago named Francis of Assisi. I hope it comes more and more to express a majority sentiment:

Lord, make us instruments of your peace. Where there is hatred, let us sow love. Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light, and where there is sadness, joy.

Divine master, grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love. For it is in giving that we receive. It is in *pardoning* that we are pardoned. And it is in *dying* that we are born to eternal life. Amen.

BERKELEY, CALIF., December 21, 1973.

DEAR CONGRESSMAN DELLUMS: The World Without War Program of the Episcopal Diocese of California is a peace education and action program working at the grass roots level in parishes and missions of the Diocese. (The Diocese extends from Marin and Contra Costa Counties in the north to San Luis Obispo County in the south.) Sponsored by the Diocese, and drawing on the resource help of our consultant, the World Without War Council, the program addresses public policy questions with the goal of building agreement on alternatives to the mass violence of war.

I am writing to bring to your attention the program's work for the past year on the question of amnesty for draft evaders and deserters. The question was approached not as an issue of where one stood on the Vietnam War, but as a question of such competing moral values as a society governed by law, individual conscience, a citizen's responsibility, the nation's need for reconciliation, and the virtue of forgiveness.

The year's study was done pursuant to a resolution of the annual Diocesan Convention in October, 1972, and commended by the same body in 1973. I enclose the resolutions for your interest, along with the table of contents of our amnesty study kit.

In order to bring an informed view to the 1973 Convention, some thirty parishes, the Cathedral and three deaneries (which are roughly county convocations) had special events on amnesty during the year. A panel on amnesty was presented to the 1973 Convention, and a vote was taken on delegates' views, with these results:

The 124th Convention of the Diocese of California, October 19-20, 1973, Vote of Delegates on the Question of Amnesty.

	Per- cent
No amnesty	93
Amnesty on condition of performing civilian alternate service	289 55
General amnesty with no conditions	120 23
Other	18 4
Total	520 100

Of those favoring amnesty, 62% indicated they would include deserters.

Although amnesty with alternate service has been commended—and denounced—as a compromise, some advocates say it is the right solution on its own merits, especially if it is done with imaginative and flexible assignments and in a spirit of reconciliation. The Hon. Charles B. Renfrew, Judge of the United States Fifth District Court, speaking on the Diocesan Convention panel, held that alternate service would honor men who refused to be drafted for reasons of conscience,

by permitting them to take responsibility for their actions.

Put forth as a positive, third option, amnesty with alternate service is intended to give due credit to legitimate, competing values: to the obligations of citizenship and to respect for conscience, to equity for all young men caught in the tragedy of the Vietnam War, and to the goal of a reconciled country.

As a staff person for this project, I want to report how heartening it has been to find that members of this church could deal with this controversial issue and reach a substantial measure of agreement. Some parish polls showed greater agreement than did the Diocesan Convention, generally on amnesty with alternate service.

I would appreciate your reaction to this report of our year's work on the amnesty question. The results indicate—at the least—that the all-or-nothing extremes should not be left to dominate the amnesty debate, and that amnesty with alternate service can be a more viable position than Congress has supposed.

May I express my personal concern that the real attention paid to this problem a year ago seems to have abated.

Sincerely yours,

DWITE BROWN, *Peace Interne.*

## ANNIVERSARY OF UKRAINE INDEPENDENCE

**HON. THADDEUS J. DULSKI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DULSKI. Mr. Speaker, 56 years ago a bright new beginning was envisioned when Ukrainian independence was established January 22, 1918. Only a few years later those hopes were crushed under ruthless Soviet military might and political tyranny.

On December 4, 1973, a petition with 5,000 signatures was sent to Ambassador Scall by the Women's Association for the Defense of Four Freedoms for Ukraine, Inc. It is an appeal to our Government to bring to the attention of the United Nations and world opinion the oppression and indignities suffered by the Ukrainians and other captive peoples despite the 25 years which have elapsed since the UN Proclamation of the Universal Declaration of Human Rights.

The case for action by the free nations is movingly stated in a letter I received from the Buffalo Chapter of the Ukrainian Congress Committee of America, Inc., and I include the text of that letter as part of my remarks:

UKRAINIAN CONGRESS COMMITTEE

OF AMERICA, INC.,

Buffalo, N.Y., January 5, 1974.

HON. THADDEUS DULSKI,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN DULSKI: January 22, 1974 will mark the 56th Anniversary of the proclamation of Ukraine's Independence, and the 55th Anniversary of the Act of Union, both of which took place in Kiev on January 22, 1918, and January 22, 1919, respectively. By these acts a Ukrainian independent state was officially established on all the ethnographical Ukrainian territories.

The young Ukrainian democratic republic was shortlived as Communist Russia attacked it almost immediately, despite the fact that the new Soviet Russian government had

officially recognized Ukraine as an independent and sovereign state. The same recognition to Ukraine was granted by the Central Powers, and a number of the countries of the Entente, including Great Britain and France.

After almost four years of continuous invasions and fighting, Ukraine, alone and unaided, succumbed to the numerically superior military forces of Communist Russia, which eventually destroyed the Ukrainian National Republic, created a Communist puppet government in Ukraine known as the "Ukrainian Soviet Socialist Republic", and incorporated it in 1922 into the "Union of Soviet Socialist Republics" (USSR).

The whole history of Soviet Russian-dominated Ukraine is a ghastly record in inhumanity, outright persecution and genocide, Russification and violation of human rights. Under Stalin Ukraine was marked for physical extinction; under Khrushchev, and now under Brezhnev-Kosygin outright terror has been replaced by the subtle process of destroying the Ukrainian national consciousness and identity through Russification, mass arrests and illegal trials and by other oppressive methods.

In the course of its rule over captive Ukraine, Communist Russia destroyed millions of Ukrainians through man-made famines, and forced deportations; it abolished the Ukrainian Autocephalic Orthodox Church; it subordinated all aspects of Ukrainian life to the rigid control of Moscow, including Ukrainian economy, education, the press, the arts and literature, trade unions, and so forth.

For the past several years the Kremlin has engaged in a series of arrests, trials and convictions of hundreds of young Ukrainian intellectuals—poets, writers, literary critics, playwrights, professors, students and others—charging them with "anti-Soviet propaganda and agitation". Yet, in the United Nations Ukraine is a full-fledged member, and the Kremlin makes much of this fact in its massive propaganda drives throughout the world.

The fact is that today Ukraine, with its 48,000,000 people, is more than ever a colony of Communist Russia; it is a land of inhumanity, persecution and economic exploitation.

Many a Western statesman may be lulled into a sense of false security by the spurious *detente*; but there is no *detente* in the relentless persecution of the Ukrainian people by Communist Russia.

Only outside Ukraine can Ukrainians and their descendants scattered throughout the world speak of the freedom and independence of Ukraine.

Therefore, Sir, we kindly request you to make an appropriate statement in support of the Ukrainian people on the anniversary of their independence in the House of Representatives in paying tribute to the Ukrainian people for their undaunted and valiant struggle for human rights, independence and freedom with justice, which are the basic tenets of our modern civilized society.

Sincerely yours,

MARTA HAWRYLUK,

Secretary.

WASYL SHARVAN,

President.

## THE NATION'S GREATEST NEED

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. GOLDWATER. Mr. Speaker, in recent months the subject of ethics and

values has been receiving more and more attention in the news media. This is a very hopeful sign. As I have pointed out in a number of speeches and public appearances in the past year, unless the American people rededicate themselves to our traditional value system which stresses faith in God, fidelity, courage, and love of fellow man, then we can continue to expect such things as the Water-gate caper in the future. The columnist, Roscoe Drummond, recently wrote an excellent column on this subject, and I commend it to the attention of my colleagues in the Congress and the American people.

[From the Christian Science Monitor,  
Jan. 16, 1974]

### THE NATION'S GREATEST NEED

(By Roscoe Drummond)

WASHINGTON.—The No. 1 problem in the United States is not the energy crisis nor health nor housing nor unemployment—urgent as these matters are.

It's something else. It's sleazy ethics and pervasive dishonesty in just about everything—in government, in politics, in business, in labor, and to some extent in the media. They all suffer from widespread public distrust.

The truth is that a lack of faith is dangerously eroding the resources of the nation.

Here is one verdict which is blunt and to the point:

"People are fed up, disillusioned by the liars. Sick of the exploiters."

"People want faith instead of anxiety. Faith in themselves, faith in their unions their schools, their government. Faith in each other."

"They are ready to believe in ethics and honesty. But to improve our system, we must improve ourselves. That's the challenge."

But just how important is it to confront this challenge and begin to do something about it? Is it something just nice to do or is it imperative? I submit that corrupt politics, shabby ethics, and widespread dishonesty are death-dealing to human freedom and to democratic government. To reverse the downward drift we have been witnessing for a decade of lawless violence and lawless government will be life-giving.

One organization, which is setting out to do something about declining ethics in the U.S., is called American Viewpoint, Inc., and its premise goes to the heart of the matter. It is: "Let's Make America Honest Enough to Stay Free."

This is not mere rhetoric. History makes it amply clear that the alternative to a decent and workable standard of honor and honesty in any society is not disorder; it is enforced discipline; it is repression; it is the authoritarian state and, in the end, dictatorship.

That is why the theme, "Let's Make America Honest Enough to Stay Free," means what it says. That's why it is crucial to do something about it now. It may sound idealistic. So what? It may sound Utopian. It isn't, it's practical. Healthy ethics is no more Utopian than a healthy democracy. Neglect one and you kill the other.

The danger is plain to see. It is not an overstatement to say that it is as great a challenge to America freedom as World War II. We either face it or run away from it and suffer the consequences.

Much can be done individually to restore higher ethical conduct to all our relations. But collective efforts will be needed. I make this suggestion:

Shouldn't every major civic organization in the U.S.—like the League of Women Voters, the Junior Chambers of Commerce, Rotary, Kiwanis—every labor union, every business organization, every professional group, make it a first priority in 1974 to

study codes of ethics to find out how well they work and find ways to make them work better?

I'm not talking about ethics you frame and hang on the wall. I am not talking about ethics with which to measure others, but ethics to measure ourselves and to live by.

The leaders of these and other organizations can do much to stir and stimulate a genuine revival of ethics-at-work in the U.S. and one way to begin would be to consult with American Viewpoint, Inc. whose sole non-profit concern is to help "make honesty a working social principle, rather than a moral issue apart from our daily lives."

The address is: Irvan Hill, president, University Square, Chapel Hill, North Carolina 27514. From first-hand experience I can vouch for American Viewpoint. It is sound and sane.

The American people can have any kind of government, any kind of politics, any kind of society they want. But it won't come from wishing; only from doing.

#### UNITED STATES TRAINS ARAB PILOTS

### HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. LITTON. Mr. Speaker, on December 18, 1973, I discovered that Trans World Airlines was providing fuel for the training of Saudi Arabian pilot trainees in my State while the Saudi Arabian Government was participating in an embargo of petroleum exports to the United States. Since then I have learned that a second American commercial airline, Pacific Southwest Airlines, has also been training pilots for Saudia Arabia.

The real shocker came, however, this week when the U.S. Air Force admitted to me that it was currently training four Saudi Arabian pilots at Williams Air Force Base, Ariz. I also understand that one of the Saudi pilot trainees is the nephew of King Faisal of Saudi Arabia.

The confirmation on December 18 concerning the training of Saudi pilots with American fuel caused me to send a telegram to the Civil Aeronautics Board requesting that they reexamine and, if necessary, revoke their previous support of a management training contract between TWA and the Saudi Government. That telegram was not answered until January 21, and then the CAB informed me they were passing the buck to the State Department. The letter I received from CAB Chairman Robert D. Timm read in part:

The management agreement was filed pursuant to Section 412 of the Federal Aviation Act which provides that such agreements shall be approved if the Board does not find them to be adverse to the public interest or in violation of the Act.

The Chairman then informed me that the matter was being referred to the

State Department "as a matter affecting the current foreign policy initiatives of the Government".

Mr. Speaker, I maintain that it is not in the public interest to use fuel to train pilots from a country partly responsible for our fuel shortage. I regret that the CAB has chosen to sidestep this issue and to let me know by their action that they feel it is in the public interest to allow the usage of American fuel in this manner.

Mr. Speaker, every American, including every Member of Congress, recognizes the severity of the Arab oil embargo and they recognize that negotiations are underway regarding the Middle East problem and the embargo itself. I also recognize that the volume of fuel consumed in the training of both commercial and military pilots for the Government of Saudi Arabia is very small compared to the daily consumption of refined petroleum products in the United States. But, Mr. Speaker, I submit to you and to the other Members of the House of Representatives that there is a matter of principle involved which should possess equal, if not superseding, attention. When the Arabs do not appear to care about the health and security of the American people, and when, as a result, our own Government does not have the backbone or nerve to disallow the use of American fuel for the direct benefit of the Arabs, then I think it is time that the Government of this great land take a hard look at itself and decide whether it believes in or rejects a doctrine of fair and just treatment.

I am not suggesting that this matter be reversed in retaliation for the Arabs' decision to use their greatly demanded oil resources as a political tool, nor am I attempting to take sides in the Arab-Israeli conflict by taking this stand. I recognize the great difficulties in taking any retaliatory steps. But I do feel that the leaders of America must stand for what is fair and just for the American people in cases such as this, and it is certainly not fair and just that we be deprived of oil which we so badly need when our own Government condones the use of American fuel for the training of pilots from an embargoing nation.

Such activities as this only lead to further doubt and suspicion among the American people that the Government is involved in a conspiracy with the oil industry to create an artificial and false shortage of energy. We can begin to lick our energy problems only when the American people are satisfied that the shortage is real and support energy conservation measures.

It is unthinkable that our Government would ask Americans to turn down their thermostats, drive their automobiles less, understand their jobs may be terminated, and, in general, sacrifice in part their prior habits and customs in order to lick the energy crisis, when the Government itself is providing a portion

of critically short supplies to train pilots from countries which are partly responsible for the American shortage. If King Faisal wants us to teach his nephew to fly a jet, he should send along enough fuel to provide the training. The mood of the thousands of my constituents who have written to me, expressing almost without exception their suspicion that the energy crisis has been contrived, tells me that they do not—as indicated by the many who have written in support of my stand—and will not tolerate this type of activity.

In addition I have received letters of support concerning this matter from all parts of the United States, which leads me to believe that the administration is going to have to present all the facts and give unshielded and factual answers to every question being raised about the shortage before it can expect the American people to buy the reality of the shortage.

Mr. Speaker, I have today introduced a bill in the House of Representatives which would prohibit the use of American fuel for the training of pilots from foreign countries which are embargoing the export of their petroleum to the United States in the manner described by the current Arab embargo. My bill would require the Director of the Federal Energy Office to determine when an embargo of petroleum exists against the United States and then to require all units of government and all citizens and corporate entities who are providing American fuel for the training of pilots from embargoing countries to cease such activities for the duration of the embargo.

Mr. Speaker, I am cautiously and guardedly optimistic that the Arab embargo against the United States will be lifted within a short time. But if there is one thing that the Arab embargo has, or should have, taught us, it is that their action stands every chance of being reimposed at some future date at the total and immediate discretion of the Arab nations. We will not be given the access to foreign petroleum which has been granted us in the past no matter what the underlying causes of this or future embargos may be.

The American people cannot simply buckle under to an embargo every time it occurs because to do so is to reject and disown all the principles of fairness and pride which have directed our land from the founding of the colonies to the year 1974. I feel it imperative that the United States negotiate, not retaliate against, the oil embargo, but I also feel that our Government owes it to the American people to let the Arabs, and any countries which might later follow such actions, know that we expect such actions to be taken without efforts to humiliate and degrade the American people.

REACTIONS TO WATERGATE:  
THREATS TO JUSTICE

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. GIBBONS. Mr. Speaker, Chesterfield Smith of Lakeland, Fla., a distinguished lawyer and currently president of the American Bar Association, recently delivered an address entitled, "Reactions to Watergate: Threats to Justice." This is one of the most well-reasoned statements I have seen on the matter of impeachment.

I would like to take this opportunity to bring the entire text of this speech to the attention of my colleagues. Chesterfield Smith details the history of the Watergate matter and presents his arguments in a logical, sound manner. Let me highlight some of the most important points he raises. The subtitles below are my own additions which may help capsize this important speech.

HISTORICAL IMPACT

There are those—and I am one of them—who believe that the historical impact of current events on our nation's future will be second only to that of the Civil War. . . . Certainly the picture can be painted too dismally and I do not mean to do so—I firmly believe—given even the seemingly inexhaustible chain of terrible events that we now lump under the umbrella title of Watergate—that we—as a country—and our government—as a structure—can and will meet the challenges now posed.

EXECUTIVE PRIVILEGE

The presumption of innocence as a rule of evidence in court has never been absolute, and the evidentiary rule of executive privilege likewise has never been held in our history to be absolute. . . . The presumption of innocence has never meant that we as a people could not look at the totality of the facts as we perceive them and then arrive at a conclusion, and the executive privilege has never meant that the President could use it to conceal crime.

IMPEACHMENT OR RESIGNATION?

If President Nixon is to leave office before his term expires, I believe that he should only do so as a result of the constitutional impeachment process, the process designated in the constitution as the only way to determine whether a sitting President should continue in office. His ouster should not be through resignation brought on by public clamor. . . . A forced resignation of the President could only leave within the breasts of many of our people a feeling that perhaps evidence sufficient to justify impeachment was not really there and that the whole affair was nothing more than a political assassination. . . . We must give to him (the President) as to all citizens the due process rights to which he is entitled.

INVESTIGATION BY HOUSE JUDICIARY COMMITTEE

I do not feel it proper that the American Bar Association ever take a position on impeachment. . . . The views I now express are my own and do not represent policies or positions of the Association.

I am personally acquainted with Congressman Peter Rodino, the Chairman of the House Judiciary Committee, which will conduct the investigation, and it seems to me that he will oversee a competent, complete, non-partisan yet fair investigation. I also know many other members of the House Judiciary Committee, both Republicans and

Democrats, and as a group I find them to be superior.

CONCLUSION

In essence, I believe firmly that we in America who love liberty must be continually aware that due process and fairness are two-edge swords which cut just as properly for the accused as the accusers. We must never permit judicial, legislative or executive ends to justify judicial, legislative or executive means. . . . We must all—lawyers and non-lawyers alike—contribute in all reasonable ways to a prompt but proper disposition of the national dilemma we style "Watergate". Our people are sick and tired of it and are disgusted with the circumstances which created it. If I know anything, I know that it is in the interest of our nation that the mess be promptly resolved and put behind us.

Mr. Speaker, the full text of Chesterfield Smith's address follows:

REACTIONS TO WATERGATE: THREATS TO JUSTICE

(Address by Chesterfield Smith)

As this most sturdy of all nations begins its one hundred and ninety-eighth year, it is embroiled in one of the grave political crises of its history. The presidency, for many months now, has been under severe and sustained attack from all quarters. Certainly it is true to say that the leadership of our nation is not currently able to direct its full attention to either our domestic or foreign affairs. We recently witnessed the bitter, tragic and unprecedented resignation of the Vice-President during a criminal investigation, and for the first time, the selection and seating of a new Vice-President, Gerald Ford, without the use of the electoral process. There are those—and I am one of them—who believe that the historical impact of current events on our nation's future will be second only to that of the Civil War.

Unquestionably, widespread distrust of the federal government at all levels is pervasive among our people. A substantial majority of the people of this nation distrust almost all governmental officials—they have lost much of their trust and respect for the high office-holders in our National, State and local governments, whether those officials are members of the Republican or Democratic parties.

Certainly the picture can be painted too dismally and I do not mean to do so—I do firmly believe—given even the seemingly inexhaustible chain of terrible events that we now lump under the umbrella title of Watergate—that we—as a country—and our government—as a structure—can and will meet the challenges now posed.

Despite that admitted optimism—as a national spokesman for the legal profession—I must express my very real concern about the long-range impact of the revelations that politics has played a dominant role in the decision-making processes of those who traditionally have been entrusted with national law enforcement. In so using the word "politics", I mean it in the classical sense—that is—"The art or science concerned with winning and holding control over a government". It seems clear that everyone will agree that—so used—politics has no place in either law enforcement—or in the administration of justice.

But, as never before in our nation's history, many of our citizens suspect that a large portion of the acts of national law enforcement officials are politically motivated. Watergate and other sordid events surrounding the presidential election of 1972 have emphasized that all federal law enforcement agencies must be depoliticized if they are to fully regain public acceptance. Political motivations directed toward winning elections have no place in our justice system, even though admittedly it is true as an evolu-

tionary matter that the bringing of politics into the justice system has been a bipartisan mistake involving both Republican and Democratic administrations.

As a lawyer—as an officer of the courts—I become most apprehensive about this major entry of politics into the administration of justice. A substantial amount of the evils of that entry—though far from all—has been revealed by Watergate. The creation of those evils has been demonstrated again and again to be all encompassing—in that contributions thereto have been made by both political parties—by all three branches of the national government—by the press—and above all, by we the people. As Pogo so pungently stated—"We have met the enemy, and he is us."

Let me try to develop these generalizations into something more specific. The beauty of our justice system as it has evolved over the last several hundred years is that in a very real sense it has worked. The fundamental basis of the system is due process. We have over the years found that in an adversary proceeding involving equal advocates in which due process is observed—the truth can be ascertained—the verity of evidence can be determined. Through the contending forces of balanced opponents in a proceeding presided over by an impartial judge, we have found that justice is obtainable. One of the significant developments in the current governmental mess was the very substantial reaction of the majority of the people of this nation when it appeared to them that the President of the United States was not going to comply with court orders—that he really did not intend that those accused of being involved in Watergate be subjected to our normal criminal justice procedures. Whether justified or not, there are very large numbers in this country who continue to doubt that our federal criminal courts can arrive at the truth and determine the guilt or innocence of the suspected wrongdoers. That doubt is, of course, occasioned in large part by the suspicion of a great mass of our people that Richard Nixon himself may be in some way involved—that Richard Nixon will in some way block a full investigation of the White House—and of his close friends and associates. They believe—or at least fear—that his powers as President are such that the adversary system will fail—that he can and may use presidential authority to prevent the court proceedings from being effective.

This belief on the part of so many—whether true or false—has caused emotional reactions which—in the long run—may be just as dangerous to our system of justice as the particular actions of those under investigation.

For—even given the misdeeds of others—we must remain true to the basic principles of justice. Regardless of the depth of our own personal inclinations, we must at all times reserve to those who have been accused the constitutional rights guaranteed to all citizens. While Watergate is admittedly a unique situation without parallel, due process is not a principle to be thrown out the window in special or even emergency situations. Due process requires that no one be convicted on hearsay—innuendo—speculation—or assumed transgressions—no matter how ostensibly apparent.

Let me elaborate on some of the misgivings I have. First, it seems to me that the constitutional issues which have been raised by President Nixon in this crisis are very real and very significant. Certainly, executive privilege as it rises out of our cherished separation of powers has proven its worth in our constitutional history. But at most, executive privilege is only a privilege personal to the President which is treated in the courts as a rule of evidence. The President can without the permission of his communicant waive the privilege, and historically he has usually done so. President Nixon in my

Judgment originally raised the issue of executive privilege in a proper way. I further believe that he should have done so. The fact that later the courts ruled against the President's contentions should not prejudice anyone against the President because he raised them. But many persons have so reacted. They have articulated an opinion that there must be something in those tapes incriminating to the President or else he would not try to keep them secret. On the other hand, there are those who support the President by suggesting that such a reaction does violent abuse to our traditional presumption of innocence. It seems to me that both positions are wrong.

The presumption of innocence as a rule of evidence in court has never been absolute, and the evidentiary rule of executive privilege likewise has never been held in our history to be absolute. The purpose of the presumption of innocence has been to require that those prosecuting a criminal charge discharge the initial burden of presenting proof of guilt, and the purpose of executive privilege has been to protect the presidency in the discharge of its responsibilities. The presumption of innocence has never meant that we as a people could not look at the totality of the facts as we perceive them and then arrive at a conclusion, and the executive privilege has never meant that the President could use it to conceal crime. The presumption of innocence is a rebuttable one which can be quickly overcome by conclusive evidence of guilt, and executive privilege is not operable when the evidence sought for a criminal investigation should be revealed in the national interest. We do not yet have the totality of the evidence—the evidence of guilt as yet presented is far from conclusive, and Judge John Sirica after an in camera inspection of the disputed evidence has not yet indicated how far the claim of executive privilege of relevant evidence in the possession of Richard Nixon will be sustained.

Believing in both the presumption of evidence and in a qualified executive privilege, I am greatly alarmed that such a large group of our people have apparently finally concluded that the real reason the issue of executive privilege was raised in court by Richard Nixon was to conceal evidence or to obstruct justice rather than his announced concerns for protecting the historical precedent. It seems to me that the President was right in his original approach to executive privilege, and that regardless of the presumption of innocence, fairness dictates that we give him the benefit of doubt until all the evidence is available. The prevailing attitude of our people is of much concern to me in that grave constitutional issues are decided not on the merits but on the basis of suspicions of the motives of the one who asserts them.

As a lawyer, it seems further to me that the proposal made by President Nixon—that Senator John Stennis of Mississippi hear the controversial presidential tapes and certify summaries thereof might well have been a proper and acceptable compromise to resolve the conflicting constitutional contentions. But, it also seems to me that—despite the possible merit of his suggestion, the President—or his advisors—then made a horrible mistake. In a most inept way, the President by unilateral fiat, insisted that the compromise device be accepted without a court decision as to whether that procedure would meet minimum evidentiary standards in criminal proceedings. He simply told Archibald Cox that he could not go to court seeking any evidence of crime which might be in the White House. It was my personal opinion then—and it is my personal opinion now—that Richard Nixon—by mandating instructions to Special Prosecutor Cox not to seek a court decision on the tapes, the summaries, or on other evidence which might be material to the investigation, engaged in an unbelievable flouting of the rule of law.

I am so very glad that he upon further reflection, and perhaps after hearing the very substantial outcry from throughout the nation, is now apparently willing to permit Leon Jaworski, the new Special Prosecutor, to seek a court test of any contention he makes on whether particular evidence in the White House can be withheld from grand jury consideration. While I think that Richard Nixon was very wrong in attempting to control the actions of the Special Prosecutor in seeking evidence of crime from the White House, I think too that it is equally wrong for we the people to conclude that the presidential action in discharging Archibald Cox—or even Elliot Richardson or William Ruckelshaus—was designed by him to keep concealed matters criminally incriminating to the President or his associates.

I think this even though I also strongly feel the methods utilized heretofore of having a Special Prosecutor who is part of the Department of Justice investigate the President who controls the Department of Justice is also a gross mistake. I admire and respect Leon Jaworski, who has been a dear friend of mine for years, but I very much regret that he had to go to the White House to be interviewed by General Haig before Acting Attorney General Bob Bork could appoint him. The firing of Archibald Cox was not the tragedy—probably Leon Jaworski will do a better job—the tragedy was that the Congress—the President—and we the people—by creating a situation where the investigator was under the dominion of the investigated—were sidetracked or diverted from a definitive Supreme Court resolution of the conflicting constitutional contentions.

All of this is a prelude to stating my own personal conclusion that those who are suggesting that Richard Nixon resign as President of the United States at this time are ignoring basic elements of due process which in the end could set a very bad precedent—a precedent which I believe could ultimately cause tremendous mischief to governmental stability. If President Nixon is to leave office before his term expires, I believe that he should only do so as a result of the constitutional impeachment process, the process designated in the constitution as the only way to determine whether a sitting president should continue in office. His ouster should not be through resignation brought on by public clamor. It was only a few short months ago that an overwhelming number of voters gave an endorsement to the policies and positions he advocated as a candidate.

I submit that those people who in good faith supported his cause are entitled to have all of the available evidence—which shows whether the President has or has not violated that public trust—revealed for open inspection by the Congress, by the courts, by the media, and, through the media, by the general public. A forced resignation of the President could only leave within the breasts of many of our people a feeling that perhaps evidence sufficient to justify impeachment was not really there and that the whole affair was nothing more than a political assassination. Whatever the rebuttable presumption of innocence does or does not mean, it certainly encompasses the necessity that the totality of all available evidence be considered by the people of this country before a conclusive determination of either the guilt or innocence of President Nixon is finally reached. We must give to him as to all citizens the due process rights to which he is entitled.

We must keep in mind that the courts are not and will not be in a position to either acquit or convict Richard Nixon while he is in office. It was only recently that I reluctantly became convinced that it is in the best interest of this nation that the continued right to the presidency of Richard Nixon be decided in the Congress through an im-

peachment proceeding, the only due process forum in which the issue can be concluded.

So, as an individual citizen, I hope that the House of Representatives, through its Judiciary Committee, will push ahead vigorously with its pending investigation of whether or not the President should be impeached and tried for removal from office.

I want to reiterate that I as an individual am suggesting only that the impeachment investigation by the House Judiciary Committee go ahead—I am not taking a position on the merits of impeachment nor will I—at least until that investigation is complete. Since I consider impeachment primarily political in nature, I want also to clarify that as President of the American Bar Association—I do not feel it proper that the American Bar Association ever take a position on impeachment, or if the House does impeach, whether the Senate should vote conviction thereon—the views I now express are my own and do not represent policies or positions of the Association. I do reiterate that it is my personal position that there can be no matter more important to us on the domestic scene—nor none more detrimental to our foreign relations—than this political never-never land where a majority of our citizens continue to suspect the motives of the leader of the country in every move he makes. If after full investigation by the House of Representatives the President is not impeached—or if he is impeached but not convicted by the Senate—I for one will permanently put Watergate behind me and I believe that most others will too.

I am personally acquainted with Congressman Peter Rodino, the Chairman of the House Judiciary Committee, which will conduct the investigation, and it seems to me that he will oversee a competent, complete, nonpartisan yet fair investigation. I also know many other members of the House Judiciary Committee, both Republicans and Democrats, and as a group I find them to be superior. All of them are lawyers, and I feel that the committee, through its processes, will now be able to secure all available evidence so that a final and conclusive consensus of the guilt or innocence of Richard Nixon can be reached by the American public. The credentials of John Doar the new Republican General Counsel of the committee, are most impressive, and the overall approach of the committee to date to the compelling task it faces has left me with a feeling of satisfaction that the task will be properly and expeditiously handled.

I believe that the House Judiciary Committee will in either late April or early May file its report with the House of Representatives, and that in either June or July we in this nation through a vote of the entire House of Representatives will know whether or not Richard Nixon's continued right to office will be tried by the United States Senate in July and August. I do not predict what the House Judiciary Committee will do—or what the House of Representatives will do—or what the Senate will do—nor do I express either a prediction or a personal conviction of what any of them should do. I only know and hope that the entire matter may be finally resolved in one of what I believe to be the only two possible ways—that is—by either a restoration of confidence and credibility of our people in the leadership of President Nixon or falling that—by his removal from office.

But Watergate has occasioned me much concern in multiple other areas and I submit that these matters should also concern others who value our system of justice. Reliance on immunity to encourage and sometimes possibly even to demand what might be at best questionable testimony certainly to the extent practical should be eliminated from our judicial processes. Grand jury manipulation, and grand jury and prosecutorial leaks, have also appeared

as burgeoning problems of monumental proportions to the fair administration of justice and to the civil rights of those under criminal investigation.

Lawyers and non-lawyers alike should be continually concerned with problems of this sort. These matters of justice are too precious to be left to Congress—or to lawyers. We must be as adamant in damning grand jury leaks in Spiro Agnew's case as we are in defending Justice Lewis Powell from personal attack. We must be as zealous in condemning statements made inappropriately by public officials—including specifically—statements made by Archibald Cox concerning matters he had learned from Richard Kleindienst in his investigation—as we are about viewing the income tax returns of Richard Nixon. We must be as legally indignant at the playing of presidential tapes at a cocktail party by William Dobrovir as we are at campaign contributions made by large national corporations. We must be as concerned about the political use of the office of United States Attorneys—or the Attorney General—as we are about the surreptitious entry of a doctor's office to steal his records for use against Daniel Ellsberg in then pending criminal trial.

We must be as concerned about Federal Judge John Sirica—no matter how worthy his motives or how much we may applaud his results—using the criminal sentencing process against the Watergate burglars as a tool for the further criminal investigation of others, as we are about Spiro Agnew committing income tax fraud. We must be as concerned about a John Ehrlichman and Richard Nixon offering Judge Matthew Byrne, then presiding over the criminal trial of Daniel Ellsberg, the directorship of the FBI, as we are about huge campaign contributions made by those who are simultaneously seeking massive governmental favors. Of monumental concern should be the nationwide televising day after day of the testimony of those who may or may not have engaged in criminal activities and who have been neither indicted nor tried.

It appears to me that many innocent people have been irreparably damaged with little beneficial result. While certainly the public's right to know is of paramount significance, and while the Ervin Committee has on the whole conducted itself with admirable restraint and fairness, it seems to me that the ex-parte nature of a publicly-televised Senate hearing in which only one side is presented, in which there is no right by the person testifying to confront other witnesses, to cross-examine opposing statements, to refute testimony damaging to his own position, is a growing cancer to the fair administration of justice. Frankly, I can see no justification for a witness being compelled by congressional subpoena—against his will—to go before a national television audience. I believe that whether the witness himself is or is not under criminal investigation, and whether or not the investigation is being conducted by fair men like Sam Ervin, Howard Baker, and Herman Talmadge. While I acknowledge that the Congress is entitled to all useful testimony, it seems equally demonstrable to me that Congress can draft legislation and otherwise discharge its legitimate functions without the destruction of personal privacy necessarily inherent in the compulsory televising of testimony against the will of the witness.

In essence, I believe firmly that we in America who love liberty must be continually aware that due process and fairness are two-edged swords which cut just as properly for the accused as the accusers. We must never permit judicial, legislative or executive ends to justify judicial, legislative or executive means.

Perhaps it is proper that I comment on the lawyer's role here. I believe that the reactions of lawyers to the issue of due pro-

cess through the organized bar is essential—because lawyers in my opinion comprise the group which collectively can exert the maximum beneficial impact upon all elements of the government insofar as due process and fairness is concerned. Because we have that impact—lawyers also bear the most responsibility. Put more bluntly, lawyers bear the largest part of the blame when the system of justice fails. This is as it should be and I don't believe that our profession should deny that responsibility. On the contrary, we should be honored by it. Lawyers should lead the way in making it fashionable to be honest and fair—and to be hardnosed about moral standards—and proud of it—damn proud of it.

To be able to exert this moral influence and to provide the leadership in preserving and protecting our basic principles, lawyers must keep their own house in order. It is incumbent upon lawyers to see that those practitioners who bring discredit upon the legal profession by their actions in public life—and in private practice—are promptly and vigorously challenged and removed from the legal profession. That is so whether the lawyer be named Agnew or Cox, Dobrovir or John Dean, Mitchell or Ehrlichman, Pat Gray or Egil Krogh, Howard Hunt or Gordon Liddy. Strong disciplinary bodies at all levels must be a reality. Further, we must let every branch of government—executive, legislative and judicial—know that we expect absolute integrity and service of the highest quality from public officials who are lawyers.

We can and will not permit lawyers in government service to engage in acts involving moral turpitude and get away with it, regardless of whether they are acting as lawyers—or as government officials—or in any other capacity. Finally, lawyers—as well as all citizens—must readily acknowledge and reward integrity and excellence in public service. We must encourage honest and solid politicians in public service. While we can be very satisfied that the overwhelming majority of our public servants do now fall within that category, we must support those fine public servants in both their elections and in their service.

We should work for improvements in campaign spending regulations and conflict of interest laws at the National, State and local levels. We cannot become pessimists about integrity or apologists for our political system. We—instead—must be as quick to defend, promote and support integrity as we are to speak out against immorality—as quick to speak up for fairness as we are to condemn transgressions.

But lawyers above all share one over-riding task with all other citizens who love our land. We must all—lawyers and nonlawyers alike—contribute in all reasonable ways to a prompt but proper disposition of the national dilemma we style "Watergate". Our people are sick and tired of it and are disgusted with the circumstances which created it. If I know anything, I know that it is in the interest of our nation that the mess be promptly resolved and put behind us.

#### WE NEED A NEW MINIMUM WAGE BILL

**HON. JOHN N. ERLBORN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ERLBORN. Mr. Speaker, when this House sustained the veto of the minimum wage bill last September, President George Meany of the AFL-CIO

apparently decided that there would not be another minimum wage bill during the 93d Congress.

That was 4 months and almost 4 percentage points of inflation ago. Workers at the bottom of the pay scale deserve better pay. They have waited patiently.

Every one of us in this House knows that there is a way to meet their need, a way that is veto-proof. A veto-proof bill is a product of compromise, and President Meany has done all that he can to discourage compromise. Many Members await only his assent to help pass such a bill. I urge President Meany to get off the backs of the low-paid workers and take a load from the shoulders of the Members who are oriented toward organized labor.

#### STRENGTHENED ENDANGERED SPECIES ACT BECOMES PUBLIC LAW

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DINGELL. Mr. Speaker, by permission previously granted, I am including in the CONGRESSIONAL RECORD the statement by the Honorable Rogers C. B. Morton, Secretary of the Interior, regarding the Secretary's comments relative to the public law regarding the Endangered Species Act of 1973, which Congress prudently enacted in the 1st session of the 93d Congress.

Secretary Morton's statement to the public includes his comments relative to the authority granted the Secretary of the Interior in the public law and the provisions of that public law which he and the Department of the Interior shall implement.

I include the Secretary's statement of January 3, 1974, on the Endangered Species Act of 1973:

#### SECRETARY MORTON COMMENTS CONGRESS FOR PASSAGE OF ENDANGERED SPECIES ACT

Secretary of the Interior Rogers C. B. Morton today commended the Congress for its prompt passage of the Endangered Species Act of 1973 signed by President Nixon on December 28.

"This new legislation will assure a higher degree of protection for those species of animals which are in jeopardy in the United States and around the world," Secretary Morton said.

Among its provisions, the Act establishes two categories of species subject to Federal protection—"threatened species" and "endangered species"—creates a Federal-State partnership to conserve such species, and authorizes a matching grant-in-aid program to assist the States in carrying out this objective.

Secretary Morton indicated that he will make full use of the authorities provided by the legislation "in order that present and future generations of Americans may continue to enjoy the wildlife resources which are such an important element of our natural heritage. I have directed the Fish and Wildlife Service to prepare for prompt, effective implementation of the statute."

In greater detail, the Endangered Species Act of 1973 does the following:

Addresses the need to identify those spe-

cies which, though not yet in danger of extinction, are likely within the foreseeable future to become endangered by creating a new list of "threatened species" subject to Federal protection in addition to the "endangered species" category established by the 1969 Act. These lists will be maintained by the Interior Department.

Extends protection to species that are in trouble in any significant portion of their range, not just to those that are threatened with worldwide extinction.

Eliminates existing dollar ceilings under the Land and Water Conservation Fund Act (166 U.S.C. 4601-4) on the acquisition of critical habitat for endangered and threatened species of animals or plants.

Permits the Federal Government to share, up to two-thirds, in the costs of State programs for the conservation of endangered and threatened species which have been approved by the Secretary of the Interior. An appropriation of \$10 million is authorized for such financial assistance over an initial three-year period.

Implements the Nation's obligations under the "Convention on International Trade in Endangered Species of Wild Fauna and Flora" signed in Washington, D.C., on March 3, 1973, when the ratification process is completed.

Prohibits the unauthorized import or export, taking, possession, sale, delivery and transport of endangered species. The Secretary of the Interior may extend such prohibitions to threatened species by separate regulation.

Requires all importers and exporters of wildlife to obtain a permit from the Secretary of the Interior and maintain certain records.

Continues requirement that all wildlife be imported through officially designated ports of entry.

Permits the Secretary of Commerce to make additions to the endangered and threatened species lists for marine species which come under his jurisdiction.

Directs the Secretary of the Smithsonian Institution to review species of plants which are now or may become endangered or threatened and to devise methods for their conservation. A report is to be made to Congress within one year.

Directs all Federal departments and agencies to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of endangered or threatened species or result in the destruction or modification of habitat critical to such species.

Provides for criminal penalties up to a \$20,000 fine and/or one year imprisonment for willful violations of certain provisions of the Act and up to a \$10,000 fine and/or six months imprisonment for less serious violations. Civil penalties up to \$10,000 also are authorized by the statute. In all cases, authority is provided for subjecting to forfeiture any wildlife or plants connected with violations of the Act.

BURR P. HARRISON

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 1974

Mr. WHITEHURST. Mr. Speaker, I am pleased to rise on behalf of the memory of the Honorable Burr P. Harrison, who served the Commonwealth of Virginia so effectively during his tenure here.

I was not a Member of the House during his years of service, nor did I ever have the pleasure of meeting him in person. However, I do remember that he

was the first Congressman I ever wrote to. It was in 1949, when I was a student at Washington and Lee University in Lexington, Va. In the 25 years that have passed, I have forgotten the subject, but I do recall that I was pleased with the answer I got, and even though I did not vote in Burr Harrison's district, I appreciated his promptness in responding to a student who was just a transient constituent of his.

I think that this episode is an example of the kind of Congressman Burr Harrison was, and the memories of my colleagues here confirm his service. I therefore salute a distinguished public servant, who left a record that all of us can aspire to emulate, and I send my deepest sympathy to his widow.

CONGRESSMAN FRANK THOMPSON'S PREDICTIONS FOR THE NEW YEAR

HON. JOHN BRADEMAs

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. BRADEMAs. Mr. Speaker, it has for many years been the custom of our distinguished colleague, the gentleman from New Jersey (Mr. THOMPSON) to offer predictions for the New Year.

As a contribution to the reflection of Members of the House, I ask unanimous consent to insert at this point in the RECORD the text of Mr. THOMPSON'S statement of predictions for 1974:

CONGRESSMAN FRANK THOMPSON'S PREDICTIONS FOR THE NEW YEAR

For a number of years now I have been foolish enough to issue predictions of events to come in the New Year. My batting average has been very low—but, after all, who could have predicted the wacky events of the last few years.

During 1973 the Nixon Administration treated us to some moments of high—and low—comedy. At the top of my list is Rose Mary Woods' performance—certainly the classiest toe-dancing since Nijinsky. The question of the year is how she could stretch for the telephone while keeping her foot down on that pedal. Only her chiropractor knows for sure.

My well-informed sources tell me that we can expect more of the same in 1974.

January.—White House claims that gap on tape was caused by radiation from Comet Kohoutek; Energy Chief William Simon announces nationwide shortage of hair oil; H.R. Haldeman returns to crew cut.

February.—Comet Kohoutek fizzles; White House blames Arab oil producers; David Eisenhower and Eddie Cox form rock group called "Sons-in-Law"; Fiat announces new sports car powered by olive oil.

March.—Howard Hughes books "Sons-in-Law" for three-year engagement at Las Vegas hotel; White House admits President considered offering Vice Presidency to Judge Sirica; Datsun announces new sedan powered by soy sauce.

April.—President invites Members of Congress, Supreme Court and Billy Graham to White House party celebrating signing of his 1973 tax returns; entertains guests by playing Watergate tapes to music of Lawrence Welk.

May.—Volkswagen announces new "bug" powered by Rhine wine; White House admits break-in of Daniel Ellsberg's chiropractor.

June.—Energy Chief Simon announces critical shortages of olive oil, soy sauce and Rhine wine; White House scientific advisor

discloses plans for new car fueled by old vice-presidential papers.

July.—Howard Hughes and Robert Vesco form rock group called the "Peekaboos"; California students announce new car powered by "grass"; it doesn't run, but nobody cares.

August.—Republican National Committee announces it has booked the "Sons-in-Law" and the "Peekaboos" to play at 1978 Convention; President applauds Committee's taste.

September.—William Simon holds press conference to announce end of energy crisis; TV lights cause brownout on East Coast; Secretary Butz announces plans to export ragweed to Russia.

October.—Secretary Kissinger announces end of Arab-Israel conflict; celebrates settlement by downing BLT on bagel.

November.—Secretary Butz announces plans to export hayfever remedies to Russia; President Nixon discloses he voted Democrat.

December.—Energy Czar William Simon declares energy crisis operative again; orders S. Claus to hold sled speed to 55. Claus goes on strike. "I couldn't cover Brooklyn at that speed" he says. Nation's truck drivers go out in sympathy.

BETTER LISTENING, THINKING, AND SPEAKING

HON. ANDREW J. HINSHAW

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. HINSHAW. Mr. Speaker, it is with a great deal of pleasure that I announce the 50th anniversary of the Toastmasters International which will occur in the year 1974. This organization, which has its worldwide headquarters in my district in Santa Ana, Calif., has a current membership of over 60,000.

Members of Toastmasters from over 40 countries will be attending the 50th anniversary meeting which is to be held in Orange County, Calif., later this year.

In recognition of the contribution Toastmasters International has made, the U.S. Postal Service has agreed to provide for a special stamp cancellation.

Because of the success of Toastmasters International throughout the world, I am taking the opportunity of its 50th anniversary year to explain some of the background and purposes for which this organization was founded.

BETTER LISTENING, THINKING AND SPEAKING . . .

This is the basic idea behind Toastmasters—a concept that has become a part of America and its people for half a century—culminating in this, the 50th Anniversary of Toastmasters.

It all began on a rainy Wednesday evening in October of 1924. Two dozen men gathered together in the basement of the YMCA in Santa Ana, California, to "afford practice and training in the art of public speaking and in presiding over meetings and to promote sociability and good fellowship among its members."

The group included the editor and publisher of the local newspaper, several teachers, a junior high school principal, a few businessmen, a merchant or two, a contractor and a lawyer. They ranged in age from their early 20's to their late 40's and differed widely in personality, financial status and educational attainment. These men were brought together by the general secretary of the "Y," Dr. Ralph C. Smedley—to form what was to be the first Toastmasters Club.

Little did Dr. Smedley, or anyone else, realize that this informal meeting would someday grow into an organization with more

than 60,000 members in more than 40 countries.

To speak is generally accepted as a God-given talent; to speak well is another matter.

For 50 years, Toastmasters has helped to fill a void in this ever-changing world of ours, a world that depends so much on communication.

Toastmasters has offered the opportunity for individuals to learn effective communication, not by rules alone, but by actually speaking to groups in an atmosphere of understanding and helpful fellowship, building not only better communicators, but better leaders.

Through these weekly or semi-weekly meetings, the individual finds a newborn confidence in his ability to communicate and, in light of this discovery, finds more reason for confidence. Their ability to communicate ideas is improved along with their increased understanding of others, a vital aspect in the Toastmasters program.

This idea of helping and understanding others has also helped the communities in which we live. Toastmasters have often found that their training has enabled them to develop unique abilities to serve and grow with their communities.

Thousands of Toastmasters have used the leadership abilities they have developed in the program to assume positions of responsibility in their businesses, churches, fraternal and service organizations and charity groups. They are often the only members of these groups who have had experience in organizing activities and conducting meetings properly. Many times, they are the only people within their organization who can speak effectively in public.

Toastmasters Clubs often present special programs and activities for the benefit of their communities. The Youth Leadership Program teaches young men and women the basic techniques of communication and helps prepare them for taking positions of leadership in tomorrow's society. Speechcraft is an eight-week program presented to the public at minimal cost and teaches the fundamentals of public speaking. In this way, the individuals that have benefited from Toastmasters training can now share it with others, helping to create a stronger and greater community.

Besides helping members develop their communicative abilities, Toastmasters also help provide their people with the quality of leadership. In the Toastmasters program, they learn how to follow parliamentary procedure, how to take responsibility, how to plan and they exercise the basic fundamentals of leadership by holding club offices.

Today, the shortage of people with leadership ability threatens not only our nation's, but also the world's, business, industry and government.

As a solution to this urgent problem, many businesses have organized and financed training programs at colleges and universities, concentrating not so much on technical subjects, but rather on the humanities, literature, the arts and history.

Although the Toastmasters program is not a course, as such, it does offer a practical laboratory which supplements formal education. Through the Toastmasters experience, the individual is given the opportunity to meet and join in self-improvement efforts with other conscientious people from a wide variety of professions and vocations. He has a chance to hear interesting talks on an unlimited variety of subjects, which often inspire further study. Confidence is gained and ability to organize and present ideas and thoughts is increased, along with the ability to analyze words and deeds of others and to join in evaluations of them.

All contribute to the development of the qualities of leadership and will prove valuable in everyday life, regardless of the vocation, age or goals.

Since its founding, Toastmasters has been praised by scores of industry leaders—a compliment the organization has not sought, but one of which it is understandably proud. Wallace Jamie, Director of Public Relations of The Carnation Company, once described the people who become active in the club, saying that "... the very fact of their participation indicates that they have a strong motivation to succeed... Most Toastmasters have accepted the idea that they need to develop. The Toastmaster is making a contribution of his time and money toward his own development. Thus, a company has reason to believe it is building on a solid base in such a man when it makes an additional investment."

Such comments reflect a widespread industry in the worth of the Toastmasters experience. The person who has learned to get along with his fellow Toastmasters also tends to get along with his fellow workers, and is usually a more mature, better adjusted individual and one who will be a good influence in his job and community.

Because they are aware of the value of Toastmasters training, hundreds of firms, institutions, churches, fraternal and national organizations and associations, as well as branches of the armed forces, have encouraged and even sponsored the formations of Toastmasters clubs.

In the 50 years of its existence, Toastmasters and its participants have not changed all that much. The participants, much like the men who gathered together in the basement of the YMCA in 1924, still share one goal. They have a driving ambition to improve their ability to communicate, to express themselves easily and forcefully, to become more effective group workers and leaders, and to meet the demands of daily life with confidence.

This, then, is the finalized concept behind this non-profit, educational organization—Toastmasters.

Won't you join me in "better listening, thinking and speaking" in this, the 50th Anniversary of Toastmasters?

## INDEPENDENCE OF UKRAINE

### HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DELANEY. Mr. Speaker, the 22d of January is a very significant date in modern history. It marks the 56th anniversary of Ukraine's Proclamation of Independence from Russia. The roots of this bitter freedom struggle can be traced back more than two and a half centuries. It was not until the end of World War I, when the Russian Czar was overthrown during the Soviet's internal revolution, did the Ukrainians realize freedom.

Unfortunately this cherished independence was very brief. The following year Russia officially recognized the young democratic republic, but at the same time began formulating plans to conquer the new Ukrainian government. It took 3 years of continuous assaults to finally bring the sovereign state under Communist control. The Soviets went quickly to work depriving these brave people of all basic human rights. Those who retaliated were persecuted, imprisoned, and murdered. But despite these severe hardships the Ukrainians have refused to relinquish their cultural ties

with the past and hope for eventual self-determination.

I am proud to join my colleagues in this commemoration and ask that we pledge ourselves to help Ukraine in her fight for liberation so that she may stand tall together with the other free nations of the world.

## AVIATION IS DOING ITS PART

### HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. MILFORD. Mr. Speaker, in a speech before the Wings Club in New York, Alexander Butterfield factually dealt with the energy shortage as applied to the aircraft industry.

He discussed conservation programs—both those that work which have been implemented by the Federal Aviation Administration which he directs—and those which could not be immediately implemented.

His programs are designed to encourage the vital airplane industry, both commercial and general, yet decrease fuel requirements.

Mr. Butterfield's speech is timely. It is rational. I should like for my colleagues in the Congress to know about this facet of our current energy crunch.

The speech follows:

REMARKS BY ALEXANDER P. BUTTERFIELD, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION

I was delighted to accept Harding Lawrence's invitation to meet with you today. It gives me the unusual opportunity of talking about the business of aviation with aviation businessmen. Of interest to you all, I'm sure, are the prospects for our industry in this new year and the steps Government and industry jointly are taking to lessen the impact of fuel shortages on aviation transportation.

Events of the past year have bordered on the paradoxical for all segments comprising aviation, the largest of American industries. It has not been, by any means, a vintage year, yet business has never been better.

According to the Aerospace Industries Association, 1973 manufacturing sales climbed to \$24.9 billion—more than ten percent greater than 1972 sales. And, looking toward the future, industry's authoritative publication, Data Marketing Service (DMS), following an exhaustive analysis of business indicators, is confident that aircraft production will rise by 41 percent during the next ten years. In its world forecast for the period 1973-1982, the DMS estimate is that some \$134 billion worth of military, commercial and general aviation aircraft will be built.

As for the airlines during the year past, the Nation's scheduled carriers boarded more than 200 million passengers, and the switch to air travel over other public transportation modes continues to climb.

Air freight movements are growing dramatically, too. During 1973, the airlines set a record of more than a billion dollars in freight revenues for a single year. Last, but by no means the least, general aviation manufacturing—industry's bellwether—has also boasted dramatic increases in units sold as well as net billings. During 1973, the industry sold 13,645 aircraft with wholesale factory billings exceeding \$826 million. This represents a 40 percent increase in sales and a

48 percent increase in billings over 1972. Especially noteworthy is the fact that more than one-fourth of these sales, a quarter-of-a-billion dollars, were sold abroad—in the face of an increasingly stiffening international market.

Right now, the Soviet Union is greatly interested in our air traffic control system equipment and procedures.

In July, I travelled to Moscow to discuss this. They're interested, and if they buy, their purchase of U.S. air traffic equipment during the next ten years might well top a billion dollars.

So prospects for 1974 are good. But as the aviation industry has moved into the economic climate of the new year's first quarter, the incursive threat of petroleum shortages, unless we plan carefully, may disrupt this most vital aspect of transportation, slow the Nation's business dangerously, and impact the entire economy. To give perspective to the economic impact of the fuel shortage and its associated increase in fuel prices, each one-cent rise in the price of fuel costs the airline industry \$100 million annually.

Needless to say, the Federal Aviation Administration, acting as the catalyst with industry, is planning carefully—perhaps as never before—to avert an aviation crisis in both private and commercial transportation. And, we are, I am confident, succeeding.

It's a challenge. It affects everyone in the Nation, all 210 million of us. No one can escape it, and each of us has an important role in meeting it. Much of our energy has been used wisely to make our lives more comfortable and to improve our standard of living. Nothing wrong in that. But we Americans over the years have looked upon energy, petroleum supplies in particular, as an unlimited economic resource almost like air.

For some time, President Nixon has been determined that we change our habits and attitudes to conform with energy realities. In April 1973, he launched a major program to deal with our energy problems as they then existed. At that time marginal shortages were predicted but they could have been handled with minimum impact. The Middle East war, of course, changed all that. The war turned a petroleum problem into a full-fledged crisis. I won't recite the statistics of fuel shortfalls since Arab embargoes became effective. You are as familiar with them as I am.

Some of what you've heard about shortage of petroleum products for the aviation industry is accurate; some is exaggerated; some misleading; and much of it simply not true.

Admittedly, there remains considerable confusion as to the exact nature, depth and extent of the petroleum shortage for all users, including aviation. Bill Simon's office is working hard at this moment to obtain better data on the problem. FAA is working with the Federal Energy Office, with the Department of the Interior, other agencies of the Department of Transportation, and with industry trade organizations to develop workable, practicable fuel conservation allocations, flight procedures, and air system management techniques.

In late October, and again last Friday, January 11, FAA held consultative conferences with major elements of the industry to seek solutions to the energy problem.

The meetings were invaluable because they placed FAA and the transportation industry somewhat ahead of the power curve in meeting both short and long-range effects of fuel shortages now emerging. Follow-on action responsibilities for industry, the FAA, and mutual FAA/industry actions to meet the emergency have been identified.

As a result of these meetings, a number of very significant fuel saving programs and activities were determined. The use of aircraft simulators for pilot training and flight checks is both a good and a typical example. At the time of our October conference, FAA

had already taken steps to increase the use of simulators as a conservation measure.

Spurred on by conference suggestions, FAA finished processing comments and published the final rule 22 days after the comment period closed on December 6. This single step will save 3,300 barrels of fuel daily. What's more, we anticipate that the increased use of flight simulators will result in a considerable improvement in training efficiency without the slightest derogation of safety.

Taxing with fewer engines is also a promising fuel conservation measure. This procedure is currently under study by FAA, the Air Transport Association and the Environmental Protection Agency. If safety and environmental considerations of taxing on reduced engines prove acceptable, voluntary compliance will be launched this month.

We're also moving along as quickly as possible to improve our current area navigation system (RNAV). For those of you not entirely familiar with RNAV, this is a technique that permits more direct routings with a resultant saving in fuel. We are now running a complete cost-benefit analysis to determine the payoffs stemming from RNAV use. For your information, as of January 1, 1974, there were 164 RNAV jet routes and about 150 RNAV instrument approach procedures.

On November 20, again as a result of intelligence developed during FAA's October 24 consultative conferences with industry, I announced a seven-point program for increasing aircraft operational efficiency and designed to save up to 20,000 barrels of jet fuel per day.

The savings, incidentally, would amount to 2.7 percent of the total amount of jet fuel consumed daily in the United States and, moreover, will be accomplished without compromising aviation safety. Some of these actions include: revision of gate-hold procedures; revision of air traffic flow procedures; the increased use of optimum aircraft cruising speeds; holding aircraft at higher altitudes to effect greater fuel savings; and taxiing aircraft with fewer engines.

On November 21 air traffic controllers throughout the system were issued the following instructions:

1. Relax the requirements for preferential routings, which frequently impose fuel penalties, during periods when there is no valid operational need.
2. Assign the most economical altitude.
3. Approve direct routes through use of direct radar vectors whenever possible.
4. Discontinue standard terminal arrival routes and standard instrument departure routings when not warranted.
5. Honor requests for direct radar vectors to reduce time and distance flown. Also, volunteer this kind of service when the opportunity presents itself.

As the result of these instructions, FAA traffic flow control procedures have been streamlined and the airlines have achieved substantial improvements in optimizing cruise speeds. We are hopeful of still more improvement in flow control with FAA, air carriers and the Air Line Pilots Association working together.

To be candid, we're not winning them all. For example, we worked very hard on studies to accelerate runway and taxiway improvements as a further means of fuel conservation by improving ground movement procedures. We found that little could be accomplished this winter. Indeed, our analysis determined more fuel would be used in speeding some few projects over a 90-day period than would be saved. So, in this project as with several others I won't bother detailing here, we shifted our attention to conservation efforts that could be achieved over the next two years.

Among these intermediate term programs is the towing of aircraft from gate to take-

off point. The description of the plan presents no obstacle. Actual accomplishment, however, is quite another matter.

For one thing, there is very little equipment available at most airports to accomplish this task. Whether development and introduction of such equipment will prove to be a cost effective conservation item is now under study and will be decided upon within the next thirty days. Another project under intensive study is the problem of mechanically/electronically sensing and predicting dangerous wake vortices caused by larger jet aircraft. Hopefully, a system of sensing and predicting the wake vortex of large jets, eliminating thereby the threat to smaller aircraft on the same flight path, will see the development of computerized metering and spacing of air traffic. This development, inevitably, will conserve fuel since it will increase system capacity.

At the present time, the FAA is holding to a first-come first-served arrival at airports. We believe that the fuel conservation efforts of all users of the system are best served by this method. However, an exhaustive analysis of a possible priority system for large, heavy fuel-using transports versus small aircraft is under study. As you can readily understand, fuel conservation is as important to, say, a business aviation pilot flying a single engine aircraft as it is to the pilot of a 747. In this connection, I am pleased to say, all elements of the aviation community, the air carriers, business aviation and the private pilots alike, are working in harmony toward solving the problem.

We have also taken specific action within the FAA to conserve fuel.

In FAA's aircraft operations program, we have reduced training and proficiency flight hours for an annual fuel savings estimated at 220,000 gallons (5,300 barrels). We are using visual simulators. We have considerably tightened up on our in-house flight training requirements. We are modifying the frequency of our flight inspections. Overall, we estimate this will save, on an annual basis, approximately 2,000,000 gallons of fuel (48,000 barrels).

FAA is also deeply involved in the mandatory fuel allocation program, particularly the notice of proposed rule making issued on December 13, 1973, by the Federal Energy Office. The FAA and the other modal administrations of the department of transportation conducted a comprehensive analysis of the NPRM.

Especially gratifying to me during this period were the extensive and important contributions all segments of aviation made to provide workable conservation solutions. This is not rhetoric. The FAA and, I know, other government agencies involved in the fuel allocations process were gratified at industry's constructive inputs.

As some of you know, the Federal Energy Office accepted, and incorporated to some extent, practically all the recommendations. The adopted mandatory fuel allocation regulations were issued by FEO on January 2, 1974. Shortly thereafter, the changing fuel crisis impelled FEO to amend the rule, increasing allocations, where possible, and revising procedures to minimize the impact on industry.

FAA's principal objection to the proposed new fuel allocations was that aviation was not being treated equitably compared to other transportation modes. For example, the proposed regulations for public surface transportation of passengers allocation 100% of current requirements, up to 150% of base period fuel consumption, and 110% for 1972 consumption for freight, cargo, and mail transportation. By contrast, air carriers would have received only 85% of base period consumption. Naturally, we strongly recommended increasing the air carrier allocation. We also pointed out, for example, the economic penalties resulting from cutbacks in

agricultural aviation and the disruption to communities presently served by air taxis.

The fuel allocation regulations printed only yesterday in the Federal Register admirably reflect the successful joint efforts of the FAA and the Aviation Industry in achieving some measure of equity.

For example, the allocation proposed for agricultural flying, emergency activities, manufacturing and test flight was originally 90 percent of the 1972 base. This has been raised to 100 percent of current requirements. Air taxi, commuter and local service operations which would have been allocated 90 percent were also raised to 100 percent of the base period. Air carriers have been raised from 90 percent to 95 percent of base. Business flying, which would have been allocated only 80 percent of base, was raised to 90 percent.

Fuel for public flying, both Federal and State, was raised from 75 percent to 85 percent; and fuel allocations for personal and instructional use and travel clubs, too, were raised from a proposed 70 percent of base to 75 percent.

As you can see, the final allocations are significantly larger than those proposed in almost every case. In addition, the FAA asked that the definitions section be revised and expanded to include aviation segments previously excluded, such as air travel clubs and scheduled helicopter service. Other aviation segments were also shifted to higher percentage figures.

Throughout all phases of the development of the mandatory fuel allocation program, FAA has served as an effective catalyst.

By consulting with the aviation industry and pooling our talents and resources, we have been able to convey an accurate assessment of what aviation could sensibly absorb in fuel cutbacks.

The new regulation, I believe, is sensible and provides a more equitable distribution of available fuel supplies. Many complexities, of course, remain. Allocation regulations cannot guarantee deliveries at the pump. Undoubtedly, there may be a measure of uncertainty as the new regulations take hold across the Nation. But be assured, all of us in Government—FAA in particular—are working to solve the problem. As I said earlier, industry and Government are planning carefully and working in closest harmony as never before to avert a crisis in transportation in both commercial and private aviation transportation. We are succeeding.

In closing, I would like to pay particular tribute to the mature understanding and judgment displayed by all elements of aviation—particularly, private aviation. The private aviation fleet, as well as the fixed base operators serving them, are the heart of this Nation's aviation industry. The most succinct definition I've heard in describing private aviation is quite simple: air transportation on demand. The fleet comprises some 140,000 business, commercial and personal planes. They serve all of the Nation's 12,000 airports. They carry the benefits and mobility of air transportation to virtually everyone, including the millions of Americans who live outside of the metropolitan areas which the airlines serve through less than 800 airports.

The energy crisis has struck hard at this segment of aviation. For the most part, their reply has not been one of resentment but a concerted effort to devise workable solutions. They've planned their work and are working their plan. Their attitude is right on. They deserve a special commendation. This segment of industry has mine. I'm sure it also has yours.

In this regard, I might add, one of the complexities for the Federal Aviation Administration has been in trying to deal fairly with the many disparate elements comprising private aviation. What is good for the AG pilot and his industry is not necessarily

appropriate for, say, the commuter industry, corporate aviation, or personal aircraft use. I pledge that no longer is FAA going to treat private aviation as a single segment. We are now carefully considering the specialized needs of each as a separate entity, as we have with the air carrier industry.

In the future, aviation in all its varied dimension will be assured of careful assessment tailored to their needs so as to create a viable industry able to make a continuing contribution to this Nation.

Thank you.

## FUEL CONSUMPTION

### HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. SHOUP. Mr. Speaker, a substantial saving in gasoline and diesel fuel could be realized very quickly and easily by suspending the requirement that \$100's worth of work be done annually on unpatented mining claims. In support of this proposition, I submit for your consideration the following letter by a Montana engineer:

DECEMBER 19, 1973.

HON. DICK SHOUP,  
Longworth House Office Building,  
Washington, D.C.

DEAR MR. SHOUP: Pursuant to a request by your Mr. Chester Dreher I am submitting herewith an estimate of fuel consumption involved with the performance of required annual labor of \$100.00 per claim on unpatented mining properties in the United States. Due to the seriousness of the energy crisis the investigational time factor of this estimate was limited, therefore the totals in fairness have been somewhat conservative. In actual practice the gallonage figures both diesel and gasoline could run million wise very much higher.

Several major companies were approached and the problem was time. The Anaconda Company was able through consolidation to furnish a set of figures within the deadline and the figures are factual. The information furnished to me was based on a group of 494 claims which had involved a 3 month program on the Stillwater area in Montana. Seventy percent of the work was validated by diamond drill and bulldozer work; thirty percent by hand methods. Portable equipment included drill rigs and bulldozers; accessory equipment included mud pumps, water pumps, water truck to rigs, trucks used in hauling equipment, gasoline for trucks for crews and supervisory personnel. (Included was avoidance of new road construction for environmental reasons.) Fuel consumption per claim averaged 22.8 gallons of which 15.2 gallons was diesel fuel and 7.6 gallons gasoline. Inasmuch as the vast majority of claims in the United States are held by individuals or small companies they in most instances seldom exceed 10 in number per locator and very frequently much less. On these properties where earth moving equipment is employed the total overall figure can run as high as 60 or more gallons of fuel per claim.

The Montana Department of State Lands informs me that there are at least 45,000 to 50,000 unpatented mining claims held on an annual labor basis in Montana. Therefore a figure approximating 2 million gallons of diesel and gasoline fuel consumed per year for just the State of Montana for annual labor on mining properties is by no means an exaggeration. In Alaska, for example, where much of the access routes are airborne the

fuel figure per individual property understandably could go very much higher. It is not illogical therefore that a projection nationally of the figures submitted should conclude an annual fuel consumption for mining assessment work in the United States to involve the use of at least 30 million gallons per year.

A moratorium on annual labor for mining properties should effect a tremendous saving of needed fuels in this continuing energy crisis.

MARTIN LUTHER KING, JR.

### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

"Some of you have knives, and I ask you to put them up.

Some of you may have arms and I ask you to put them up.

Get the weapon of nonviolence, the breastplate of righteousness, the armor of truth, and just keep marching".

MARTIN LUTHER KING,  
Gadsden, Ala., 1964.

Mr. RODINO. Mr. Speaker, On January 15, the Reverend Martin Luther King, Jr. would have been 45 years old. Those of us in this Chamber, and the majority of the men, women and children in this Nation who were old enough to listen to his words and to see his actions are indeed fortunate. Those who live after us shall surely read and discuss his speeches and contributions. But they will never know and understand as well as we that rare blend of spiritual power, integrity and genuine humility which so pervaded Dr. King's presence.

The word "charisma" cannot adequately define Martin Luther King's ability to touch people in his uniquely special way. Leaders have moved crowds, have excited the hearts and minds of our people before. But not in the same way as Dr. King. By deed and by creed he inspired in the hearts of all who believed in him a religious forbearance that nourished hope and smothered injustice. "Could it be", wrote Vernon Jarrett in the Chicago Tribune last April, "that deep in the hearts of all of us is that readiness to welcome an honest individual who, though willing to resist oppression, yet refuses to succumb to hate."

Years have passed since Montgomery, Birmingham, and the march on Washington. Years have passed and we and our nation have grown older. "Maybe it is too early to evaluate the legacy of Dr. Martin Luther King, Jr.," Vernon Jarrett concluded in his article. Moreover, it may be wrong to confine his legacy to one left only to black people. There is ample evidence that he left a soulful note to the entire world. It could be that Dr. King tried to remind the world that life is about people, real live people, all people and that any society—however prosperous—that does not give people a priority on its agenda will never enjoy fully its affluence. There can be no such thing as an affluent human society with-

out love for all people—that was the summary of his message”.

### SOVIET OIL AND U.S. TECHNOLOGY—PART II

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ASHBROOK. Mr. Speaker, I have previously discussed the problems of a proposed United States-U.S.S.R. oil and gas deal. Such a deal to develop Siberian gas and oil reserves would seem to benefit the Soviet Union greatly while providing little in return to the United States.

A recent analysis by Dr. Fred Smith further confirms what I have previously stated. Dr. Smith points out that the United States and Canada are both much further advanced in pipeline and other petroleum extracting technology than the Soviet Union is. As he states:

The rewards for the United States in such a trade are minuscule, but the dangers appear to be overwhelming.

The text of the article "Who Wins in U.S.-U.S.S.R. Deal?" from the December 29, 1973, issue of Human Events follows:

WHO WINS IN U.S.-USSR DEAL?

(By Fred Smith)

A great deal of attention in the press and business magazines in the United States has been given to a proposed oil and gas deal with the Soviet Union. The arrangement is billed as a sign of continuing detente and also is touted as being of assistance in solving our energy crisis.

However, the whole proposal would be incredibly complex and there are many factors to consider. It should first be noted that all this oil and gas is concentrated in Siberia. Outside of the Arctic and Antarctic, one could hardly conceive of a more inhospitable climate and territory in which to drill and lay pipelines. It is also the home base of the world's best set of forced labor camps.

Frozen for about nine months of the year and heavily dependent upon river transport during the summer months, the technical problems would be immense. The Soviet government has spoken of permitting the United States to develop the whole package, including tankers to haul the fuel, in return for a guaranteed supply of the oil and gas for a number of years.

Let's look at the proposal from the Soviet point of view. Up until recently, the USSR has had a sufficient supply of oil and gas for her needs. However, following World War II her deposits in the Baku area and to a lesser extent in the Urals, began to give out. New deposits were found deeper and deeper into Siberia. The transportation problem forced costs rapidly upward. Soviet consumption also went up. Therefore, in recent years the Soviets have been telling their satellites in Eastern Europe that they can no longer count on the USSR as a supplier.

Just this year Finland asked for an increased amount of crude oil for her refinery and was turned down. This is ironic, as the refinery was built with Soviet assistance, and she insisted that the Finns take nearly all Soviet crude oil and the Finns had to waltz on agreements with the Western oil concerns who had been promised a larger share in return for their technological expertise in assisting in the construction of the refinery.

There are additional indications that the Soviets are now beginning to have their own energy shortage and evidence of this is their failure to deliver the promised amount of oil to West Germany last year. Also, Soviet petroleum exports have dropped for the first time since World War II, and she is now importing gas from Iran and Afghanistan as well as oil from Algeria and Iraq. Given this evidence, this proposal is very important indeed to the Soviet Union.

One would naturally think that the Soviet Union would have solved all the problems of oil and gas exploration in the Arctic by now, but the indications are otherwise.

A Canadian team that visited the Soviet Union in 1971 found their cross-country pipeline construction crude. Machinery and vehicles for this type of work in the Arctic have been slow in coming in the USSR. Canada and the U.S. are well ahead in many aspects of such work. The Soviet Union has a great deal of difficulty in maintaining a labor force in Siberia and workers live in railroad cars and sheds. This causes them to leave the area as soon as they are able.

One can just imagine the problems an American or even a joint American-Japanese team would encounter in such a venture. Proposed pipelines would stretch from Yakutsk to Nakhodka on the Pacific or from Irkutsk to Nakhodka. Each is a distance of several thousand miles over extremely inhospitable terrain. It is conceivable that the energy crisis in the United States would have been long solved by the time any of this gas or oil reached our shores.

The Nixon Administration has taken a somewhat strange approach in support of our assistance in developing Soviet oil and gas deposits.

On one hand, Administration spokesmen stress our need for Soviet oil and gas, while at the same time Secretary of Commerce Dent admits that such supplies would only be significant to several of our western states.

Even stranger was the proposal by former Secretary of Commerce Stans, that we import Soviet natural gas at \$1.50 a thousand cubic feet when well-head prices in the United States at that time—1973—ranged from 2c to 16c a thousand cubic feet. Thus, this fuel would be awfully expensive "for a product they certainly cannot guarantee will be delivered when needed if at all." Furthermore, as some visitors have found in the Soviet Union, the figures on "proven" as opposed to "possible" reserves show a wide variation.<sup>1</sup>

However, planners in the Nixon Administration are told not to look at the hard economics of the matter, but to take into consideration the "overriding political benefits" that will accrue to the United States. If the wheat sale was any sample, the American public will be up in arms if we lose our shirts again.

Now who stands to gain from this venture aside from the Soviet Union, which an expert on the Soviet gas and oil industry, Robert Campbell, has called "a desperate gamble."<sup>2</sup> Certainly, if this is such a potentially profitable venture, why haven't the Japanese jumped in long ago? They have passed up two offers that we know of.<sup>3</sup>

Obviously, some American companies stand to gain. David Rockefeller of Chase Manhattan may be able to help finance the deal. Armand Hammer of Occidental Petroleum may be able to get his company out of debt if the venture succeeds and further enhance his already nefarious influence with the American government. El Paso Natural

<sup>1</sup> As quoted in the *Oil Daily*, Jan. 17, 1973.

<sup>2</sup> John P. Hardt, "West Siberia: The Quest for Energy," *Problems of Communism*, May-June, 1973, page 27.

<sup>3</sup> As quoted in John P. Hardt, "West Siberia: The Quest for Energy," page 26.

<sup>4</sup> *Ibid.*, page 27.

Gas, which co-signed a letter of intent with Occidental Petroleum to develop the gas fields, might also join.

In an evident effort to keep the project alive a meeting, sponsored by the *Oil Daily* on Soviet oil and gas took place in New York on December 3. Armand Hammer played a prominent part in the meeting and pushed hard for immediate energy trade with the U.S.S.R. Our oil equipment dealers have been to Moscow this year to show their wares, so hope still springs eternal.

Needless to say, the Nixon Administration is very desirous of getting the project moving in order to keep up the illusion of detente, however badly it may be limping.

The last and most important factor is why we should make a large capital investment in the sagging economy of the Soviet Union so that they can develop their energy resources and not have to dip into their \$80-billion defense budget and continue to build more and better weapons than the United States. The rewards for the United States in such a trade are minuscule, but the dangers appear to be overwhelming.

### IN MEMORY OF THE HONORABLE CHARLES TEAGUE

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. BURKE of Florida. Mr. Speaker, it was with deep personal regret that I learned of the death of our colleague Congressman during our recent Christmas recess. I had the great pleasure, when first elected to the Congress, of serving with Mr. Teague on the House Committee on Agriculture. He was a friendly, courteous person and one whom I considered a real gentleman Congressman—kind, understanding, and considerate.

During his 19 years he served in the House, he was a member of the House Agriculture Committee. He was best known for his efforts to maintain free, as opposed to subsidized, agriculture. He was a diligent and hard worker.

The death of Charles Teague is truly a great loss to the Members of the U.S. Congress, to the people of the State of California, and to his constituents whom he served so long and so well. He will be missed by those engaged in American agriculture for his understanding of the need of independence for small farmers.

Despite the population growth of California, there are still some parts of the State that are reminiscent of the California of 30, 40, or even 50 years ago; parts with the soft climate, the mountains rolling to the sea, the small towns, and the smogless cities; and, there are some people who remember and exemplify the easier more settled times of those years who remind us that the passage of time does not measure progress as much as the quality of our lives.

Congressman Teague was progressive, yet I will miss the gentle ways and courteous patience of Charlie Teague.

Since he was one of the more senior Republicans in the Congress, he had the choice at the beginning of the 93d Congress of either remaining as ranking minority member of the Veterans' Affairs

Committee, or assuming the same position on the Agriculture Committee. He chose to be the ranking member on the Agriculture Committee, even though he was himself a veteran of World War II and active in helping to improve veterans' legislation.

As a Republican, I will miss his fellowship and guidance, as I am sure will all who knew him well.

Mrs. Burke and I were proud to know him and we extend our sincere sympathy to his family.

#### HUMAN RIGHTS

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. WOLFF. Mr. Speaker, December 10 was Human Rights Day, and I would like to insert in the RECORD a statement and poem about human rights and the plight of Soviet Jewry for the attention of my colleagues. The statement was written by Lydia Korenfeld, and the poem was written by her daughter, Natasha Korenfeld. The Korenfelds applied for a visa to Israel for the first time in March of 1971, and, since then, they have received four refusals for such a visa. After applying for the visa, both Lydia Korenfeld and her husband lost their jobs, and their eldest daughter, Ludmilla Korenfeld, has been barred from her studies in math.

The tragedy of the Korenfelds is typical of that faced by thousands of citizens of the Soviet Union. And the denial of basic human rights is the concern of all mankind. The statement and poem follows:

#### MESSAGE FROM LYDIA KORENFELD

To women who are gathering across the United States in their various cities on Human Rights Day, Monday December 10, 1973:

Today is Human Rights Day. It is the day when people all over the world express their will to support those who are fighting for their basic rights. As any other woman in any other country I want very simple but very essential rights: The right to work for my husband and myself; but I am unemployed and my husband is not allowed to work in his own profession. The right to study for my children; but my daughter was thrown out of the college. The right to be safe in my house; but the police keeps coming there. And above all, the right to be a Jew, to practice Judaism and to live in the Jewish State. But for over three years we are refused these rights. Today, Human Rights Day, is my daughter's birthday. She is 22 today. The year she was 20 she spent her birthday in prison for having demonstrated for Jewish rights. Today I believe the best birthday present for her is the knowledge that American women and mothers do their best so that she and other Jews will be permitted to go to the only country they want to live—Israel. I am very happy to have the opportunity to tell you all how much we appreciate everything you have been doing for the cause of Soviet Jewry. I hope the day will come when I will be able to thank you personally. Hashanah hazot b'yerushalayim. Love to you all.

LYDIA KORENFELD.

#### THE POEM OF MY LAND

At Passover there is a matzo  
In every Jewish home.  
There are in my Israel,  
Fortresses and palaces,  
There are schools, stadiums,  
Automobiles, homes . . .  
This is my beloved country.  
Matzo is what our forefathers ate.  
They were baked in the sun, in the hot desert,  
They were going home, relieved from slavery.  
And a miracle happened,  
Moses went up the mountain  
And brought down the Ten Commandments  
For the people of Israel.  
He accomplished his mission,  
He brought his people home.  
But Moses did not live to see his native land.  
Oh Israel! I promise you  
That I shall come to you.  
But not now; we have to wait until  
God will hear our prayers.

NATASHA KORENFELD (age ten).

#### GROUND FOR IMPEACHMENT

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DELLUMS. Mr. Speaker, a few days ago I put in the RECORD some discouraging material concerning American citizens who believe the President to have forfeited his right to office but who either from personal cynicism or from lack of faith in the resiliency of the constitutional system do not believe he should be impeached.

I am glad to report that this attitude is not completely typical. I am submitting for the RECORD a resolution passed by Local 21 of the East Ray Typographers Union concerning impeachment. I am also including an introductory letter which sets forth the unusual circumstances of this resolution.

I am also submitting a Los Angeles Times article by Donald Horowitz on the meaning of "high crimes and misdemeanors." He shows that there are tensions and contradictions between the political and legal aspects of this phrase, and that they are meant to be there. I think his perceptions form a much more satisfactory basis for discussion than the hasty and sometimes self-serving assumptions that "high crimes and misdemeanors" must be interpreted either as exclusively legal—although the qualification "high" implies a political judgment—or exclusively political even when quoting so relevant an authority as the Vice President or Mr. Kleindienst.

The material follows:

#### LOCAL 21 BAY AREA

TYPOGRAPHICAL UNION,

San Francisco, Calif., January 17, 1974.

CONGRESSMAN RONALD V. DELLUMS,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN DELLUMS: This is to advise you that Bay Area Typographical Union No. 21 at its regular monthly meeting unanimously went on record favoring the impeachment of President Nixon.

The action is significant for two reasons:  
First, it was a well-attended meeting.

Second, a unanimous vote is almost unprecedented in what can be considered a controversial political issue.

The action came on the enclosed report and recommendation of the Executive Board. Our Union represents 3,200 members in Alameda as well as the below-listed counties.

We respectfully solicit your support for the impeachment moves now under way in the House.

Very truly yours,

LEON OLSON, President.

#### ENDORSE IMPEACHMENT OF RICHARD NIXON

On October 22, 1973, the AFL-CIO Convention unanimously adopted a resolution calling for the resignation or impeachment of President Richard Nixon.

Since then Mr. Nixon has given clear evidence that he does not intend to resign and has remained adamant in his position to continue to deny the people of the United States of any effective leadership.

He has consistently lied to the American people.

He has used the office of the presidency to put himself above the law.

He has created a special and personal secret police answering only to himself.

He has instituted in the name of national security, a plan which includes violation of civil liberties through wiretapping, burglary and political surveillance.

He has used his office for personal enrichment.

He has intervened in anti-trust suits against giant corporations in return for contributions to the Republican Party.

Unless Richard Nixon is removed from office, we will not be able to achieve constructive solutions to our economic and social problems at home or abroad. His continuation in office is a threat to the well being of every working man and woman in this country.

Our Union therefore supports the efforts of the labor movement by going on record as endorsing the action to impeach President Richard Nixon, and directs the action be conveyed to the U.S. Senators from California and all Congressmen from our Area.

#### WHAT ARE "HIGH CRIMES AND MISDEMEANORS"?

(By Donald L. Horowitz)

With a new Vice President and a new special counsel to the House Judiciary Committee now firmly in place—coupled with new disclosures on the tapes—we are likely to hear more insistent demands that the House proceed with the unpleasant business of presidential impeachment. Now, then, is the time to consider the standards and the process by which impeachment should be conducted.

For proceed it must—not merely because of the present case, but because the vitality of the impeachment device itself is at stake. If impeachment were not to reach a vote in the House in the face of what is now on record, impeachment as a weapon against executive wrongdoing might lapse into desuetude, discredited as cumbersome, slow, and unworkable.

The present public cynicism might harden. Some of the deterrence against misconduct already gained as a result of Watergate might be lost. And politicians might seek shortcut ways to bring down incumbent Presidents—ways like forced resignation and votes of no-confidence that are not consistent with the presidential independence that our Constitution provides. For all these reasons, the impeachment machinery must begin to work, and work conspicuously and well.

What constitutes an impeachable offense? The Constitution requires a charge of "treason, bribery, or other high crimes and misdemeanors."

Some in and out of Congress, have said the "high crimes and misdemeanors" means there can be no impeachment without proof of an indictable crime. Others, including at one time Gerald Ford—who was then taking aim at Justice William O. Douglas—have maintained that Congress may define "high crimes and misdemeanors" in whatever way it sees fit.

Both of these views go back to the impeachment of Justice Samuel Chase in 1805. The first was held by his Federalist defenders, the second by his Jeffersonian accusers. In my judgment, neither of them expresses the proper interpretation of the impeachment clause.

Some versions of the indictable crime standard would have us impeach a President for passing a bad check but not for violating his oath of office. We have, of course, no criminal law specifically applicable to the Presidency, though it is at that office that the impeachment clause was originally (and must still be) aimed.

Criminal laws often forbid conduct that is trivial in contrast to the serious but nonetheless noncriminal misdeeds of officeholders. Some crimes, on the other hand, are of such severity that it is fair to ask whether we must wait until a President murders someone before we can remove him. Either way, too trivial or too severe, the criminal law is too constricting, specific, and inapt to be a measure of impeachability.

As Raoul Berger has shown in a recent book on impeachment, the framers of the Constitution had no intention of making criminality the standard when they wrote the impeachment clause. Impeachment was a weapon to prevent tyranny, corruption, and faithlessness to office. Sometimes these abuses might be criminal, sometimes not.

Hamilton wrote in *The Federalist* that an impeachment trial "can never be tied down by such strict rules, either in the delineation of the offense by the prosecutors, or in the construction of it by the judges."

If there are no strict rules, are there no rules at all? Does it follow that the House can impeach and the Senate convict whenever the spirit moves them? Clearly not. The presumption in favor of an elected official cannot be discarded lightly.

In fact, a draft version of the clause would have allowed impeachment for "fraud, bribery, and maladministration." Madison objected to "maladministration" because it would have provided the President with "tenure during the pleasure of Senate." In other words, it would have undercut the presidential independence that was a central feature of the Constitution.

To meet this objection, the words "other high crimes and misdemeanors" were substituted for "maladministration." Impeachment was to be a remedy against abuse of the presidential office—it was not to cut the office down to something less.

The framers did not want legislative supremacy any more than they wanted the President to be a monarch. They feared both. They did not make the President a creature of Congress. He is separately elected, with a constituency of his own, and he is expected to have a vision of the public good different from the one that prevails in Congress. On occasion, he may actually compete with Congress and run against Congress' record, as President Truman ran against "the do-nothing 80th Congress" in 1948.

If impeachment and removal were intended to be the equivalent of a parliamentary vote of no confidence, the provision in the Constitution for a "trial" in the Senate, with the senators "on oath or affirmation," and the chief justice presiding when the President is the defendant would make no sense. How can one be "convicted" of inspiring no confidence?

Here, then, is the paradox of impeachment. Not precisely criminal, not precisely political, impeachment is in fact a hybrid form. The popularly elected House was expected to be somewhat impulsive, perhaps partisan; the Senate, indirectly elected, was to be judicial and restrained.

On the other hand, the weapon invites extemporizing—for impeachment is, said Hamilton, "a bridge in the hands of the legislative body upon the executive servants of the government." On the other hand, the Constitution contemplates a judicial trial, and that means there must be a coherently framed charge to answer.

It comes down, I think, to this: Congress must evolve something like a common law of presidential offenses that would embrace, for example, serious or repeated violations of the Constitution or laws, especially those that might upset the balance among the three branches of government; corruption, whether technically criminal or not (Madison thought that a President who tried to shield someone with whom he was connected "in any suspicious manner" would be impeachable); and certainly a concerted attempt to taint the electoral process.

What is more, a President should be removable if the totality of his offenses constitutes a breach of the mores of his office, even if each offense, considered separately, might not be enough. Here, too, impeachment departs from the criminal law. Impeachment, said Hamilton, is for "those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust."

These standards say something about how to proceed, as well as when to proceed. The House is permitted to do some narrowing of the charges, some abbreviating of the evidence, making judgments of what is more and what is less important. Its investigation should be exhaustive enough to satisfy itself whether the President should be put to a defense, but it need not charge every last infraction.

There is another consideration that weighs heavily here: time. Henry Kissinger is right that the nation cannot afford continuing crises of authority without paying a price. But the way out is not to ratify assaults on the political system but to determine with certainty whether the holders of authority continue to warrant it.

Speed is important also because the public must not conclude that impeachment is so protracted a process that a wrongdoer has a chance of serving out his term and having the matter forgotten. A sensible way of reconciling speed with thoroughness would be to have the House Judiciary Committee, a large committee, divide into several subcommittees, each to hear and report to the whole committee on an area of alleged wrongdoing.

If speed has the importance I have attached to it, it argues strongly for the conclusiveness of the Senate judgment. Raoul Berger has constructed an argument for court review of presidential removals by the Senate, and at least one senator seems to agree. This, despite the constitutional language giving the Senate "the sole power to try all impeachments" and making the chief justice presiding officer at the trial, despite the complete absence of historical support for judicial review and the fact that the framers explicitly rejected proposals that the Supreme Court be the court of impeachment.

The case for judicial involvement in impeachment rests on Adam Clayton Powell's success in invoking the aid of the courts to overturn Congress' decision to exclude him. The case is a weak one. If a congressman's seat remains in doubt for months or years, the nation's business will go on. But if the President has been removed by the Senate and has sued to challenge his removal, is he in power or not?

If he is, he may effectively nullify the removal by serving out his term while his case is pending. If not, can the courts reinstate him once his successor has taken office? Can they remand the case to the Senate for a new trial, creating an indefinite vacuum of authority?

And which court? Can a single district judge reverse a removal decided after trial by 100 senators? Powell's case went first to the district court, and that is where such cases must now go if they go to court at all.

In Powell's case, if a court order were not obeyed, the matter would have ended there. But a judgment reversing the removal of a President might invite disobedience, yield competing claims to the office, and turn a national trauma into a dangerous crisis.

There is every reason to put the mischievous notion of judicial review to rest at an early stage of the proceedings, and encourage Congress to do its part responsibly, in the knowledge that—whatever it does—no court stands ready to undo its mistakes.

#### COMMITTEE ON PRODUCTIVITY FACES EXTINCTION

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. HARRINGTON. Mr. Speaker, a few days ago, I received a press release from Senator WILLIAM PROXMIRE concerning the plight of the National Commission on Productivity.

Industrial countries around the world are already working to improve productivity and the quality of the work environment. It is indeed unfortunate that the sole agency in the field of work productivity in the United States faces extinction because of congressional inaction.

It is important, and indeed critical, that the Commission's life be extended and that its work be fully funded by the Congress. Administration efforts to provide temporary funding are laudable but this is not enough. Congress must act now to fund the Commission. In order to impress my colleagues with the vital importance of this funding, I would like to insert the Senator's press release in the RECORD at this time:

#### PRESS RELEASE OF SENATOR WILLIAM PROXMIRE

With the Congress now in recess, funding has been cut off by the failure of Congress to act on the Commission's appropriation. The Administration is trying to provide temporary funding. I strongly support that effort. Meanwhile the life of a vital anti-inflationary agency hangs by a thread.

This is a shameful situation. When Congress reconvenes it must provide for the renewal of the Commission's budget with provision for back pay of those loyal government workers who are still working to help this government improve the productivity of the American worker.

What a travesty! At a time when the nation is plagued with the worst inflation in twenty years, and when wage price controls will soon expire, we kill the only agency in this huge bureaucracy whose function it is to hold down prices and taxes by increasing efficiency. The Productivity Commission is essential if the fight against inflation is to have any coherent, long term leadership.

Just about a week ago, I chaired hearings of the Joint Economic Committee's Subcom-

mittee on Priorities and Economy in Government. Cost of Living Director John Dunlop pleaded for a continued life for the Productivity Commission. These hearings also dealt with efforts made by the Federal Government to measure and enhance productivity at all levels, within Government and in private industry as well. At those hearings, the Comptroller General, Elmer Staats, reviewed the breakthrough effort he has headed to measure Federal workers' productivity—an area which had not been covered hitherto.

Just imagine, it has been just assumed that Federal workers had zero productivity gain, when in fact they were working just as productively as others in similar lines of private industry activity.

But more important, this effort relied on the National Commission on Productivity. This reliance will be lost if the Congress does not support the reconstitution of a National Commission to deal with improvements in this Nation's productivity at the Federal and state and local government levels and in private industry as well. The amount of money involved in the Commission's work is miniscule—\$2.5 million a year—and, indeed, the sum should be increased in the light of the prospective multiplied reward in potential saving to the American taxpayer and increased reward to the Nation's workers. Here's an investment that could easily return 100 to 1 on the taxpayers' investment.

We should work to join the Commission's effort with that of "The American Productivity Center," a private organization recently proposed by the former Chairman of the Price Commission, C. Jackson Grayson. The "Center," made up of businessmen and labor leaders, would concentrate on ways to improve private productivity.

Working together, the Commission and the "Center" can create an environment which will enhance output everywhere and help control the inflationary fires which threaten to beset the economy in the years ahead.

As Grayson points out, such major industrial countries as Japan and Germany already have large institutions operating in the field, developing new ideas and techniques, and improving national understanding of the importance of productivity.

There is absolutely no reason why this greatest nation in the world cannot be in the forefront of the effort to enhance productivity.

**JOSEPH ERAZO, NEW YORK CITY'S  
TOP TROUBLESHOOTER**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. RANGEL. Mr. Speaker, Joseph Erazo was recently sworn in as assistant to the mayor and director of special programs for the city of New York. What the fancy title means is that Joe Erazo has become the top troubleshooter for New York City's new administration.

Joe Erazo was born in East Harlem and later returned there to become a Democratic district leader and community affairs activist.

Before being appointed to his new post, Joe Erazo was manpower and career development administrator in the human resources administration and first deputy city administrator.

It has been my privilege to work closely with Joe Erazo in the past on issues and problems affecting Harlem and East Harlem. I am looking forward to continuing the type of working rela-

tionship which is necessary for both the local and Federal governments to deal with the problems of the inner city.

**CONGRESSIONAL ACTION ESSENTIAL TO WARD OFF A LOOMING CRISIS OF CHLORINE SHORTAGES FOR TREATMENT OF OUR NATION'S WATER SUPPLY**

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ROE. Mr. Speaker, in response to the deepening concern of our North Jersey District Water Supply Commission, Passaic Valley Water Commission, Passaic Valley Sewerage Commission, and many of our municipal officials with the difficulties being encountered in obtaining adequate amounts of chlorine for treatment of drinking water and wastewater effluent, I joined with our most distinguished colleague Congressman ROGERS of Florida, et al. in introducing the Emergency Chlorine Allocation Act (my bill H.R. 11975) proposing an amendment to the Public Health Services Act to assure an adequate supply of chlorine and certain other chemicals and substances which are necessary for safe drinking water and for wastewater treatment.

The North Jersey District Water Supply Commission supplies over 100 million gallons of potable water per day to the northeastern metropolitan region of our State and the shortage of chlorine is mushrooming throughout our Nation encroaching upon the health protection measures so vital to our country's water supply.

We are all aware of the essential need to chlorinate drinking water and wastewater treatment to safeguard the health of our people against diseases such as typhoid, cholera, and dysentery. The bulk, or approximately 95 percent, of the chlorine processed in the United States is utilized by industrial markets, primarily producers of plastics and the pulp and paper industries. The remaining 5 percent of the annual chlorine production has been sold to meet the needs of water supply and sewage treatment facilities. The increasing demands of industrial users throughout our Nation for chlorine are receiving priority consideration over the potable water suppliers and sewage treatment facilities, thus encroaching upon and seriously shrinking the availability of the 5 percent of the chlorine deliveries to water and sewer utilities. A serious curtailment in total current chlorine production is also being encountered because of plant closings and energy shortages.

This bill requires the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Commerce, to promulgate regulations establishing a mandatory allocation system for the sale and distribution of chlorine for drinking water and wastewater treatment purposes.

The allocations prescribed by EPA would enable all publicly, cooperatively, and investor-owned utilities, as well as private companies and unincorporated cities, to indicate their chlorine and other water and waste treatment substances needs and receive priority in filling their orders over industrial users. EPA regulations will require each company to equitably allocate a portion of their processed inventory to these users. If the user still cannot obtain chlorine in the open market, it can notify EPA or the Department of Commerce of its needs and they will assist in locating other sources, or investigate any violations of the allocation regulations and seek compliance. If voluntary compliance of violations of the regulations cannot be obtained, the Administrator of the Environment Protection Agency is authorized to issue orders to the violator and obtain injunctive relief in the courts through the Department of Justice, if necessary.

Violators can be subject to criminal fines up to \$5,000 for each offense if they violate a rule or order "knowingly" or civil fines up to \$2,500 for each offense for "malum prohibitum" violations where knowledge of the violation cannot be proved in court.

Due to the short term nature of the chlorine emergency the bill provides that the legal authority of the proposed allocation system shall terminate on June 30, 1975.

Mr. Speaker, I wholeheartedly support Congressman ROGERS' efforts as a member of the House Committee on Interstate and Foreign Commerce, which has jurisdiction of this legislation, in pursuing the adoption of this measure. I cannot overemphasize the extreme import and essential need for expeditious action on this highly important measure.

**MILLS-VANIK BILL**

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. WOLFF. Mr. Speaker, 19 Long Island Christian leaders have publicly supported the adoption of the Mills-Vanik bill. This bill, which denies trade concessions to the Soviet Union until the Soviet Government allows free emigration, has received widespread support from many different religious groups across the country. Among those endorsing the statement were the Rt. Rev. Jonathan G. Sherman, bishop of the Episcopal Diocese of Long Island, Rev. William Rambo, Presbyterian for the Presbytery of Long Island, the Most Rev. John R. McGann, auxiliary bishop of the Diocese of Rockville Centre, Sister Janet Fitzgerald, president of Molloy College, and Rev. Clayton L. Williams, executive director of the Long Island Council of Churches. The statement follows:

**STATEMENT ON MILLS-VANIK BILL**

The recent effort by Soviet authorities to intimidate Andrei Sakharov, Alexander Solzhenitsyn and other liberal dissenters demonstrates that the anguish of Soviet Jewry is

shared by all citizens of the USSR who aspire to religious, cultural and intellectual freedom.

Congress is presently being asked to approve the extension of "most favored nation" trade status to the Soviet Union. We note Academician Sakharov's urgent appeal that the United States should desist from liberalizing commercial ties until the Soviet government liberalizes its repressive policies.

Legislation has been introduced in the Congress by Senator Henry Jackson and Representatives Wilbur Mills and Charles Vanik denying "most favored nation" status to states which arbitrarily restrict freedom of emigration. If adopted by the Congress, this measure would confront leaders of the Soviet Union with a powerful incentive to enter into a detente with millions of its own citizens. It would, hopefully, encourage the USSR to comply with the Universal Declaration on Human Rights, through which it has already pledged itself to recognize freedom of emigration as a basic human right.

We note that every Congressman from the Nassau-Suffolk area has joined in co-sponsoring the Mills-Vanik Bill. We applaud their position in the belief that the government of the United States should withhold tariff concessions and commercial credits until the government of the USSR offers concessions in the field of human rights. We endorse the Mills-Vanik Bill and urge Long Island area congressmen to stand fast in support of this humane and moral proposal.

#### RHODESIA DEBATE ILLUSTRATES NEED FOR BRICKER AMENDMENT

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ASHBROOK. Mr. Speaker, on May 30 I reintroduced the Bricker amendment, which would prevent treaties and executive agreements from overriding the freedoms and safeguards found in the Constitution. Although originally introduced in the early 1950's, the Bricker amendment is even more necessary today than it was two decades ago. This fact is clearly illustrated by the recent Senate debate on whether to reimpose a United Nations-sponsored embargo on Rhodesian chrome and other strategic materials.

Chief sponsor of the move to reinstate the embargo, Senator HUBERT HUMPHREY, argued that the embargo imposed by the United Nations is the law of the Government of the United States. Provisions of the United Nations Charter are as valid and binding in law as any other part of our Constitution.

To quote Senator HUMPHREY, "the United Nations Charter as adopted by the Congress of the United States and ratified by the Senate, has the same standing as a provision of our Constitution. It is the supreme law of the land." Since—under article 25 of the United Nations Charter—"All member States are legally bound to comply with sanctions," the "United States is thus in violation of international law and international treaty which we ratified and in its obligations to the United Nations in violating sanctions against Rhodesia."

I find it incredible that actions of the United Nations Security Council could in

any way legally bind the Government of the United States. Is Congress going to allow the United Nations to legislate for the American people? Is an international organization to have more power than the Congress, the President and the courts?

An affirmative answer means that our Nation is subservient to the United Nations. I do not believe that this is the wish of the American people.

Almost all Americans would agree that Congress must have the right to enact legislation to protect our national security and our economy. We simply cannot allow the United Nations to deny our Nation access to strategic materials, whether from Rhodesia or any other country. Passage of the Bricker amendment will establish once and for all that the U.S. Constitution and not the United Nations Charter or some United Nations resolution is the supreme law of the land.

#### U.S.A. IN MINIATURE

### HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. PARRIS. Mr. Speaker, under my leave to revise and extend my remarks, I wish to include the following letter from my constituent, Mr. John R. Kanline, of Alexandria, Va., concerning "U.S.A. in Miniature":

ALEXANDRIA, VA.,

January 8, 1974.

Congressman STANFORD E. PARRIS,  
House of Representatives,  
Congress of the United States.

DEAR CONGRESSMAN PARRIS: Please insert the following information in the CONGRESSIONAL RECORD as you so kindly have in the past year:

[From the Alexandria Gazette, Jan. 8, 1974]

#### MINIATURE CAMPAIGN FOR PARK

(By Shirley Johnson and Ken Berents)

Visions of Mt. Rushmore, the Grand Canyon, the White House, the New York skyline and the Golden Gate bridge dance in John Kanline's head.

But only in miniature.

Kanline, a resident of Alexandria for 28 years, has been conducting a one-man campaign for the past year—trying to interest government and industry in building a miniature United States for the 1976 Bicentennial.

But so far he's had no luck. No one seems to be as enthusiastic about the idea as Kanline, a 55-year-old retired State Department official.

His idea is to build a scale model of America's most historic sights and achievements in a park in the Washington area.

"How many people have seen a steel mill?", he asked. "Maybe only people in Pittsburgh and Gary, Ind."

"I think such a park would be an equal attraction to the Lincoln Memorial or the Kennedy Center."

"It's an American tradition at Christmas to set up villages, trains and pretend," Kanline added. "It's part of our heritage for liking something like this."

Kanline's idea, as he readily admits, isn't an original. He adopted the idea while visiting Madurodam, a five-acre park in the Netherlands, in 1970.

Madurodam, built with funds from a wealthy Netherlands family in memory of

their son who died while in a Nazi concentration camp, features scenes from the past and present Netherlands on a 1-to-25 representational scale.

According to Kanline, proceeds from admission to the park are used not only for daily maintenance of the park but to help needy youth.

And when Kanline returned home with this dream to find stories of the approaching bicentennial in the news media, he decided the time for his idea to become a reality is now.

#### HELP IS SOUGHT

So he began writing letters to the editor column and as each letter appeared, had it placed in the Congressional Record. He then contacted major businesses and trade associations located in the metropolitan area.

He's sought help from 125 corporations, private foundations, various trade associations, government agencies, even the White House. But he said he's received no firm response other than expressions of interest.

Unlike many individuals with ideas they want to see become reality, Kanline admits he hasn't developed a proposal or found a site for his dream.

"I first thought I'd get the public's support," he said. "That's all I've done. I expect the land would be purchased or donated or come from the National Park Service."

"I'm sure there are many sites around here—we'd probably want four to five acres for the actual park with a total of 20 acres to be used for parking and restaurants and buildings surrounding the park."

"But I haven't gone looking for a site. That's premature. I first need to find the backing."

#### LIST IS NOT ESTABLISHED

Kanline's visions include scaled-down factories and natural phenomena such as the Grand Canyon, Old Faithful geyser and Mount Rushmore.

But the man hasn't formulated a list of potential exhibits. What he keeps speaking of is getting someone else to do the planning.

"So far I haven't been asking for money, I've been asking for interest. Now I'm going to push for participation."

"I'm going to begin telling firms and philanthropic organizations what they might be expected to do."

"In the beginning we need general funds. I don't know if they'll (organizations contacted) give money without some concrete ideas, but you know, it's a good way to build up their public image, it's tasteful advertising and I think it's in their own interest to participate."

As Kanline speaks, he sounds eternally optimistic. He has the idea, without any poured foundation, but he believes someone, or some business or some foundation will take the idea and develop it.

"It's a good project," he insists, "from all angles."

"I'm not going to quit. I don't want anything out of this, I just want it to happen."

#### MORE ON METHODS OF PARTICIPATION

Earlier inserts in the Congressional Record on "USA in Miniature" suggested how specific industries (industry, transportation, agricultural and service industries) might wish to "blow their own horn" by sponsoring a miniaturization of their own plants or activities in the Park as a means of advertising, education and image building. But there are many industries, other organizations and individuals who may wish their participation to take the form of supporting historical or civic oriented exhibits not necessarily related to their own particular operations or self interests. This type of involvement would fill a needed vacuum in the proposal as a means of providing the public sector type of display which would normally depend on the support of philanthropic or

ganizations or individuals. These industries may wish to select some famous landmark near their home base. Such might include items like the Statue of Liberty, Niagara Falls, the St. Louis Arch, Mount Vernon, the Washington Monument, the Lincoln Memorial, the Alamo etc. These would be ideal projects for banks, insurance companies and certain service industries. They would provide a maximum of patriotic appeal and public interest.

My role to date has been limited to promoting an idea to the point where potential participants and supporters would declare interest. If this results in a positive response then those who believe and so demonstrate their interest in the creation of "USA in Miniature" and wish the means of implementation, I, as an inexperienced layman, am not in position to collect funds or take on the total project. My role has been necessarily limited to gathering interest and support and developing a desire for the creation of a most worthwhile project in the National Capital Area. If enough support develops there will be a need to develop a cooperative mechanism, to search out capable organizations, to make the necessary economic and marketing assessments, settle the question of the location and acquisition of the site, design the Park, and build the miniature exhibits.

With the new Bicentennial Administration scheduled to take form later this month, I am hopeful that it will read these items in the "Record" and get involved in further promotional efforts and constructive support for the proposal.

The continued support of the media is necessary to make this proposal go. To drop it at this stage would be a serious mistake.

Any one of the many large corporations in this Country could take on this project single handedly, an option which is still open. On the other hand and despite the problem of cooperation and coordination, a combined effort would make it less expensive per participant, with each financing his own particular island of interest in the Park.

I again express my deepest thanks for all you have done for me and what I believe to be a worthwhile cause. When I think of the time and cooperation extended by you and your staff I chuckle a little at the lead caption in the Alexandria Gazette "Miniature Campaign for Park". Nevertheless the Gazette article was one of the best on the subject so far and their cooperation and faith is appreciated.

Sincerely,

JOHN R KANLINE.

#### TRIBUTE TO JOHN W. McCORMACK

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. CARTER. Mr. Speaker, Ambassador Daniel Patrick Moynihan recently authored a heartfelt tribute to former Speaker John W. McCormack in appreciation of his assistance in strengthening Indo-American relations. I find this tribute most meaningful, and I recommend it to the attention of my colleagues:

TRIBUTE TO FORMER SPEAKER JOHN W. McCORMACK

That John W. McCormack is a great statesman and a great American is news to no one.

What may be less well known are the services he has rendered the people of India and the future of Indo-American relations.

Nearing completion on the campus of the St. John's Medical College in the great city of Bangalore is a seven hundred bed hospital known in those parts as the John W. McCormack Indo-American Peace Hospital. It is a major center of medical education and research, as well as one of the largest and most modern hospital facilities in Asia.

This hospital is being built in large part with the help of a grant of nearly 50 million rupees from the United States Agency for International Development. These funds accrued to the United States in the course of food sales and other aid undertakings during the 1950's and 1960's and, with the concurrence of the Government of India, have been committed to worthy projects such as this throughout the country.

"Where is there a better work to show the world how American surplus farm commodities can be used to feed the hungry and at the same time help to care for the sick and the poor?" asked Speaker McCormack.

The hospital is a symbol of the vision, the humanity and the compassion that have animated John McCormack in his decades of service to the people of the United States and of the world. Its existence owes much to his peerless skills at navigating among the legislative and bureaucratic shoals that lurk throughout the Government, and to his persistence in ensuring that large purposes and noble conceptions do not fail to be realized.

The hospital is tangible. Its purposes, inevitably more abstract, are suggested by the inscription on its cornerstone and well reflected the Speaker's own philosophy:

"Dedicated to the Glory of God  
And to the well-being of mankind  
Through brotherly love and sacrifice  
By the people of America  
And the people of India."

Speaker McCormack's interest did not cease with the laying of the cornerstone, with the construction of the hospital itself, nor even with his own retirement from Capitol Hill. He has persisted in myriad ways to enhance the relations and activities that rise to this project.

If I may add a personal vignette, soon after I arrived in New Delhi we undertook negotiations with the Government of India that sought a permanent end to the accumulation of "U.S. rupees". As these words are written, the two governments are about to initial such an agreement, one which I believe is both fully cognizant of the needs of the United States and also gracious in its granting back to the Government of India the bulk of these funds, while simultaneously removing forever the obstacle to happy relations that this mounting debt presented. It is one of the few negotiations in my experience of which it can truly be said both sides were generous and understanding.

John W. McCormack has been one of the strongest voices in support of such an agreement and has walked the corridors of Washington on its behalf. In person and through his many friends and admirers—labor, religious and political leaders prominent among them—he has sought to remove obstacles from the path of an agreement that, as was instantly obvious to a man of his vision, sustained the spirit that gave rise to the Bangalore hospital project and its many activities while recognizing the further needs of both India and the United States.

I salute him for his compassion, I thank him for his actions, and I hope that those reading this modest tribute will join me in paying their respects to a great man and to the splendid medical center that will be among his legacies.

DANIEL P. MOYNIHAN.

#### PSRO'S THREAT TO THE PRIVATE PRACTICE OF MEDICINE

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ASHBROOK. Mr. Speaker, on November 13 I introduced a bill to repeal those sections of the social security act dealing with Professional Standards Review Organizations—PSRO's. The legislation mandating PSRO's constitutes an arbitrary and unwarranted interference by the Government in the private practice of medicine. It makes physicians handling medicare and medicaid cases dependent on following federally approved standards. These official guidelines could very easily take the place of a physician's judgment.

The following article by Allan C. Brownfeld in the January issue of Private Practice discusses in depth the threat of PSRO's to the private practice of medicine.

The article follows:

#### PSRO'S THREAT TO THE PRIVATE PRACTICE OF MEDICINE

(By Allan C. Brownfeld)

It has always been true that when government involves itself in a particular area of human activity—whether it be education, housing, agriculture, or the myriad of other fields it considers to be within the scope of its authority—before too long it becomes the arbiter of right and wrong in those fields.

In education, federal aid has brought with it compulsory busing for racial balance and, in higher education, the imposition of racial, sexual, and ethnic quotas in faculty hiring. In agriculture, government has told farmers what to produce, what land must lay fallow, and what prices may be charged. In housing, government programs have, through policies of eminent domain, disposed of private property in the name of urban renewal only, in the end, to produce windfalls for contractors with appropriate political connections. The story, as we know so well from the recent revelations in Washington, goes on and on.

Many physicians who initially opposed the Medicare and Medicaid programs argued that such programs would, before long, bring government control over the practice of medicine. Nevertheless, organized medicine decided to accommodate itself to these programs, arguing that it was better to participate in their organization and, thus, mold them in as favorable a manner as possible, than to permit others to do so.

Now, the government has taken a further step towards total control of the medical care provided to those receiving Medicare and Medicaid assistance. It has instituted the Professional Standards Review Organizations (PSROs), and organized medicine once again tells us that it is better to participate in this program of government regimentation and control than to oppose it.

Beginning this month—January 1974—a new federal bureaucracy will come into being, with its basic goal the direct control of medical care to all who receive Federal funds. The law under which this will be done, a part of the Social Security Act, was initially presented to the Congress as a measure "to promote the effective, efficient, and economical delivery of health care."

While doctors have traditionally considered it their professional prerogative to prescribe the necessary care for their patients, to determine whether a patient does or does not

need to be hospitalized, and to decide what manner of medication would prove most effective, the new PSRO program takes much of this decisionmaking process out of their hands, that is, if they want to be paid for their Medicaid and Medicare patients.

Local PSROs will have the responsibility of seeing that doctors practice according to norms that, though formulated by local groups, will be subject to the approval of a national council, which will include representatives of consumer groups and other non-physicians. A PSRO examiner, who may not be a medical doctor, will be able to challenge a doctor's professional judgment. The doctor may be penalized for making what the examiner considers to be an unnecessary treatment by denying payment for the services rendered. PSRO bureaucrats will have the power to order him not to perform an operation he feels to be necessary, to change medicines he has prescribed, or to hospitalize or not hospitalize a patient, and, if he fails to comply, withhold compensation. The lay government bureaucrats have, in effect, been given the power to practice medicine.

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

Even patients who do not receive Federal aid in any form, will be subject to having their confidential records examined by government agents in an effort to establish "norms" of medical care. The PSRO examiner will be able to search through a doctor's files and records without any court order or search warrant. The result will clearly be the destruction of the doctor-patient relationship. It is reminiscent of the thought expressed by Professor Murray Rothbard in his recent volume, *For A New Liberty*: "We have the police to protect us against the criminals, but who is there to protect us against the government?"

The stiff penalties for failure to comply with the PSRO regulations have caused some doctors to decide that after January 1, they will no longer treat patients whose fees are paid directly or indirectly by the government.

Of equal importance is the fact that PSRO regulations would deny patients the best possible medical care, and would substitute for the best judgment of the individual medical practitioner the statistical "norms" determined by government bureaucrats.

Discussing this aspect of the PSRO legislation, Willadean Vance, writing in the *National Health Federation Bulletin*, notes that, "The PSRO law provides for the standardization of treatment of every disease. One of the responsibilities of each regional PSRO is to prepare a schedule of 'norms' covering the care, diagnosis, and treatment based on typical patterns of practice in its region, including typical lengths of stay for institutional care by age and diagnosis. For example, if you were suffering from a cold, you may be permitted to see the doctor only once or perhaps twice, the drugs he may use must be selected from the 'approved' list, the doctor possibly will not be permitted to x-ray your chest unless he is prepared to furnish justifiable evidence of why he suspects you may be developing a complication such as bronchopneumonia, and the schedule of 'norms' may limit your professional care to a period not to exceed five days."

The question of whether or not PSRO would actually serve its stated purpose of reducing hospital costs has been answered in the negative by many doctors. Dr. Donald W. Hastings, Chief of Staff of the University

of Minnesota Hospital, notes that, "The purpose of PSRO is, of course, containment of hospitalization costs. As we have been tooling up to implement PSRO provisions, I am afraid that it is going to add to hospital costs, not reduce them. First of all, from a practical standpoint; the amount of committee work, consulting with others and the like has seen my time cut in half and I have had to give up the acceptance of any new patients. This is costing me [about] \$10-15,000 per year; and, at age 63, it simply is not prudent for me to continue as Chief of Staff . . ."

Dr. Hastings also noted that, "I formally requested that (1) my salary be augmented accordingly and, (2) that I be furnished with a secretary, file cabinets, etc. and (3) a modest support budget . . . the point of this is that these requests will result in increased costs and they can only come from hospital charges to patients. In addition, members of the medical staff . . . are spending literally hundreds of hours in committee meetings to plan and implement the PSRO requirements. I cannot estimate the dollar cost of this but it is substantial."

To those doctors who believe that they themselves can become the PSRO organization in their area and, as a result, avoid government interference in their medical practice, Dr. R. S. Jaggard declares that, "Such physicians have not studied their history lessons. It is painfully clear to any student that government money brings government control. A PSRO clerk is a PSRO clerk. A PSRO clerk follows rules and regulations, prescribed by the Secretary of Health, Education, and Welfare, period. A physician is an intelligent and skilled individual, who exercises his own independent intelligent judgment and skill on behalf of his patient in accordance with his own decisions as to what is best for that specific person in those specific circumstances at that specific time and place. The PSRO clerk deals with regulations and averages. The physician deals with patients and specific problems. The two are not compatible and neither one can function as the other."

The planners for the PSRO program have virtually ignored the private practicing physician. Dr. Henry E. Simmons, acting head of the Office of Professional Standards Review, concedes that, "We don't know whether we're getting an accurate reading of physician opinion." Those in HEW who have been planning the implementation of the PSRO program have been working with and talking to only those organized medical groups which support it. The mounting evidence is that the majority of private practicing physicians take a far different view.

Dr. John P. Heard, a general practitioner in Decatur, Georgia, and president of the Dekalb County Medical Society, urges the repeal of the PSRO legislation. He states that, "First, it is bad law by anyone's standards, and we would be negligent to stand idly by and see it implemented. Second, the survival of the AMA is at stake. If PSRO is implemented, we won't have any need for an AMA."

Criticizing the AMA for its position of conciliation toward government regulations, Dr. Heard noted that, "The truth about PSRO is becoming known. . . . Our patients, even the few unhappy ones, do not want bureaucrats, even MD bureaucrats, telling their doctor when his patient can enter a hospital, how they will be treated, and when they must go home. Nor do they want to be taxed for having him told. Ask them; I have. My patients are astonished to learn that such a law has been passed."

To those who argue that fighting PSRO is futile—an unusual approach in the face of the mounting criticism of it—Dr. Robert T. Pottenger, Jr., of Pasadena, California, re-

plies: ". . . if I am going to be raped, no congressman or senator is going to tell me that I must lie down quietly while he does it. Even if it is a lost battle, which it may well be, it behooves medicine to fight for private medical care or else it behooves organized medicine to inform their membership to line up to form a union. Perhaps, the AMA had best take this kind of leadership or bow out altogether, because once the PSROs and the HMOs are the rule, we won't need you."

While the leaders of organized medicine continue to work hand in hand with government bureaucrats in adjusting a straight-jacket to American medicine, private practitioners—and those outside of the medical field who believe in freedom—have been mounting an effective attack upon the PSRO program. There is something doctors can do about it, and it is not too late.

There is one way for doctors to avoid becoming agents of the government and maintain their independent professional role. That is simply to refuse to participate in the PSRO program. Fortunately, doctors throughout the country have been expressing their vocal opposition to this program. Now, we need to translate that opposition into action.

The Indiana State Medical Association, for example, adopted two resolutions concerning PSRO at its convention in Indianapolis in October. It declared that HEW be notified that the ISMA membership will be encouraged not to participate in PSRO activities and established an independent corporation to accomplish peer-review and quality-control only at the request of the local reviewing board.

The Kentucky Medical Association in September adopted a resolution urging repeal of PSRO. The Louisiana Society passed a similar resolution, declaring that, "It will best serve the public interest for physicians and their organizations to remain free from control of politicians and their assigns."

The Association of American Physicians and Surgeons has stated that, "PSRO would destroy the freedom of physicians to exercise independent judgment in caring for Medicare and Medicaid patients by forcing them to conform to government imposed 'norms' of diagnosis and treatment," and has challenged the PSRO program in the courts.

In Congress, bills have been introduced to repeal the PSRO program by Rep. John Ashbrook (R-Ohio), Rep. Earl Landgrebe (R-Indiana), Rep. John Rarick (D-La.), and Rep. Steve Symms (R-Idaho).

Discussing his own bill to repeal the PSRO program, Rep. Symms noted that the PSRO law "will impose on the medical professional and his patients a system of care standardized at the level of the lowest-common denominator. The law will, in addition, practically remove those guarantees of privacy which have been so important a part of the close relationship which enables doctors to provide their patients with highly personal and highly efficient care."

An open letter was sent to the House of Delegates of the AMA on November 28 and was signed by more than thirty members of Congress, including Rep. Philip M. Crane (R-Ill.), Rep. G. V. Montgomery (D-Miss.), Rep. Jack Brinkley (D-Ga.), and Rep. Louis Wyman (R-N.H.).

The letter cautioned those who believe that by participating in the PSRO program, doctors could control its administration. The letter declared: "Even if you help implement the law, you will not control it. The only way to avoid the law's bad effects is to repeal it. The PSRO section is bad law. It will be bad for the doctor and bad for the patient. It should be repealed."

The Members of Congress were critical of the AMA, noting that, "Unfortunately, although many of us in Congress want to work

for the repeal of PSRO, we have been handicapped by the AMA's failure to continue its active opposition to the law . . . if we are to be successful, we need your help."

The AMA, as a result of overwhelming pressure from its own members, was forced to take a stand in opposition to PSRO at its December 1973 annual meeting in Anaheim, California.

Delegates, however, heeded the pleas of the AMA leadership and stopped short of mounting a national campaign to repeal the PSRO law.

In approving a statement that "the best interests of the American people, our patients, would be served by the repeal" of the law, the delegates directed the Association to work toward amending the legislation, so as to remove the most objectionable provisions.

A number of 244 members of the AMA's policy-making House of Delegates argued that the monitoring system is an unnecessary and unconstitutional intrusion into medical practice. Dr. Thomas Parker of Greenville, South Carolina said that physicians were "at war with the Federal Government" and that if they lost, doctors would hear "a clank of chains from Washington."

Even those doctors who urged compliance with the law agreed that it would interfere with providing patients with the best possible medical care. Dr. Rex Greene of Los Angeles, for example, said that it was "bad law," but then urged that "the AMA not commit political suicide—not mount a kamikaze attack on the Federal Government."

Rep. Philip M. Crane (R-Illinois) addressed the House of Delegates and urged physicians to defend themselves and the private practice of medicine against government intervention. He received a standing ovation when he declared that a free society could only be maintained if citizens were zealous in defending their rights. If doctors will not speak up in their own behalf, Rep. Crane stated, their freedom will surely be lost, and this will damage not only their own careers, but the quality of medical care received by all Americans.

Dr. Russell B. Roth of Erie, Pennsylvania, the AMA's president, said "nothing would please me more" than the repeal of PSRO. He then burst into song, adapting freely from "It Ain't Necessarily So":

"There's nothing but misery and woe,  
To expect from PSRO

"But thanks to the amendment and Senator Bennett

"There's no other way to go."

His attempt to mollify angry delegates was only partially successful. If anything, this AMA meeting showed clearly that the willingness of the AMA leadership to accept government control and interference in private medical practice was not an expression of the views of the AMA membership.

If doctors do not wish to have the practice of medicine controlled by a huge, new government bureaucracy, they must make their decision now. The representatives of organized medicine have decided to go along. It is now time for the voice of the independent medical practitioner to be heard, for it is only the individual doctor who can save the private practice of medicine.

#### CONSTRUCTION INDUSTRY IN DANGER

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. WINN. Mr. Speaker, we are all painfully cognizant of the pervasive and

deleterious influence of the current energy crisis. However, I wish to draw particular attention to the serious situation facing the construction industry, an industry which is essential, in a very real sense, to the healthy growth of our Nation. I believe the following short article from the Modern Builder of December 12, 1973, a respected periodical published by the Builders' Association of Kansas City, is an eloquent statement of this critical situation.

I would like to recommend this article to my colleagues:

#### CONSTRUCTION INDUSTRY IN DANGER—WARNS CONTRACTOR PRESIDENT

WASHINGTON, D.C.—The nation's largest industry is in danger of coming to a standstill because of present federal fuel allocation programs, according to a nationwide survey conducted by the Associated General Contractors of America.

"Construction activity in this country is already down 20%," said Nello L. Teer, Jr., president of the national association representing 9500 construction firms throughout the country. "If present fuel allocation programs are not altered quickly, the economic impact on the construction industry may reach catastrophic proportions before the end of winter. Our survey indicates that thousands of construction workers are now out of work and the situation is worsening daily," he said.

"The general contractor is not asking for more than his rightful share of fuel," Mr. Teer continued. "He is more than willing to do his share to help alleviate this program; all he is asking for is a better system of fuel allocation to keep his industry going," the highway contractor from Durham, North Carolina added. He said present monthly fuel allocations are made on the basis of fuel consumed during the corresponding month in 1972. He said this type of approach "may be equitable for the majority of fuel users in the nation (whose needs are relatively stable) but has no validity for the construction industry because the fuel requirements on a particular job in a given month in 1972 may be vastly different than the fuel requirements on the same or a new project in the same month of 1973."

He said that weather and the availability of labor and materials could also vastly affect fuel requirements from one month to the next and from one year to the next.

Mr. Teer said he has asked White House Energy Advisor John A. Love to allocate fuel on a project basis so that each job will be assured adequate fuel before it is advertised for bid. "I have also asked that propane for interior heating of buildings under construction be allocated on a priority basis."

Responses to AGC's survey of its chapters representing construction firms, which perform 80 percent of all contract construction, read in part:

"We have had 22 construction jobs shut down this week because of gas, diesel and propane shortage . . . amounts to \$66 million in construction, and a direct layoff of 2200 employees . . . situation will snowball through the winter months if government stays on '72 base period allocations. I foresee a layoff of 10 to 15 thousand construction workers in Ohio in second quarter of 1974 if present federal program is continued." . . . Ohio Contractors Association.

"Diesel fuel situation critical . . . \$7 million in highway and utilities shut down . . . 150 employees affected. Additional \$10 million in heavy, highway, utilities work operating on day-to-day basis. Construction firms will be unable to continue full production using present allocation procedures . . . unless there is release. Project 800 to 1,000 construction tradesmen become unemployed." . . . Louisville Chapter.

"Diesel situation becoming extremely critical in southern California. Increasing number of reports of contractors having to stop entire projects because of lack of fuel . . . if situation does not improve, layoffs could approach 3000 to 5000 men before end of year." . . . AGC of California.

"Effect of fuel shortage in Missouri catastrophic. Without relief, all work will cease. A number of projects already shut down." . . . AGC of Missouri.

"Fuel shortage getting critical . . . engineer dam project was completely stopped for 5-8 days, putting 3000 on-site workers out of a job. Other projects stop-and-go as fuel is available. Black market fuel available on increased price basis." . . . Heavy Constructors Association of the Greater Kansas City Area.

"Fuel allocation on the base period usage system is not a workable system for the construction industry . . . already beginning to show its effects on some projects in this area . . . in the near future, will severely cut back most construction operations." . . . Oregon-Columbia Chapter.

"Unless a more realistic base period is used for diesel fuel and construction is given a priority for use of propane, construction will be reduced by 50% in the metropolitan Detroit area . . . employment of building tradesmen would be reduced by 50% . . . such a reduction would have a great impact on the overall economy in this area." . . . Detroit Chapter.

"Propane shortages and nonavailability considered severe threat . . . winter construction employment levels down 50%." . . . Chicago Builders Chapter.

"Highway and heavy engineering industry in Arizona will have to completely curtail operations if present base period system of fuel allocation is continued . . . extremely unusual weather conditions in 1972 shut down practically all outside work during last months of the year, (therefore) most contractors have very small fuel allocations available . . . 12,000 employees are directly involved with additional thousands indirectly involved." . . . Arizona Chapter.

"Approximately 25% of our 125 contractors experiencing severe diesel fuel shortages . . . if situation does not improve, nearly 1,000 men will be out of work within a few weeks with payroll economic impact of nearly \$750,000 per month." . . . Kansas Contractors Association.

"Under present propane and diesel program, 50% of all construction will be stopped by Jan. 1 . . . up to 70-80% by March 1 . . . stoppages will affect 30-50,000 people." . . . Greater Lexington Chapter.

"Diesel fuel allocations critical . . . unless relief or priorities granted, utilities construction statewide will be reduced, minimum of industry employment 10-20% with some contractors forced out of business." . . . Texas Highway, Heavy and Utilities Branch.

Teer said the energy crisis is the "greatest calamity to hit this nation since 1929."

#### VIRGINIA'S SENATOR SCOTT EXAMINES COST FACTORS IN GOVERNMENT, ENERGY, AND ENVIRONMENT

HON. J. KENNETH ROBINSON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ROBINSON of Virginia. Mr. Speaker, because I share his faith in the ability of the free enterprise system to meet and deal with the challenges of the times, I take the liberty of bringing to

the notice of the House an address by the junior Senator from Virginia, the Honorable WILLIAM L. SCOTT, at the annual meeting of Virginia Forests, Inc., in Richmond, Va., on January 21, 1974.

In these remarks, he emphasized his conviction that the energy crisis could be overcome most effectively through restraint in governmental actions, in order that free enterprise ingenuity might be encouraged to develop new energy resources to meet the great and ever-growing demand.

Senator SCOTT also urged a realistic balancing of energy requirements and environmental protection.

There is plain talk in his address which points up the economic realities which confront us in the energy situation; in over-reaction to environmental dangers and in excessive resort to governmental regulation of the marketplace.

The text of Senator SCOTT's speech follows:

ADDRESS BY SENATOR WILLIAM L. SCOTT OF VIRGINIA BEFORE THE ANNUAL MEETING OF THE VIRGINIA FORESTS, INC., RICHMOND, VA.

Virginia is basically a conservative state and it is natural for it to have a conservative Congressional delegation. Certainly labor leaders have no monopoly on criticism but we take comfort in the fact that all were elected to our seats by a majority of the voters of Virginia and in some instances, by a substantial majority. You can be assured that regardless of party affiliation, we are attempting to do what's best for Virginia, and the country.

Congress has reconvened after being in recess for about a month. Last year's session commenced on January 3rd and ended on December 21. Today the Senate has been considering the Rivers and Harbors Bill. As the ranking member of the subcommittee which considered the measure, I handled the bill on behalf of the Republican side. We will probably go in a trot for most of the year but our Capitol physician has obtained a new tranquilizer. It doesn't relax a Senator but it makes him enjoy being tense.

Seriously, I do enjoy serving in the Senate and I am pleased to speak to groups such as Foresters and their guests. I note from last year's program that Governor Godwin was scheduled to be your speaker and talked with you on a subject entitled "What Lies Ahead." Of course, I cannot forecast the future, but do suggest that Virginia Foresters, businessmen, and citizens generally by their involvement in the affairs of government, or lack of involvement, will play a major role in determining the future development of our country. Lack of development means that you will permit others, perhaps those who have different views and philosophies than yours, to make the decisions.

Last January we undoubtedly would have considered the most serious problem confronting the country to be our involvement in Vietnam and obtaining the return of our prisoners of war. More recently, we may have considered the most vital issue to be Watergate and the Crisis of Confidence. Confidence in our government, in its institutions and in its leadership is essential to the public welfare and proper functioning of government. Therefore, it seems time to refrain from nit-picking and from repetition of hearsay and innuendo. The primary concern of most Americans today, in my opinion, is the high cost of government, the economy, and the energy crisis. Reasonable people may differ on the solutions to these problems but just let me comment on the Conservative philosophy Clifford Miller talked about in his introduction.

I am told of a newspaper column regarding a welfare recipient who borrowed a ham from the farm where he worked part-time. He didn't tell the farmer that he borrowed it but he took it to a grocery store and sold it for \$27.00. Then the man, because of his welfare status, was able to use \$20.00 of the \$27.00 to buy \$80.00 worth of food stamps. Using the stamps, he repurchased the ham for \$29.00, then he returned it to the smokehouse. Now according to the columnist, the grocer made a profit, the farmer got his ham back, and the welfare man wound up with \$7.00 in cash and \$51.00 in food stamps with no one being the loser. No one unless you raise the question as to who paid for the food stamps. Now I don't vouch for the accuracy of this particular story but I do believe it illustrates that it is the taxpayer who pays and also illustrates one reason why people are concerned about the high cost of government.

Undoubtedly the members of the General Assembly here tonight hear the same demands for greater services. Incidentally, you probably heard of the woman who said she had no use for politicians and when asked if she voted, she replied, "No, it only encourages them." Oftentimes, the taxpayer fails to distinguish between the taxes imposed by the Board of Supervisors of City Council, by the State Legislature or by the Congress; he just knows that taxes are too high and he wants us to do something about it. A great Virginian, Thomas Jefferson, indicated that government was best which governed least. But, over the years, government has played an increasing role in the life of all Americans. New federal agencies have proliferated in recent years. The Environmental Protection Agency, the Occupational Health and Safety Administration, the Consumers' Product Safety Commission; new boards are created and rules and regulations are adopted which increasingly affect the lives of citizens.

Most of us find it difficult to be against a measure which purports to provide for safe working conditions, for protection of our environment, for safe products, for secure pensions. Yet the U.S. Chamber of Commerce has indicated that one pharmaceutical company, applying to the Pure Food and Drug Administration for approval of a new drug, had to submit sixty-four volumes of data, making a stack 10½ feet high. This may be an extreme case but businessmen contact our office continuously complaining that they do not know the regulations they are supposed to follow under the Occupational Health and Safety Act. When the first session of the 93rd Congress adjourned last month, we were considering the creation of a Legal Services Corporation to have government lawyers protect the rights of people unable to pay the cost of legal services. This may sound like a fair thing to do, but we know that over the years similar lawyers in the Office of Economic Opportunity were activists who encouraged litigation by private citizens against government agencies, who became involved in political issues and oftentimes participated in demonstrations against the government which was paying their salaries.

The Senate has passed a Land Use Policy and Planning Assistance Act. It would establish a National Land Use Policy to help states and localities make the best use of their land resources. Yet, planning and zoning is a field that heretofore has been reserved to the state and local governments. It would even have the Federal Government approve the size of septic tanks under the threat of withholding federal funds unless the state submitted land use plans for the approval of the Secretary of the Interior. Let me assure you ladies and gentlemen that I make no apologies whatsoever about being a fiscal conservative. Let me also assure you of my belief that the individual should look after his own interests to the extent that he is

able and when public services are needed, they should be approved at the local level where possible, then the State and lastly by the Federal Government.

Oftentimes people who are considered conservatives are criticized for living in the past. However, our National Archives Building in Washington has carved in stone the admonition "What is past is prologue; if you would know the future, study the past." It was good to hear Governor Godwin in his Inaugural Address speak of the need to return to the traditional values which characterized our nation's greatness. Many ideas must change as circumstances change but I believe we have a great legacy of individual initiative, of local effort, of free enterprise, and that the conservative philosophy is healthy for our nation. Some of the criticism you hear of conservatism today is made by those who are trying to pump new life into a philosophy that was overwhelmingly rejected in the last federal election. I don't believe the American businessman wants a government to tell him the race and sex of workers who may or must be employed, or to tell him exactly what conditions must be provided for them. I even doubt the average citizen wants an automobile he cannot start without first buckling his seat belt.

Someone has said that during World War II the then Vice President Henry Wallace was asked why we were fighting and he replied, "So every American can have two bottles of milk on his doorstep." But the inquirer disagreed and stated, "Two bottles of milk on his doorstep only if he wants it."

I realize that this meeting is sponsored by a group whose purpose is to conserve, develop, protect and promote forests and related resources in Virginia for the best interests of this and succeeding generations. Yet, whether you are tree farmers or processors, I believe you are interested in and affected by many of the same government activities that affect other members of the business community. You are a part of the American Free Enterprise System that has made our nation the envy to the world. In my opinion, this standard of living is threatened today by the energy crisis. Without sufficient energy not only will we have less comfort and conveniences but energy shortages can reduce production and adversely affect our economy. Some industries wholly reliant on oil may even be forced to close.

People frequently ask whether there is a real shortage of energy and even suggest that it is a conspiracy within the petroleum industry to obtain higher prices. I am convinced that there is a real shortage but do not know that the Federal Energy Office is requesting an inventory of the supply of energy on hand by the producers and that the Department of Justice is investigating the possibility that energy is being withheld from the market to obtain higher prices. We may be contributing to the shortage by unwittingly hoarding gasoline. Before the shortage developed, didn't we ordinarily let the fuel gauge in our automobile go down to quarter full, or even almost empty before we would refill the tank and now aren't we more than likely to have the tank refilled when it approaches the half full mark? Suppose for example, that there are 100 million automobiles in the country and that each has an average of ten gallons more gasoline than it had a few months ago. This amounts to one billion gallons of gasoline that we are hoarding within our automobiles, not counting what some citizens take home with them in extra cans.

There is no need for us to speculate as to who is responsible for our present deficiency. Certainly the Middle East embargo brought it to a head, but we know the delay in the start of the construction of the Trans-Alaskan Pipeline also played a part. We know that over the years there have been increased demands for energy; emission control standards on new automobiles have played a part

as has the moratorium on drilling in the Santa Barbara channel; the delay in granting permits for construction and operation of nuclear energy plants; the control of the price of natural gas at the well head; the inability of the oil driller to profitably reach oil at deeper levels; or to obtain oil off the Continental Shelf.

It appears to me that the stress in recent years on ecology has hastened the scarcity of energy and that we need to take another look at our environmental laws. Fortunately many of these laws can be periodically reviewed because of the need for further authorizations and appropriations. I believe we need to stress, to give greater attention to the maintenance of a strong economy and an adequate supply of energy to meet both domestic and defense needs. While we are undertaking this, we can consider the constancy of our goal with that of maintaining a clean environment. The economy needs to grow, industry to prosper, to maintain our standard of living. This means new plants, new machinery, new roads, bridges and dams. It means research and development. Under the guise of protecting the environment, we cannot permit this nation to stagnate. Some would nationalize our national resources. Some would install rigid wage and price controls. I believe we need to increase production and, operating under a free economy, let prices seek their own level. When more energy is obtained, more competition will result and when supply exceeds demand, prices will come down. There appears to be a challenge facing industry. Either it must find a way to satisfy the energy needs of the people of the country at reasonable prices or more power will be concentrated in federal bureaus. The needs of the people can be expected to be met either by the business community or by a strong national government.

Congress has now removed the restrictions on the Alaskan Pipeline; passed the National Daylight Saving Time Bill which, whether we like it or not, should save energy. The Senate has authorized the use of the Naval Reserve in California to the extent of providing up to 160,000 barrels of oil per day. The President has urged that we insulate our homes better, that we turn down our thermostats, that we drive our cars at lower speeds, that gas not be sold on Sunday. Frankly, I am burning wood in my fireplace even though we do have central heating. You know better than most that we have a lot of fallen trees or scrap lumber within our forests which otherwise would be wasted if not used for fuel purposes. I have co-sponsored legislation to deregulate the natural gas prices at the well head and believe we need to expedite the granting of licenses for nuclear power, to construct deep water port facilities, to encourage additions to our domestic refining capacity, to utilize the deposits of oil shale in our western states, and ultimately to turn to the so-called "exotic" sources of energy from the sun, the tides, the wind, and geothermal steam. We hope that the regular importation of oil from the Middle East will soon be resumed but the increasing demands for energy will still not be met without a substantial research and development program. That is why I voted in favor of a \$20 billion measure in the Senate to be spent over a ten-year period to seek and develop new sources of energy. I would certainly hope that private industry will participate to the fullest possible extent in finding new sources of energy and best utilizing what we now have.

An editorial in Lynchburg News a few days ago indicated we had reached a point where for millions of families the cost of heating their homes, even at reduced levels, and getting to and from work had forced a sharp curtailment in their already marginal living standards, including curtailment of food, clothing, medical care and other necessities.

It is understandable that the President suggested and the Ways and Means Committee is considering an excess profits tax. The editor indicated that we had better take another look before we price fuel oil and gasoline beyond the point of no return, beyond the reach of more than half of the American families who already exist on the edge of a financial cliff. He suggested it would take mightily little to cause them to support any program, even a socialistic one, which promised to provide them with heat, light and transportation at a price they could afford, that every plan yet proposed for coping with the crisis increased the power of the federal government over the oil industry and its distribution system.

Some of our activists in the ecology field have presumed that we can have a Garden of Eden, have zero pollution of our environment and still meet the domestic and military needs of our country. However, a rule of reason and a proper balance between maintaining a clean and wholesome environment and maintaining a high standard of living must exist. Business cannot expand and prosper, factories cannot be constructed or operated, roads and dams built; the material things needed to retain our standard of living be retained without some degree of pollution. My vote will continue to be in favor of expanding our economy, maintaining and attempting to increase our standard of living but at the same time attempting to keep our total environment clean enough that there will be no damage to the health of our citizens. I am satisfied that the necessary adjustment can be made but do urge all of you to let your views be known so that when your elected officials, at all levels of government, listen they will hear the true voice of the people and not just that of a small vocal minority.

#### UKRAINE INDEPENDENCE— 56TH ANNIVERSARY

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. WOLFF. Mr. Speaker, January 22 marks the 56th anniversary of Ukraine's Independence. National independence, first proclaimed in 1918, lasted only until 1920, when the Soviet Union overran the country.

Now, the 48 million Ukrainians, who make up the largest captive non-Russian nation in Eastern Europe and the U.S.S.R., are still struggling to regain their freedom. While all countries applauded the easing of hostilities between the Soviet Union and the United States and most support increased trade between our nations with free emigration, we in the United States must not forget the Ukrainians and others who are not able to worship as they please or speak out about the policies of their governments. It was these freedoms upon which this country was founded, and we must put these freedoms, for us and for others, ahead of mere economic gains.

With the great debates going on in our country over the right of privacy, I believe it is important for us to remember, especially on occasions such as Ukrainian Independence Day, that any infringements on our rights pale in comparison to the lack of freedom in Soviet occupied countries.

#### JACK BRIDGES DISCUSSES THE ENERGY CRISIS

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ARCHER. Mr. Speaker, Mr. Jack Bridges, of the Center for Strategic and International Studies at Georgetown University, recently appeared as a guest on a special energy program which I hosted. The program was sponsored by television station KPRC in the Houston area. Mr. Bridges is a top expert on the energy situation. He has traveled widely throughout our country discussing the problem and has briefed Members of the U.S. House of Representatives and Senate on this crucial issue. A very informative interview with Mr. Bridges appeared recently in the Houston Chronicle:

[From the Houston Chronicle, Dec. 30, 1973]

#### ENERGY SHORTAGE

(By Arthur Hill)

Around Washington's Capitol Hill, what you are about to read is known as "Jack Bridges' dog and pony scare show."

Bridges, who spearheaded a team effort sponsored by the Joint Congressional Committee on Atomic Energy to analyze where the energy crisis came from and where it appears to be going, has been trooping from one legislator's office to another since last spring, long before the cutoff of Arab oil, attempting to explain the magnitude of the mess the nation is in.

Bridges departed from his Potomac routine long enough to appear at an energy symposium sponsored by the newly formed Energy Institute at the University of Houston.

The thrust of his message was that the future survival of the United States could well be in jeopardy in another 10 or 15 years.

"Basically, we see the energy crisis in three phases," Bridges said.

"The first phase, of course, is the 'I don't believe it' phase. The second one—the one we are in right now—is the 'scapegoat' phase, where Congress blames the administration, the administration blames Congress, the environmentalists blame the oil companies and the oil companies blame the environmentalists.

"Maybe sooner or later we can get into phase three, bow our back, and go about solving the thing. But we have been concentrating on phase one because we believe that if the public and the business community, etc., does not understand the magnitude of the problem, we will have a very difficult time ever getting into phase three," Bridges said.

For the analysis, Bridges and staffers from the Center for Strategic and International Studies at Georgetown University collected everything they could find on where the country has gotten its energy since 1950 and how it has used that energy.

In order to make the comparison easier, the energy from coal, gas, hydroelectric, etc., was converted into oil equivalents of millions of barrels a day.

For example, in 1960, coal supplied the equivalent of 5.3 million barrels of oil flowing into the energy network each day. At the other end of the stream, 3.4 million barrels were used to generate electricity, 5 million to heat or cool homes and businesses, 5.3 million for cars and trucks, and 7.1 million for heavy industry.

The data shows the enormous inefficiency of energy consumption. For example, 80 percent of the energy going into transportation was wasted in 1960. Only 20 percent actually

was converted into mobility, the remainder going out the tailpipe.

The years 1950, 1960 and 1970 were all pretty good years. Bridges said, when the nation came close to using, or actually did use, as much energy as was lost.

The projections for 1980 and 1990 show lost energy greatly exceeding used energy. This is including new sources such as geothermal (tapping the internal heat of the Earth), nuclear and oil shale.

What's happening is that demand is increasing at a fantastic rate.

From 1960 to 1970, the nation doubled its electric generating capacity, the use of natural gas doubled, coal was up about 25 percent, oil about 40 percent.

How good is the 1980 projection?

"We basically have already started on every rail-based system that will be operating in 1980 in the mass transit area. About 90-odd percent of the cars we bought last year will still be on the road, and the 100 million or so that we had at the beginning of 1973 were averaging 13.5 miles per gallon," Bridges noted.

"The largest single seller last year was either the Malibu or the Impala with the big engine averaging about 10.5 m.p.g. The Chevrolet Vega which is being sold now, comparably equipped with air conditioning, automatic transmission, etc., consistently gets about the same gas mileage as the 1966 Cadillac.

"Again, we are not projecting anything; we are trying to get the mule's attention as to the basic pattern we have been following," he said.

If the U.S. can get the energy, it will come close to using more oil and gas from 1970 to 1990 than has been used by the nation in all the years before 1970.

The nation's current energy appetite requires the equivalent of 36 million barrels of oil a day. By 1985, total domestic sources are projected as being able to produce about 40 million barrels, but demand will be closer to 60 million.

This gap between supply and demand continue on into the next century, even with the country going all out to produce more energy.

Most congressmen look at this picture and see it as an impending disaster, wherein the country will tear up its balance of payments by paying the Arabs \$70 billion in 1985 for imported oil, or the world powers will have to agree on the dissolution of Israel, Bridges said.

"In any case, they (the congressmen) seem to be quite concerned. So we point out a few things. This is the end result of a national energy strategy we have been following since the Depression, right or wrong, and I am glad we did personally. I have enjoyed the fruits of it. It worked fine as long as we had our surplus oil or something like that so we could back up our systems," he said.

The question is whether the nation wants to decrease demand to more closely match what can be produced domestically, and Bridges emphasized that this has nothing to do with the short-term gyrations the administration is going through now because of the Arab oil boycott. He assumes the boycott eventually will be lifted, but it is not going to help much.

"I can report to you that there's not too much real interest in that (bringing down the demand) on the Hill. They read: Energy demand—gross national product—jobs—VOTES.

"One of the upstate New Yorkers was looking at this thing several months ago and he said 'Good heavens (he used stronger words than that), I'm going to have to start making decisions now and my constituents are not going to realize for seven elections (1988) how smart I was.' Then his voice trailed off, he slid down in the chair, and said 'And I will have sit out the last six.'" Bridges said.

"So you can be pretty well assured," he continued, "that until you out here in the great American public start pushing them real hard, you'll hear quite a few speeches, but they are not really going to start biting bullets until they think they have got some company out here."

Bridges notes that President Nixon is talking about energy self-sufficiency seven years from now, which means no imported oil.

He is skeptical that the magnitude of this step is understood.

"Look at the way we are heading, in which by the early 1980s we will need about 40 million barrels of oil equivalent from domestic systems.

"Let's say we try to hold demand fairly close to where it is, and we keep imports to only double what they are today (before the Arab boycott). That one move requires another 10 or 15 million barrels of oil equivalents. In other words, we have to find 10 more Prudhoe Bays, or go somewhere and discover four more states of Texas and produce them at capacity," Bridges explained.

The way energy consumption is increasing, the U.S. will be gulping about 115-120 million barrels a day in the year 2000. But suppose, said Bridges, the nation goes all out to hold down demand.

This means things like immediate banning of all new cars larger than 40 horsepower so that by 1985 half the cars on the road would be that size; forcing airplanes to be at least 85 percent full or they can't take off; forcing a 20 percent improvement in the heating systems for buildings.

"Try to force a 15 percent improvement in energy efficiency by industry, and we don't particularly know how to do that; try to force a 15 percent improvement in the efficiency of converting our electric power, and we sure don't know how to do that," Bridges said.

"Add all of those savings together and then I threw a 50 percent safety factor on top of that, and it brings us down to around 83 to 87 million barrels per day of oil equivalent," he said.

Where will it come from? To make it easier, Bridges still assumes double the present import rate. Then his script calls for total offshore oil development as far as the outer continental shelf off both the East and West coasts, a 270 percent increase in coal, which he gets by tripling the present rate of strip mining and expanding underground mining by 50 to 75 percent, converting all of California, Montana and Idaho to geothermal steam electric power, which would be like building 110 Hoover Dams and take maybe \$40 billion to develop; getting the Alaska pipeline going plus finding a couple more Prudhoe Bays and doubling the present rate of hydroelectric power.

But when you start adding hydroelectric power, 85 percent of the potential sites, Bridges said "are in parks, wilderness areas and scenic areas.

"Three of the better known are in Grand Canyon. I do not recommend damming Grand Canyon. I'm trying to underscore the political magnitude of the kind of bullet that someone is going to have to start biting if they want to double the system."

Bridges also assumes two million barrels of oil a day from oil shale by the year 2000, which literally involves squeezing petroleum from rocks in the Rocky Mountain area.

"There's a minor detail or two. Only 6 or 7 percent is useful by weight. In order to get even the two million barrels, using the technology we probably will have, you dig the Panama Canal once each afternoon in western Colorado and you basically commit the total minimum water flow of the Colorado and White rivers.

"Again, I'm not saying we are not going to have a lot of shovels going in western Colorado, but that by itself is not going to solve the problem either. We should start

leveling with each other on what we can accomplish with these things," Bridges said.

Solar energy? He assumes that all of the houses in New Mexico, Arizona, Nevada, Montana, Idaho, Wyoming, western Colorado and southeast California will be heated and cooled by the Sun.

Nuclear fusion? Harnessing the power of the hydrogen bomb theoretically will allow energy to be extracted from sea water, but Bridges said the nation will be lucky to see its first commercial plant by the turn of the century. Meanwhile, he assumes one conventional atomic power plant being added every three weeks from now to 1985, and one each week thereafter to the year 2000.

Do all this, and Bridges charts still indicate a shortage of several million barrels a day in the year 2000.

"So you are right when you mistrust your neighborhood oil company because the situation probably is not as bad as he is telling; the fact is, it is probably worse," he said.

"The lead times involved and the complexity in this situation are something that is really going to challenge the United States. We now are going to find out how good we really are," Bridges said.

"We are going to find out how good our political system is, how good our business system is, how good our media, our education and the general public, because we have to make a whole series of decisions, every one unpopular, and we are going to have to do them five, seven, or eight years before the facts, or we won't get the job done.

"Our demand curve has exploded at such an angle that we are going to have to scramble. We'll be moving into solar, geothermal, wind, nuclear fusion and fission faster than we had anticipated a couple of years ago.

"We are going to be doing balancing acts in the imports that we haven't dreamed of, and we are going to have to pay the price—in dollars, inconvenience, job problems and tradeouts with the environment. We have had a few minor heart attacks, and we are in the middle of a major one now. We are at the end of this era (of easy energy) and off into the other one, ready or not. That's the dilemma we are in," Bridges said.

#### HUDSON'S ENERGY CONSERVATION PROGRAM

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DIGGS. Mr. Speaker, the H. L. Hudson Co., Detroit's leading retail department store, has instituted a comprehensive program designed to conserve energy and provide maximum customer services for minimum output of energy resources. I believe this program is an example of progressive management and responsible citizenship on the part of Hudson's chairman and executive officers. I would like to share with my colleagues, and retail businesses across the country, the measures taken by Hudson's.

The program follows:

#### HUDSON'S ENERGY CONSERVATION PROGRAM

Energy conservation has become a most important problem that can impact our business, the communities we serve, and the daily lives of our employees and customers. As a responsible member of the communities we serve, Hudson's is committed to implement energy conservation measures in all of its facilities.

Frank A. Colombo, Executive Vice President, Environmental Development, has been charged with the responsibility of working with those executives who have the primary responsibility for implementing the action programs to assure that there is total coordination of the project. John W. Perles, Vice President, Operations, has been assigned the responsibility of coordinating the plans for the stores and operating facilities. Each store manager has the responsibility of implementing the company-wide plan and of initiating specific action for his own unit. The Officers in charge of Finance, Personnel, and Publicity will assist to implement company-wide programs.

Every employee must be made aware of our current programs and we ask that each fully support conservation efforts. Hudson's Management is fully supportive of these programs and the Dayton Hudson Corporation is taking a leadership position nationally in the conservation effort.

We have in place a short range action program and are developing a long range program. These are as follows.

#### SHORT RANGE PROGRAM

##### *I. Action applicable to all facilities: heating*

1. Set daytime temperatures at 68 degrees.
2. Set night temperatures in stores at 60 degrees.
3. Set night temperatures in warehouses at 55 degrees.
4. Insure that optimum use of outside air is maintained in the air circulation system based on the outside temperature and season. During the heating season the outside air should be increased as the outside temperature increases and vice versa. During the cooling season the outside air should be reduced as the outside temperature increases and vice versa.

##### *I. Action applicable to all facilities: lighting*

1. Turn off interior lights in each area when not required, particularly in offices and stock areas.
2. Reduce lighting in hallways, stock areas, and offices by at least 25%.
3. Offices with both overhead lights and desk lamps should use only one, either overhead lights or desk lamps, not both.
4. Reduce all outside lighting as much as possible except for security reasons and protection of the facility.
5. Outside lights to be turned on at dusk and turned off one half hour after store closing.
6. The "Hudson's" sign on top of the Downtown Store will be permanently off until further notice.
7. Branch Stores identification signs will be permanently off until further notice except for Pylon identification signs such as at Oakland and Southland.

##### *I. Action applicable to all facilities: equipment*

1. Turn off electrically and other energy operated equipment when not in use.
2. Discontinue the use of unauthorized heaters, fans, and other energy using equipment.
3. Follow prescribed maintenance schedules on all electrical and mechanical equipment.
4. All company vehicles will adhere to the speed limit as currently recommended by the President (currently 50 miles per hour) except for over-the-road trucks where the speed limit is 55 miles per hour.

##### *II. Action for store units: lighting*

1. All TV sets, lamps, and other appliances are to be turned off except when required for demonstration to the customer.
2. There will be no outside Christmas display lighting.
3. All display cases are to be turned on ten minutes before store opening and turned off at store closing.

##### *II. Action for store units: escalators*

1. Multi-escalator stores (Downtown, Northland, Eastland):

#### Store opening

- (a) On one escalator start "up" bank only one and one half hours before store opening. The "down" bank is to be turned on one half hour before store opening.
- (b) Second escalator, both up and down, will be turned on fifteen minutes prior to store opening.

#### Store closing

- (a) One escalator turned off half hour after store closing.
- (b) Second escalator turned off one hour after store closing.

#### 2. Single escalator stores:

#### Store opening

- (a) Turn "up" bank on only one and one half hours before store opening.
- (b) Turn "down" bank on one half hour before store opening.

#### Store closing

- (a) Turn escalator "off" half hour after store closing.

#### III. Action for distribution units

1. Insure that shipping and receiving doors are closed when not being used.
2. Check for proper maintenance of gasoline and battery powered equipment.
3. All heat will be shut off at night at the Warren Warehouse, Warren Warehouse Store, and the Beacon-Beaubien Warehouses.
4. All delivery trucks will operate on a "full load" basis as much as possible.
5. Instruct drivers to turn off engine at every stop.

#### IV. Company-wide programs

1. Maintain "take with" program.
2. Employee services programs:
  - (a) Car pools: Each store will establish a system for coordinating car pools through the Personnel Office. Bulletin boards and door handouts have been and will continue to be used to publicize the service.
  - (b) Transportation: Support public transportation by publicizing schedules and urging employees to use available transportation. (1) Bus schedule display is on the Fourteenth Floor—Downtown Store. (2) Bus schedule program being developed for Branch Stores.
3. Employee communications:
  - (a) "Open line." "Open line" will be utilized to answer questions of employees relating to energy shortage problems. Employees will also be encouraged to submit suggestions for energy conservation at work.
  - (b) "The Hudsonian." The December Hudsonian will feature a story on what Hudson's is doing on the energy problem. Other articles will be included throughout the year.
  - (c) Payroll Envelopes: A series of employee messages which have reader interest and energy saving suggestions will be considered as inserts.

#### 4. External Communications:

- (a) The public, federal, state and local governmental officials will be kept posted on Hudson's programs through press releases, media interviews, and letters to specific individuals.

#### 5. Publicity Department Programs:

- (a) Develop lists of merchandise which can be specifically promoted for energy conservation either by advertising, in-store promotion, or both.
- (b) Develop specific signing for energy conserving items.
- (c) Develop in-store public information signs calling our customers' attention to Hudson's conservation efforts.
- (d) Develop store signs encouraging "take withs".

#### 6. Energy Usage Report:

- (a) Energy usage by type and unit and cost will be recorded in a monthly summary for Management review.

#### 7. Action Checklist:

- (a) An immediate action checklist has been developed for leased departments, restaurants, and bakery.

#### 8. Gasoline and Oil Storage:

- (a) Review necessity of additional gasoline and oil storage capacity.

#### 9. Hot Water:

- (a) Reduce hot water temperatures to lowest acceptable levels.

#### LONG RANGE ACTION PROGRAM UNDER STUDY

##### *I. Heating*

1. Lower daytime temperatures to 65 degrees.
2. Lower night temperatures to 50 degrees in all non-selling areas.

##### *II. Air conditioning and ventilation*

1. Plan now to establish limits for the cooling season.

##### *III. Lighting*

1. Audit all lighting on selling floors and establish reduction guidelines . . . either number of lights or reduced wattage . . . or a combination of both.
2. Reduce usage of overhead spot lights on the selling floors.
3. Turn off show case and all special display lights.
4. Remove all unauthorized heaters, fans, unessential desk and floor lamps from offices and other work areas.
5. Code light switches to avoid non-essential lights being put on during non-selling hours.
6. Review selling floor cleaning schedules to minimize lighting needs.

##### *IV. Escalators and elevators*

1. Review escalator and elevator service to determine optimum reduction of usage.

##### *V. Delivery*

1. Review delivery and transfer schedules and programs.

##### *VI. Telephone order board*

1. Reprogram TOB to encourage telephone shopping of higher markup, low return potential merchandise.

##### *VII. Store hours*

1. Establish alternative store hour programs designed to meet energy conservation demands. Our current posture is that there will be no drastic changes in hours unless mandated by Federal or State legislation. Our effort will concentrate on meeting any established conservation objectives by continuing to implement energy saving ideas. However, alternative programs must be developed for (a) Downtown Store; (b) Branch Stores . . . and priorities for action established.

##### *VIII. Construction and interior design*

1. Review construction and interior design for new units to facilitate energy conservation.

##### *IX. Heating energy*

1. Study alternatives for heating energy.

##### *X. Employee ideas and suggestions*

1. Consider the possibility of an employee contest for additional ideas on how individuals can help minimize the energy crisis at work, at home, in the community.

##### *XI. Energy saving tip pamphlets*

1. Investigate the placement of energy saving tip pamphlets in employee areas.

#### TAX BREAK FOR VICTIMS OF PLANT CLOSINGS EXPLAINED

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. JAMES V. STANTON. Mr. Speaker, as you know, Congressman ROSTENKOWSKI and I are reintroducing legislation concerning "Downside" income tax averaging. Due to the many requests we

have received for information on this bill we feel the following testimony would be valuable to those who would like to join the growing list of cosponsors for the reintroduction of this bill.

The testimony follows:

STATEMENT OF HON. JAMES V. STANTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO, ACCOMPANIED BY SANFORD WATZMAN, ADMINISTRATIVE ASSISTANT

Mr. STANTON. Thank you, Mr. Chairman.

I would like to introduce to the members of the Ways and Means Committee my administrative assistant, Mr. Sanford Watzman.

Mr. Chairman and members of the Ways and Means Committee, on behalf of myself and of our distinguished colleague, Hon. Dan Rostenkowski of Illinois, I want to thank you for the opportunity to appear before you today on the so-called "income averaging" legislation that Mr. Rostenkowski and I are cosponsoring. As you know, we are urgently recommending to you that you consider two bills—H.R. 2416 and H.R. 3860.

This legislation seeks to correct a gross inequity in the tax laws. It does this by extending the benefits of "income averaging" to those who most need this special tax break—families whose incomes fall off precipitously in a given year.

For example, the legislation would help taxpayers who are thrown out of work when a manufacturing plant closes down, or who are laid off for other reasons relating to the economy, beyond their personal control. It would help, too, to cite another example, families where a wife must quit work to give birth to a child, thereby sharply reducing income of the household.

In other words, H.R. 2416 would impart a reverse twist to "income averaging." This tax-saving device has long been enunciated in the Internal Revenue Code, but heretofore it has had a thrust solely in one direction. It is available exclusively to those fortunate enough suddenly to enjoy a very good year—for example, movie stars and athletes who make it big, and ordinary persons whose income soars upward in a given year because of promotion to a much higher paying job.

What we are trying to do here, Mr. Chairman, is to achieve a measure of symmetry in the laws dealing with "income averaging." The underlying principle of a progressive tax system is that the more a person earns, the more he pays. The obvious corollary is that the less a person earns, the less he should pay.

It doesn't make sense to Congressman Rostenkowski or to me that all the benefits of "averaging" should go to people who really ought to be paying a higher, not a lower, tax. They have had a good year, and they can well afford to do this.

At the same time, others who have had a disastrous year financially get no consideration at all from the Internal Revenue Service.

Mr. Chairman, so far as we know, H.R. 2416 is the first legislative proposal submitted to the Congress that would authorize what we might term "downside averaging." As to "upside averaging," Congress in the Tax Reform Act of 1969 took action to greatly increase the number of taxpayers who would take advantage of this provision in the law. It is time now to show some consideration for less fortunate persons.

The rationale for both "upside" and "downside averaging" has been succinctly stated by Prof. Roger F. Miller, a tax expert who is known to the members of this committee. Mr. Miller has written:

"The purpose of averaging is to provide relief for persons with unusual fluctuations in income that are taxed at progressive rates. For an upward fluctuation averaging treats an excessive rise in income as if it were spread over a number of years and

taxes it at a lower marginal rate than would apply without averaging. It is relief from excessive taxation in the current year.

"We believe this reasoning applies equally to negative fluctuations. An excessive fall in income implies that income in prior years was taxed at an excessive rate, and that some rebate of the prior years' taxes should be allowed to offset the current year's tax.

"This also provides relief when it is most needed, in the current year. Given a sufficient income decline, it might result in a net refund, operating at an income supplement."

Unfortunately, Mr. Chairman—obviously I take no pleasure in saying this—"downside averaging" would come as a boon to many of my constituents if it were made part of the tax law. In 1971, the average annual unemployment rate in Cleveland, Ohio, was 11.8 percent—the highest among the 20 largest cities of the United States.

Since 1963, 69 major manufacturing firms have closed down or have moved from the city. These plants had employed more than 21,000 persons, many of whom had a difficult time securing alternative employment before their savings—if they had any—ran out.

Moreover, Mr. Chairman, one-third of this job loss has occurred within only the last 2 years. And further, the Regional Planning Commission in Cleveland estimates conservatively that an additional 5,000 jobs will be lost by 1976.

I think you can see, then, why I feel so strongly that "downside averaging" should occupy a high place on your agenda as you proceed to consider proposals for tax reform.

H.R. 2416, if enacted, would result in a revenue loss of \$355 million a year, according to an estimate made for us by the staff of the Joint Committee on Internal Revenue Taxation. While this might seem like a large sum, we ask you to take into account the fact that "upside averaging" already is costing the Treasury in excess of \$650 million a year.

Therefore, we have submitted to you, in addition to H.R. 2416, the alternative bill H.R. 3860, which simply repeals the "upside averaging" provisions of the tax code. Members of Congress whose primary concern is revenue loss, and who decide against H.R. 2416 for this reason alone, perhaps will want to give favorable consideration to H.R. 3860, since it provides an opportunity not only to head off new losses to the Treasury but also to retrieve revenues that already are being waived.

We sincerely believe, Mr. Chairman, that if we are to continue to have "upside averaging," we should provide also for "downside averaging"—and that, if we cannot afford the latter, then there is no good reason in all fairness to retain the former in the tax code.

Therefore, we are asking you to report H.R. 2416 favorably or, in the alternative, to report H.R. 3860 favorably.

Mr. Chairman, what follows in the submission of our text to the committee is a technical summary of H.R. 2416 showing how, in many respects, this proposal runs parallel to "upside averaging" provisions extant in the tax code. We prepared this technical explanation with the assistance of Mr. Chabot, with whom this committee is well versed and who is familiar to this committee. I would be glad to submit it.

Mr. ROSTENKOWSKI [presiding]. Without objection, so ordered.

[The summary of H.R. 2416 follows:]

"H.R. 2416 would permit a taxpayer who suffers a reduction of income to, in effect, average his income for that year with his income from a four-year base period. Such a taxpayer may be said to have overpaid his taxes during the four-year base period. Under the bill, he would recover this "overpayment" through reduced taxes in the current year, and in some instances he might

even be entitled to a refund. It is estimated that, if this bill had been in effect for calendar year 1971, Federal individual income tax liabilities would have been decreased by \$335 million, assuming everyone eligible for downside averaging under the bill would have elected to use this procedure.

"The tax is computed by (1) determining the average income for the base period; (2) computing the tax on 80 percent of that amount; (3) subtracting the current year's income from 80 percent of the average base period income to determine the amount of the reduction in income; (4) computing the marginal tax on one-fifth of the reduction in income and multiplying that tax by 5; and (5) subtracting the final figure in step (4) from the tax computed in step (2).

"To be eligible to use these averaging provisions, the taxpayer would have to suffer a reduction in income of at least \$3,000, as compared to 80 percent of the four-year base period average. Also, he would have to include in income unemployment benefits not otherwise taxable.

"For example, if a worker with an average base period income of \$18,000 were laid off for part of the year and his taxable income plus unemployment compensation amounted to \$10,000, his savings under the bill would be \$60. If he had no income (and no unemployment compensation), his tax savings under the bill would rise to \$668.

"The following table illustrates the effect of the bill:

ASSUME TAXPAYER, FILING JOINT RETURN, WITH \$18,000 AVERAGE BASE PERIOD INCOME

Current year taxable income plus unemployment compensation	Tax under the bill	Regular tax	Tax saving from the bill
\$10,000	\$1,760	\$1,820	\$60
\$8,000	1,260	1,380	120
\$6,000	760	1,000	240
\$4,000	260	620	360
\$2,000	128	290	518
0	1,668	0	668

1 Credit.

"Persons who have a reduction in income due to retirement would not be eligible to use these provisions. Retired persons already receive a number of substantial tax breaks under the revenue laws, such as the exclusion of social security benefits and the retirement income credit. Also, retired persons generally have diminished family responsibilities and an opportunity to plan for retirement.

"The primary purpose of this bill is to help persons who have no opportunity to plan—for example; those persons out of work because of a plant shutdown; workers who are laid off; and families where a wife quits work in a given year to give birth to a child.

"Persons who elect to take advantage of downside averaging would have to forego certain other tax benefits, for example, the alternative capital gains tax and the exclusion of tax exempt interest on bonds. In most cases these provisions will not affect persons whose primary source of income is wages from employment.

"On the whole, the result of this bill would be to allow individuals who suffer a reduction in income to receive credit for taxes paid in years in which income was higher, thus lowering their taxes in the current year."

Mr. STANTON. I would be glad to answer any questions, and I appreciate this opportunity to appear.

Mr. ROSTENKOWSKI. Let the Chair congratulate you on the genius with which you put this proposal together.

The Chair will recognize Mr. Vanik.

Mr. VANIK. Mr. Chairman, I think I understand the basic importance of this legislation in our industrial areas. We have cyclical industries—steel, automobile manu-

facturing, machine tools; these have their great swings up and their great swings down.

Am I correct in understanding that this legislation would have a special significance to communities where the employment figures are cyclical and vary upwards and downwards?

Mr. STANTON. That is correct, Congressman Vanik. The impact of this legislation, of course, is to try to relieve a situation in which many of the workers in the Greater Cleveland area and other areas throughout this Nation in the great industrial complexes have suffered—where they might be realizing an income of \$20,000 a year and then be unexpectedly laid off and have an income of \$5,000 a year.

They ought to have the same prerogatives that somebody in the past under the code as adopted in 1969 had when they went from an income level of \$20,000 to \$200,000. That was the intent, to average it on the upside. We are attempting to try to protect the rights of those who have paid a tax and are now in a position where they cannot pay on the amount and are, in fact, entitled to some return.

Mr. VANIK. If the committee were to adopt both recommendations, it would be a net savings to the Treasury, am I correct? How much would it be?

Mr. STANTON. No, if they adopted the income averaging legislation which Congressman Rostenkowski and I propose, H.R. 2416, it would cost the Treasury, according to the Joint Committee on Internal Revenue Taxation, \$355 million. But in the event that the members of this committee feel that this loss is too great a loss for the Treasury, we have recommended—Congressman Rostenkowski and myself—in H.R. 3860, eliminating the upside averaging, because if you are going to treat one part of the economy one way, you ought to treat both parts, you ought to treat them equally. The tax structure ought to be equal in its application. Frankly, the technical experts of the Joint Committee agree.

Mr. VANIK. If your bill was adopted and the second proposal was adopted to eliminate the upswing advantage, there would be a Treasury gain, wouldn't there, because as I understand it, the income averaging upward costs \$660 million, whereas the income averaging downward would cost \$330 million? So, if we adopted the downside averaging and eliminated the upside averaging, we would have a net gain of about \$330 million, is that correct?

Mr. STANTON. That is correct, but I think that would be a rather inadvisable thing for the Committee on Ways and Means to do, because as a very practical matter the committee recognized a problem in 1969 in terms of people who gained excessive income. That is why they instituted upside averaging.

But they did not go far enough in 1969, and what Congressman Rostenkowski and I are asking is that they go a step farther and do it on the downside. We are not asking that they abolish upside averaging. We are asking that they treat all of the taxpayers alike. But the fact is that if they want to treat them symmetrically correct and do not want any further loss to the Treasury, then abolish upside averaging and do not institute H.R. 2416, but just abolish it under H.R. 3860.

Mr. VANIK. I think you have made a fine recommendation. I think it is especially good for all of the industrial centers of America, particularly where cyclical industries are involved.

Mr. STANTON. It could have applications to the farmer of America, very seriously. I think it affects every citizen. A farmer who has an income of \$60,000 or \$70,000 and has a really bad year on income could have just as much advantage as an industrial worker.

Mr. ROSTENKOWSKI. Mr. Conable,

Mr. CONABLE. Thank you, Mr. Chairman.

I would like to say that I think it is a fine contribution, too, Congressman Stanton. Symmetry is something we should seek in our tax laws. Obviously, a device like income averaging shouldn't be available only to the rich. So I think it is a good, solid suggestion. I am surprised that it amounts only to a revenue loss such as you describe, because it sounds to me as though it would be employed by a great many people. I think most people don't have very stable incomes, and the result is that it would be used more than you indicate.

I assume those statistics have been carefully checked, have they?

Mr. STANTON. Well, we got these figures from the Joint Committee on Internal Revenue Taxation through their technical assistants.

There is one class of people who might cause an increase in the loss to the Treasury that are not computed in it. It was done after we prepared this material. The people who are mandatorily forced off of employment by disability, if they are included as a group, the estimate is an additional \$100 million to cover that class of people.

Mr. CONABLE. But it still is a very small price to pay for adding symmetry to our tax laws. I think it is something we ought to consider seriously.

Thank you for your suggestion.

Mr. STANTON. I agree, Congressman.

Mr. ROSTENKOWSKI. Mr. Corman.

Mr. CORMAN. I appreciate your bringing this to our attention. I imagine that there are a tremendous number of engineers working in defense and space who have really the most cyclical of incomes. Their income is good when they are working, but because of the cutbacks in Government programs they find themselves working at reasonably good salaries for 2 years and nothing for the third year.

Mr. STANTON. Thank you very much, Congressman.

Mr. ROSTENKOWSKI. Mr. Clancy.

Mr. CLANCY. Thank you, Mr. Chairman.

Mr. Stanton, you have made a fine presentation. There is much merit to it, and I hope this committee will consider your recommendations.

Mr. STANTON. Thank you, Congressman Clancy.

Mr. ROSTENKOWSKI. Mr. Archer.

Mr. ARCHER. Congressman Stanton, thank you for coming before our committee with an excellent presentation. It seems to make a lot more sense to average on the downside rather than the upside, because on the upside the income earner has the money to pay the taxes.

I would be inclined to believe that there is far more equity in what you have presented than there was in the existing law. Thank you very much.

Mr. STANTON. Thank you very much.

Mr. ROSTENKOWSKI. Mr. Stanton, I want to congratulate you and thank you for your appearance.

I would like to make the observation that you have had six favorable comments on the legislation. All you have to have in this committee is 13. You are almost halfway there.

Mr. STANTON. Mr. Chairman, since you and I have worked on this legislation for almost a year, that is your responsibility. I pass the ball to you.

Mr. ROSTENKOWSKI. Thank you again, Mr. Stanton.

Mr. STANTON. Thank you.

Mr. ROSTENKOWSKI. Our next witness is the Representative from Mississippi, the Honorable Trent Lott.

Mr. Lott, we would like to welcome you to the committee and thank you for your patience. We look forward to hearing your testimony. If you will identify yourself, please proceed.

## "MURDER BY HANDGUN" THE CASE FOR GUN CONTROL: JANUARY 23, 1974

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. HARRINGTON. Mr. Speaker, in a recent article in the Boston Globe, it was observed that between 1967 and 1972 the number of murders in this country has risen by 53 percent. At the same time, the production of handguns in the United States has risen by 50 percent. This and other similar statistics have prompted a Massachusetts sheriff to prepare a petition calling for the banning of handguns for private citizens.

But statistics do not tell the story of human suffering that handgun deaths are responsible for. A recent article in the Washington Star-News by Gloria Berger portrays the tragedy that surrounds the surviving family of the victim of a senseless handgun murder.

These personal tragedies and embarrassing statistics can be changed and reduced by strong handgun control legislation. It is the responsibility of this Congress to pass strong laws; and like all responsibility it cannot be accepted lightly.

The articles from the January 6 Boston Globe, and the January 18 Star-News are included below:

[From the Boston Globe]

LET'S BAN THE HANDGUN

What is behind the American fascination with violence? Why is it that today most of the television dramas that flicker in our living rooms revolve around a bloody cop vs. crook formula? Why should one full page of theater advertisements in The Globe include five separate pictures of brandished firearms as a come-on for movies?

Why have the numbers of murders risen by 53 percent in this country between 1967 and 1972, according to the FBI's Uniform Crime Statistics? Why has the manufacture (for civilian use alone) of handguns in the United States risen by 50 percent between 1968 and 1972? What is the connection between such facts and figures?

Surely there is some connection although many gun owners don't like to admit it. Middlesex County Sheriff John J. Buckley has suggested that it is the gun manufacturers who are behind the sportsmen's groups and the National Rifle Assn. when they pack State House hearings on gun legislation. He told Globe reporter Nathan Cobb that the legislative route has failed because "we just didn't seem to be able to break the hold that gun manufacturers have on the Legislature."

So the sheriff is going to try something new. He is preparing a petition calling for a ban on the sale, possession and ownership of handguns in Massachusetts. If he can get enough certified signatures (56,038) by fall, the proposal will appear on the 1976 state ballot. If the people vote for the proposal, only the military, police, sportsmen and collectors under controlled conditions will be able to buy, sell or own handguns of any type.

It is important that the exceptions to the proposed law be made clear, practical and fair and that owners of rifles and shotguns remain unaffected. It does not seem unfair to deprive other owners of their weapons. The handgun is designed to kill people, on

purpose or by accident, and it often does. It is the chief weapon used in homicides, three out of four of which are tragedies involving people who knew each other—typically friends and relatives in the heat of argument. In 1972, 60 percent more Americans died from accidental shootings than from plane crashes, according to the National Safety Council, and firearms are the third leading cause of death among persons 15 to 24 years old. The National Advisory Commission on Criminal Justice Standards reports that "a handgun in the home is more likely to kill a member of the family than it is to provide lifesaving protection from burglars and robbers."

Sheriff Buckley's proposal would not wipe out the handgun in Massachusetts overnight. It still would be easy to bring in weapons from out of state. However, passing such a law could set an example for the other 49 states and bring pressure to bear on Congress to pass similar Federal legislation so that the United States could join civilized nations like Britain and Japan which have banned handguns for decades. Finally, at the very least the Buckley petition should call attention to the violence which has become almost an accepted part of life in America. The handgun has become the symbol of that violence. It may also be the key.

[From the Washington Star-News]

A CABBIE WHO LOVED PEOPLE

(By Gloria Berger)

A well-kept yellow and black taxi stands in the 4000 block of 1st Street in Southeast Washington, gas tank filled, chrome polished, doors locked.

James Julian Cook, who was buried yesterday (he died Monday after losing an eight day struggle against multiple gunshot wounds he received from three passengers), had asked his brother to move it there.

"Just put it in front of the house," he told Wilbert Cook. "I'll be out of the hospital and on the road again soon."

As a long line of cars, including two taxis, drove in the funeral procession at Arlington Cemetery yesterday, Mr. Cook's Consolidated Cab remained in front of his apartment. Nellie May Cook clutched her purse containing her husband's car keys throughout the military service and finally carried a folded flag and a rose back to 1st Street.

"All he was trying to do was make some extra money after Christmas," his wife said, "so he worked on Sunday. But he didn't hate work—he was a cab driver because he loved people." Cook was one of the best known drivers in the city and one of the oldest in terms of service.

But when three youths assaulted James Cook, who was 59, on Sunday, Jan. 6—after they directed him to drive toward a non-existent address—his 35-year career ended abruptly. He was shot once in the cab and twice more when he tried to escape. The three youths have not yet been arrested. After taking shelter on the front porch of a home on the 1800 block of S Street SE, he was taken to D.C. General Hospital.

"I don't know why they would shoot me," the wounded driver later told his brother. "I didn't do anything to those men or to any others. I didn't even give them any argument."

In a small, neat living room with a few comfortable pieces of furniture, Mrs. Cook rocked the other day in a well-worn chair, trying to describe her husband's life.

"We had to live from day to day and, of course, without any pension," she explained, mentioning that her husband had been a cab driver most of his life, except during World War II, when he was an Army Air Corps gunner.

She motioned to the cab parked outside the apartment, saying "he tried so hard to keep the taxi clean. But some people would

litter and curse at him. And all he could say was that he was there to take them where they wanted to go."

Wilbert Cook, 60, James Cook's older brother who drives a Yellow Cab, explained that "my brother was just the way I am. It seems like you get into this business and you can't get out. But when Jim was in the hospital, he did admit it was getting harder and harder all the time," he added. "He would tell me, 'It's beating me—it's getting so I'm tired of taking it.'"

Before Wilbert Cook left his sister-in-law's to begin cruising in his cab the day before the funeral, he paused to say: "Although driving may frighten me more now, I can't let myself be scared. After all," he added, "what else am I going to do? I'm an old man, I'm uneducated and I have to eat. At least this job keeps me moving all the time."

About a dozen of Cook's fellow drivers stopped moving long enough yesterday to attend his funeral. After driving up to the Ft. Meyer Chapel in two cabs, they paused to reflect on their friend and their business, while watching synchronized soldiers prepare for the service.

"I don't know if anybody has a solution to a problem like this," said Harry Fellman, president of the Consolidated Cab Co. "What happened is pitiful," he said later.

#### A SCIENTIST TAKES A CALM LOOK AT ENVIRONMENTAL PROBLEMS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ASHBROOK. Mr. Speaker, the subject of our environment often evokes heated debate and emotional arguments. Rarely do we hear a calm discussion of our environmental problems. Therefore the following article by Dr. A. L. Jones of Solon, Ohio, a research chemist, seems especially valuable. A scientist, he approaches the subject in a rational and analytical fashion.

The following is the text of the article from the December 30, 1973 edition of the Columbus Dispatch magazine:

##### WE'LL SURVIVE

For several years I have been deeply concerned about reports of the destruction of our environment as a result of technological recklessness, overpopulation and a philosophical outlook that gives little consideration to the preservation of nature.

Three years ago I started to evaluate the premises upon which some of our major environmental concerns are based. The evidence that I have been able to find has proved quite encouraging to me. My findings have changed my attitude from one of pessimism for the future of mankind to one of confidence that we can solve our major environmental problems if we are willing to use rational approaches and pay the cost.

I speak as a scientist, and not as an emotional supporter of any particular "side" of ecology. Useful science is based on reproducible evidence or principles that can be repeated and verified by others. Our success as scientists depends on finding the truth and relating it to the needs and interests of man. Some of the facts may surprise you.

My first surprise concerns the air we breathe. Throughout my formal education I have been taught that the oxygen in our atmosphere is supplied by green plants using the process of photosynthesis. It is known that plants take in carbon dioxide and,

through activation by sunlight, combine it with water to make starches and cellulose and give off oxygen. In this way the whole chain of plant and animal life is sustained by energy from the sun. When the vegetable or animal materials thus produced are eaten, burned, or allowed to decay they combine with oxygen and return to the carbon dioxide and water from which they came. We all know this.

The surprise is that most of the oxygen in the atmosphere doesn't come from photosynthesis. The evidence is now overwhelming that photosynthesis is quite inadequate to have produced the amount of oxygen present in our atmosphere. It had to come from another source, and a most likely possibility involves the photodissociation of water vapor in the upper atmosphere by high energy rays from the sun and by cosmic rays. This process alone could have produced, over the history of the earth, about seven times the present mass of oxygen in the atmosphere.

Some scientists predict that man is bringing disaster upon himself in depleting atmospheric oxygen by burning fossil fuels and poisoning the oceans with pesticides. Dr. Paul Ehrlich of Stanford predicts on oxygen shortage by 1979.

Fortunately, accurate measurements of the oxygen content of the air have been made and recorded routinely since 1910. The National Bureau of Standards has made an abundance of measurements over the years. In 1910, the oxygen content of the air was found to be 20.946 per cent by volume. In 1973, the percentage of oxygen is still 20.946. There is no change, even in the third decimal place. Dr. R. C. Robbins of the Stanford Research Institute has found that ancient trapped air samples from ice cores removed from the Antarctic ice cap and Greenland glaciers, dating back to 500 BC, show no change from modern air samples. This is direct evidence that the industrial activities of man have produced no measurable change in the oxygen content of the atmosphere.

The significance of this information is that the supply of oxygen in the atmosphere is virtually unlimited. It is not threatened by man's activities in any significant way either now or in the unforeseeable future. If all of the organic material on earth were oxidized it would reduce the atmospheric concentration of oxygen by less than one per cent. We can forget the depletion of oxygen of the atmosphere and get on with the solution of more serious problems.

We have heard much in recent years about the death of Lake Erie. It is true that the beaches are no longer swimmable in the Cleveland area and that the oxygen content of the bottom of the lake is decreasing. This is called eutrophication. Heavy blame has been placed on phosphates as the cause of this situation. Housewives have been urged to curb their use of phosphate detergents. The state of New York has signed into law a measure to forbid the sale of detergents containing phosphates. Many other areas of the country have similar regulations.

The scientific evidence I have been able to acquire on this subject shows that the cause of the eutrophication of Lake Erie has not been properly defined. This evidence suggests that if we totally stopped using phosphate detergents it would have no effect whatever on the eutrophication of Lake Erie. Many experiments have now been carried out which show that it is the organic carbon content from sewage that is using up the oxygen in the lake and not the phosphate in detergents.

The reason the Cleveland area beaches are not swimmable is that the coliform bacterial count from feces is too high, not that there is too much detergent in the water. Enlarged and improved sewage treatment facilities by Detroit, Toledo and Cleveland will be required to correct this situation. Our garbage

disposal units do far more to pollute Lake Erie than do the phosphate detergents. If we put in the proper sewage treatment facilities, the lake will sparkle blue again in a very few years.

As many of you know, the most toxic component of automobile exhaust is carbon monoxide. Each year mankind adds over two hundred million tons of carbon monoxide to the atmosphere, and most of this comes from automobiles. Until recently I had been concerned about the accumulation of this toxic material because I use it daily in my research and know that it has a life in dry air of about three years in the laboratory.

For the past several years, monitoring stations on land and sea have been measuring the carbon monoxide content of the atmosphere. Since the ratio of automobiles in the northern and southern hemispheres is nine to one, it was expected that the northern hemisphere would have a much higher concentration of atmospheric CO. But measurements show that there is no difference in CO amounts between the hemispheres, and that the overall concentration in the air is not increasing at all.

Early in 1971, scientists at the Stanford Research Institute in Palo Alto disclosed that they had run some experiments in smog chambers containing soil. They reported that carbon monoxide rapidly disappeared from the chamber. They next used sterilized soil and found that now the carbon monoxide did not disappear. They quickly identified the organisms responsible for CO removal to be fungi of the aspergillus (bread mold) and penicillium types. These organisms, on a worldwide basis, are using all of the 200 million tons of man-made CO for their own metabolism, thus enriching the soils of the forests and the fields. More recently, scientists at Queens University in Canada have found that green plants, such as beans, use CO in their metabolism and that they consume as much atmospheric CO as do the fungi in the soils.

This does not say that carbon monoxide is any less toxic to man. It does say that in spite of man's activities, this material will never build up in the atmosphere to dangerous levels except on a localized basis. To put things in perspective, let me point out that the average concentration of carbon monoxide in the open air is less than one part per million. In downtown Cleveland, in heavy traffic, it sometimes builds up to 15 or 20 parts per million. In Los Angeles it gets to be 35 parts per million. In parking garages and tunnels it is sometimes 50 parts per million. These are the worst conditions.

Here is another surprise for many of you. Do you know that the carbon monoxide content of cigaret smoke is 42,000 parts per million? The CO concentration is practically any smoke-filled room grossly exceeds the safety standards we permit in our laboratories (10 parts per million). I do not mean to imply that 35 or 50 parts per million of carbon monoxide should be ignored. I do mean to say that many of us subject ourselves to CO concentrations that are greater than those of our worst polluted cities, including those in the Holland Tunnel in New York, without any catastrophic effects. It is not at all unusual for CO concentrations to reach to the 100-200 parts per million range in poorly ventilated smoke-filled rooms. If a heavy smoker spends several hours without smoking in polluted city air containing 35 parts per million CO, the concentration of CO in his blood will actually decrease! In the broad expanse of our natural air, CO levels are totally safe for human beings.

No one in his right mind would condone air pollution. But we must think of things in their proper perspective. We need to ask the question about whether the air in our living rooms presents a greater hazard to health than does the outside city air. I think we should strive to clean up both of them.

The general public has been led to believe that there is a serious health hazard resulting from increased dispersion of lead into the biosphere by man. The principal sources of lead in the atmosphere are the combustion of gasoline and the burning of coal. The contributions from both of these sources are now of the same order of magnitude, but in the past the greater contribution was from coal. During the past 100 years, over one hundred million tons of lead have been dispersed by man into the biosphere.

Careful studies of possible health effects of airborne lead have been carried out by the National Academy of Sciences, the World Health Organization (WHO) and the American Medical Association (AMA). They have found no evidence of a single case of lead poisoning that can be attributed to breathing air polluted with lead. The WHO reports that "there has been no increase in lead levels in the population in the last two decades."

Other studies show that there has been no increase in lead concentration in either blood or urine in the U.S. population during the last 50 years. The lead levels in the blood of New Guinea aborigines are higher than those in the blood of either urban or rural Californians. The lead levels in the bones of present-day man are not significantly different from those found in human bones from the third century.

Scientists at Michigan Technological University have reported that analyses of human hair for lead show that in the period from 1871 to 1923, before lead tetraethyl was introduced into gasoline, the lead in the hair was 10 times greater than in the period from 1923-1971. They attribute the higher amount in the earlier period to the ingestion of lead from collection of water from lead roofing, storage of water in leaded jugs, lead-glazed earthenware, pewter utensils, leaded paints and cosmetics.

It is hard to imagine that airborne lead is not a serious hazard to human health, but the evidence is overwhelming that the lead levels in the population have not increased in recent years in spite of increased dispersion of airborne lead. It would appear that the most important reason for removing lead from gasoline at this time is that lead poisons the catalysts in catalytic afterburners for automotive exhaust emission control. There is such a thing as lead poisoning, but people usually get it by swallowing rather than breathing.

The world supply of fossil fuels (oil, gas, coal) is limited. Fossil fuels are composed primarily of hydrocarbons. Each year the activities of man result in 17 million tons of hydrocarbons escaping into the atmosphere. The sources of most of this escape are partially burned fossil fuels and the direct evaporation of fuels and solvents. For the most part, it is advantageous to minimize this loss for reasons of efficiency, fuel conservation and reduction of air pollution.

It is well established that in sunny places where the air is stagnant certain hydrocarbons, when oxidized, produce photochemical smog. This results in the growth of aerosol particles which produce a haze. The color and odor of the haze is influenced by the kind of hydrocarbon involved.

It is not so well known that on a global basis, nature releases at least five times more volatile hydrocarbons into the air than man does. Practically all types of forest trees emit substantial quantities of terpene hydrocarbons. In addition to pine trees, from which hydrocarbon turpentine is obtained, trees such as aspen, locust, cottonwood, willow, oak, sweetgum, sycamore, yellow wood, mulberry, buckthorn and Oregon grape emit substantial quantities of isoprene and ethylene. The Blue Ridge and Great Smoky mountains of the eastern United States are so named because of the characteristic haze generated by photochemical reactions in-

volving hydrocarbons emitted by the trees. Nature releases an estimated 175 million tons of hydrocarbons each year in this way.

In addition to volatile ones, practically all plants contain hydrocarbons such as waxes and resins that do not evaporate. Did you know that the red color in watermelons, tomatoes and pink grapefruit is a non-volatile hydrocarbon? The wax in your ears is also.

In the Middle East there is a bush, with the botanical name of *Dictamnus Fraxinella*, which gives off so much terpene hydrocarbons that explosive mixtures are generated in the air surrounding the plant. Man has been accused of being a major polluter of the air and the water with hydrocarbons but we must also recognize the greater amounts emitted by nature.

Many of us are alarmed by the dire announcements made by technically untrained people and by scientists who have not bothered to check their assumptions against the evidence. These alarms have made us go off half-cocked with expensive measures in some cases to solve problems that are sometimes more imaginary than real.

For example, the construction of some nuclear power plants has been held up because of the fear of thermal pollution by the effluent cooling water. In some cases, multi-million-dollar cooling towers have been required before construction could proceed. The evidence I can find is that when the plants are located on large bodies of water, such as Lake Erie, cooling towers represent expensive monuments to misinformation. The public will have to pay for these and will receive no measurable benefit from the expenditure.

My investigation of the thermal pollution problem reveals that, beyond any question of doubt, the sun is by far the greatest thermal polluter of Lake Erie. Governor Gilligan announced that he would "back legislation making it unlawful to increase the temperature of the (effluent) water by more than one degree over the natural temperature." As we all know, the natural temperature of the lake is changed by the sun more than 40 degrees Fahrenheit every year between winter (33 degrees) and summer (75-plus degrees). The natural life in the lake accommodates this drastic change in great fashion, as it has for many thousands of years.

I have determined that if we could store up all of the electricity produced in Ohio in a whole year and use it exclusively for heating Lake Erie all at one time, it would heat the entire lake less than three-tenths of one degree.

In terms of localized heating, we must remember that we already have many hundreds of power plants pouring warm water into streams and lakes. Twenty-five of these are nuclear power plants. Evaluation of the effect of these from an ecological point of view is that "thermal pollution" is a less descriptive and less appropriate term than is "thermal enrichment." There are no species disappearing. No ecological catastrophes or problems have appeared. Some of the best fishing locations in the country are near the warm water outlets of power plants. An excellent scientific report on this subject may be found in the March 1972 issue of *Environmental Science and Technology*.

In every age we have people practicing witchcraft in one form or another. I used to think that the people of New England were particularly irrational in accusing certain women of being witches without evidence to prove it. So suppose someone accused you of being a witch. How could you prove you were not? It is impossible to prove negative evidence. Yet this very tactic is being used to deter the construction of nuclear power plants. The opponents are saying, in effect, that these plants are witches and it is up to the builders to prove that they are not.

The positive scientific evidence is that the nuclear power plants constructed to this date are the cleanest and least polluting devices for generating electricity so far developed by man. Lightning and snakebite have proven to be greater hazards to the health and safety of the public than nuclear power plants. The amount of radiation escaping from a well designed nuclear plant is less than that from the cosmic rays to which one is exposed on a jet aircraft flight.

The energy crisis in the United States is quite real. If we are to maintain our standard of living we must construct nuclear power plants with the greatest of urgency. They are the only demonstrated and economically feasible alternative we have for electric power generation. We cannot afford to let fear and superstition impede the attainment of the improved quality of living which we can achieve.

From what we read and hear it would seem that we are on the edge of impending doom. A scientific evaluation of the evidence does not support this conclusion. We clearly have some undesirable problems attributed to technological activities. The solution of these problems will require a technical understanding of their nature. The problems cannot be solved unless they are properly identified. This will require more technically trained people, not less. These problems cannot be solved by legislation unless the legislators understand the technical nature of the problems.

In my estimation, the most serious problem we face is the rapidly increasing human population on a worldwide basis. The pollution of our natural waters with sewage and chemicals is perhaps the second most serious one. Nothing good has been found for either sulfur oxides or particulate matter in our air. Hydrocarbon emissions from our automobiles can be hazardous, especially in poorly ventilated locations. I have not been able to identify any problems that we do not already know how to solve. It is strictly a question of economics. The back-to-nature approach of withdrawing from reality will accomplish nothing.

I believe, as Thomas Jefferson did, that if the public is properly informed, the people will make wise decisions. I know that the public has not been getting all of the scientific facts on many matters relating to ecology. That is why I am speaking out on this subject as a scientist and as a citizen. Some of the information I have given you may be contrary to the things you are being led to believe, but I am willing to support my conclusions on evidence good enough for me to urge any of you to evaluate it for yourselves.

We are all familiar with the Aesop fable about the shepherd boy and the wolf. The moral of the fable is: Those who are found to misrepresent facts are not believed even when they speak the truth.

In recent months, we have heard cries of wolf with respect to our oxygen supply, the buildup of carbon monoxide, phosphates in the lake, thermal pollution, radiation effects on health from nuclear power plants, nuclear tests, lead in gasoline and mercury in fish, to name a few. For the most part these cries have not been malicious but have been based largely on fear, ignorance or misinformation. The people have listened to these cries and have come running to the rescue, but they are not finding many wolves.

Let us not cry wolf until we are reasonably certain that we have done enough homework to know what a wolf looks like. Otherwise we may undermine our credibility and not be believed by the people when we warn them of the real wolves that do exist. We cannot solve our recognized problems unless we attack them on the basis of what we know rather than what we don't know. We must use our knowledge and not our fears to solve the real problems of our environment. Our future can

be better than most of our past if we choose it so.

## YVONNE BURKE: "POLITICS GIVES LIFE A NEW DIRECTION"

### HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. YOUNG of Georgia. Mr. Speaker, the Members of the House would be interested in a recent article about one of our colleagues. The December 1973 issue of Youth magazine, which is published for young high school people by United Church Press, published the article by Bob Fitch on Congresswoman YVONNE BRAITHWAITE BURKE.

This is an informative account of the experience, insights and skills Ms. BURKE brought to Congress. The article concludes with the observation that "YVONNE BRAITHWAITE BURKE is a person who gets the job done." And that is why she has earned the respect of the House of Representatives.

The full text of the article follows:

YVONNE BURKE—"POLITICS GIVES LIFE A NEW DIRECTION"

(Interview by Bob Fitch)

"People are withdrawing their energies from the greater social issues and becoming preoccupied with themselves, only because they do not have the leadership in this country to give them the direction that is needed." These words are spoken firmly with the concern of someone who cares and with the authority of someone who speaks from more-than-average experience.

"The black community has generally taken the position that this Administration is not favorable to blacks, minorities, and the disadvantaged, and, consequently, whatever they get in the way of fundings and support from this Administration is a surprise." The speaker is a stunning, young woman who is California's first Congresswoman in 20 years and the state's first black woman elected to the U.S. House of Representatives.

Although serving her first term in Congress, Yvonne Braithwaite Burke is no newcomer to the legislative process. An attorney by profession, she served as California State Assemblywoman for six years before running for Congress in November 1972. She won that election easily, bringing in 73 percent of the vote in California's 37th District, an area that includes Los Angeles and some surrounding suburbs and is about equally divided racially. For many TV viewers, she first won national recognition in the summer of 1972 when she was co-chairperson of the Democratic National Convention in Miami.

"I had no idea that Congress moved so slowly," observes Ms. Burke, comparing state and federal legislative procedures, "and it has been very frustrating to deal with. State legislatures move much faster, mostly because of bigger staffs and better facilities."

As is every member of Congress, she is faced with the implications of Watergate. Her response?

"I believe we should initially proceed with an independent and impartial investigation of the facts. The recent Watergate disclosures indicate that there is more at stake than the political espionage and sabotage, or the corruption of money, or the obvious attempts at cover-up.

"There is the larger impression that at the highest level of power in this country, there are men who reject the historic American premise of government under law. If this

contempt for law is licensed, then no system of law can exist. Selective law enforcement can only lead to general contempt for law and order, and thereby undermine the very foundations upon which our government rests.

"If the President is found to be directly connected with breaking the law, I would vote for impeachment."

How then does she feel about politics as a place for young people to put their energies?

"I encourage young people to participate in politics, if they have a sense of commitment. I say this because I find that many young people considering this kind of decision come from families where they've never really had to depend on government. They come from middle-class families where they could go to private or public school, where their parents provide them with adequate medical care. Government to these people makes very little difference. But if they can become familiar with social issues, they'll find that poor people never had these various alternatives.

"I had no idea that Congress moved so slowly and it has been very frustrating. State legislatures move much faster."

"A person who is poor can't decide whether or not he or she is going to a public or a private school—he has to take the school that's there. A poor person doesn't have an alternative in terms of health care. If he or she has a medical plan, and if it's adequate, then that person has health insurance and is able to survive. The amount of welfare often determines a person's standard of living. And that person is the one who most often has to come before a court system. The court system determines his or her future. So you see, for the person who's at the bottom of the totem pole, that person is totally dependent on government for the quality of life—whether or not he or she will survive.

"A young person who's interested in that person at the bottom of the totem pole should get to where the decisions are made. A person who is committed to try to raise the quality of life of the people who have been deprived by our society, that person has a responsibility to get into government, pressure that government, make sure that social programs are developed by that government which will provide facilities and alternatives for those people who cannot exist independently."

Yvonne Burke made her own decision to get involved at an early age. When she was only 13, she had the opportunity to meet a famous, precedent-setting attorney who later became a judge.

"Loren Miller was a black man who had just been successful before the Supreme Court in a case which set aside and invalidated racial covenants," she recalls. "I knew the impact in my community. Black people had to live in a very small area. We had no choice; prices were very, very high. No matter how much money you had—a person could be a very famous movie star and he'd just have to have a mansion in the slums. So I was very aware of when this legal decision came, because, all of a sudden, it meant that black people could move into many other areas. Not all areas, but at least it changed the living environment for us.

"I went to his house for a birthday party—an outside birthday party. He was up working in his library and I could look up and see all of his books. And I thought, 'Gee, if I could be an attorney and go before the court and win famous cases, it would really be fun.' There's no question that that experience was the deciding moment, when I said I would like to have all those books in my house and work in a study like that.

"I encourage the young to participate in politics if they are committed to raising the quality of life for those people who have been deprived by our society."

"Then when I was in high school, I was a Latin major. This was my own little way of trying to work at it. I did all kinds of things—I ran for offices. The high school I attended was a self-government school, where the students ran the school themselves and elected the people who ran them. Discipline was put out by a judge, so I ran for and became girls' judge. Then I ran for vice-president of the student body. I was a debater in a lot of speech contests. Later I made the decision that would be a political science major in college, based upon the plan I had to go on to law school."

The thing which made these dreams seem obtainable to young Yvonne Burke was the humility and the approachability of Loren Miller.

"He was a very humble kind of person—very reachable. I often find that the experience that discourages a person is where the person he comes in contact with is so pompous that there's no communication. That can be discouraging, especially to a young person."

But Yvonne Burke overcame whatever discouragements came her way and went on to become a very committed person. By the 60's she was involved with the civil rights movement.

When asked what effect the civil rights movement has had on politics and vice versa, Ms. Burke responded, "There's a kind of national network of people who have been involved with civil rights and now, more and more in politics. What has happened is that the people who were active in the civil rights movement were drained off into appointed positions. At the time when opportunities were opened up for blacks, they were the people who had the experience. They were also drained off in terms of political positions—after all, the people who run for office are the people who are known, and the people who are known are the people who were in the civil rights movement and who were at the forefront. This is one reason why you really have very little indigenous leadership in the black community—it's very difficult for those people now to be there making a nucleus."

But are there any groups, any causes around which to rally today? Can young people put their energy into something and still get the same kind of long-range growth and results?

Ms. Burke sees difficulties with that. "Unfortunately, I don't see the kind of movement existing today that was available when many of us were coming along. I think this is one of the reasons you find young people so disillusioned—they don't really have a strong, national force which they can identify with, a force that gives direction and that they can participate in. There's no experience like taking part in some of the large marches of the 60's. But there are small groups today that are very effective, that are working and getting participation. For instance, in the Los Angeles area we have the Brotherhood Crusade. It's charity-oriented, based on the idea of a black United Way. The Brotherhood Crusade operates in such a way that they're able to bring young people into a large organization.

"Operation Breadbasket has a great deal of appeal to young people today. And I think Operation Push can provide this kind of incentive. I find that many of the issues are environmental, so that the Sierra Club provides a political force. Many girls would probably enjoy working in some of the women's organizations.

"Selective law enforcement can only lead to general contempt for law and order, and thereby undermine the very foundations of our government."

"But none of these groups are quite as exciting as the NAACP and SCLC were. Things are not the same today. It's probably not as motivating and self-fulfilling, nor

nearly as attractive as the civil rights movement was. But there's a need for people who are interested to get together and make sure these organizations are put together."

Yvonne Burke has been making sure things are put together for a long time now, and she speaks with wisdom and experience when she says, "It's very frustrating. But, you know, I think a person has to have some reason to exist. To me, one reason is to believe you're affecting other people's lives. One thing that politics can offer is an opportunity to affect, constructively, the lives of many, many people. It gives your life a new direction."

If being a woman or a wife has hindered her in her work, Ms. Burke is the last to say it. In fact, she is the first Congresswoman ever to be pregnant while in office, and the public response has been supportive.

"I was very happy with the way I was treated in the California state legislature," she recalls. "I found that my colleagues were willing to accept me for my ability, for the contribution I made. I felt that I got my legislation passed because of this."

"There's no question that legislative bodies operate basically as male clubs. Socially, such bodies are oriented to men because they are composed of men. When the time comes that there are more women, I suppose they'll become oriented to women."

"Most important to me in the California Assembly was that I had an opportunity for my legislative programs to become a reality, and I feel I got an equitable, excellent shake. I held leadership positions in spite of the fact that there were other people who had been there much longer. Throughout my whole experience I had input and participation."

The freedom to participate and to effect changes has been very precious to Yvonne Burke. She often tells groups to whom she speaks that politics is a mission which can be accomplished. Contrary to those who feel that politics is a dirty business of which they want no part, Ms. Burke feels that if you can educate your colleagues to far-reaching issues and the importance of those issues, you gain a great sense of accomplishment.

"For instance, in the California State Legislature, one of the things I was interested in was the garnishment of wages—taking a person's wages without court action. Most people I spoke to initially felt, 'Well, if you owe a bill, you should pay it.' But because I was there, I had an opportunity to explain to other legislators that often that person who was subject to the credit system might not even have access to an attorney who could explain legal benefits available to him. In California at that time, often half a person's wages could be taken, which meant that person didn't have rent or food for his children, and he had no access to a legal system. So when I went into the California Legislature, I was eventually able to get a strong bill through to eliminate prejudgment garnishment.

"Another thing I was able to do was to provide for the establishment of child care centers in our universities and state colleges. Many people used to tell me, 'If they're going to college, they're kids. They don't have any children—they don't need to have a child care center.' But then I explained that the age of many students in our state colleges was 26 and over. Many were married and have children. I also explained that many women on welfare, if they had a chance to go to a community college, which is a junior college, they could learn to be a nurse or a secretary and to work themselves off of welfare. In other words, this need for child care on campus was really not a matter of students running wild and leaving their children in a child care center; it was a matter of giving someone something to look forward to. I was able to sell this, but it wasn't an easy thing to do."

THE DECIDING MOMENT IN HER LIFE CAME WHEN AT 13 SHE MET A JUDGE WHOSE WORK INSPIRED HER TO ENTER LAW

Ms. Burke is a firm believer in working for change through others. While pushing for unemployment insurance for farm workers, she belonged to a committee chaired by a young Democrat. She began hearings to which she brought articulate farmworkers and their families who explained that their children were never able to stay in the same school for more than two months, and how it was necessary to go on welfare between each season because they had no unemployment insurance. This became an educational experience for the young Democratic committee chairman, who subsequently became the leading spokesman for unemployment insurance for farmworkers. As Ms. Burke puts it, "The whole impetus had been changed by just this educational experience. When the committee chairman was so sold on it, it caught fire. It almost became a Democratic program after that."

Yvonne Burke, with the diplomacy born of her California experience, has managed to apply these insights to her new work on Capitol Hill.

"I've received a lot of advice," she says, "but one bit of advice that's impressed me more than anything else was that you can do a lot of things here in Washington, D.C., if you're not worried about your name being attached—about getting credit for it. I believe this. I think perhaps one of the things you have to master here is the art of convincing others that maybe they should accept your ideas. Then they can get credit for it, and it will be something that will assist them, and a lot of other people too, of course."

"But you know, the interesting thing is that the people that you're carrying bills for and the individuals back home who are affected—they usually know who has pushed things through. It may not be headlines, but the person who's affected usually has an idea."

It may not be headlines, but one thing is certain—Yvonne Braithwaite Burke is a person who gets the job done.

THE MIAMI DOLPHINS ARE NO. 1

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. BURKE of Florida. Mr. Speaker, on Sunday, January 13, 1974, in Houston, Tex., the Miami Dolphins insured for themselves a place in football history. They did so by soundly beating the Minnesota Vikings by a score of 24-7, and thereby became the second team to win back to back Super Bowl victories. However, they did this after becoming the first team to make it to the Super Bowl three times in succession. Perhaps now the American sporting public and particularly the sports writers will accept the Miami Dolphins for the football team it is and their players for the outstanding players they are.

Because the Dolphins were members of the American Football Conference, it was initially presumed that they did not have the ability or even the right to play in a championship game with the National Football Conference champions. Presumably, no team could ever approach the so-called ability of the old Green Bay Packers. It must have been

extremely difficult for the Miami Dolphins to win game after game, to be in the playoffs on four different occasions, to win and appear in the Super Bowl on three successive occasions, and, at the same time, hear how lucky they were to be in the same field with their opponents.

The thing that most people did not recognize was that the Miami Dolphins played as a team and not as individual prima donnas. As individuals on the team, they were proud of each other, but yet recognized that, in order to be champions, each had to undertake his assigned task to help the other players on the team if they were to be classed as champions.

The same thing is applicable to Don Shula, the coach of the Miami Dolphins, who, in my opinion, has proved himself to be one of the greatest coaches, if not the greatest coach in professional football. It would seem to me that his record in the period of time in which he has been coaching should now speak for itself.

The thing that I am surprised about is that now the Dolphins won their last two Super Bowl victories in such easy fashion over the National Football Conference rivals, that those who peddle the sour grapes try to indicate that the Dolphins are a machine wholly devoid of personal feeling. This, again, is not only unfair, but it is untrue. Those who are players of the Miami Dolphins recognize the outstanding ability of Coach Shula and take pride not by reason of saying I am an individual star, but, instead, by accepting their greatness as a team of which they are a part.

If it appeared that the games lacked color, it was not because of the Miami Dolphins, but because of the inability of the other teams that they played to match them in their respective football skills. True, there have been many comparisons insofar as the abilities of Coach Vince Lombardi and Coach Don Shula and with respect to the Green Bay Packers of the 1960's and the Miami Dolphins of the 1970's, it is difficult to be accurate when comparisons of this sort are made.

In fact, I remember when there were those who laughed at the American Football Conference and presumed that they could never be on a par with the senior conference, namely the National Football Conference. One thing I do know is that the Miami Dolphins are champions; and, individually, they carry themselves as champions.

The Miami Dolphins are a young team, and I am sure when next year comes that every team in both conferences will make an attempt to emulate them and become a team equal to the standard of excellence that is the Miami Dolphins.

I wish to extend my heartiest congratulations also to Joe Robbie and to Mrs. Robbie whose confidence in the Miami Dolphins as principal owners thereof has never wavered. I extend, also, my congratulations to Coach Don Shula and to Larry Csonka for his outstanding performance on that memorable Sunday, January 13, when the Dolphins defeated the Minnesota Vikings. I congratulate each and every player who contributed

so much as players, as athletes, as members of the Dolphins, as family men, and Americans.

I know that I speak for the people in the State of Florida and throughout other parts of the country when I say to you, Miami Dolphins, that you have made yourselves proud and you have made your boosters proud that they were your supporters.

#### NEWSLETTERS TO CONSTITUENTS

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. HAMILTON. Mr. Speaker, I include the following reports to constituents on actions taken in the first session of the 93d Congress:

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress enacted several bills of interest to labor, including measures to:

Permit strikers to obtain food stamps.  
Permit employer contributions to funds for financing legal services for employees.  
Extend benefit increases in railroad workers' retirement annuities through 1974.

Extend community manpower programs with public employment in areas of high unemployment.

Authorize construction of the Alaskan oil pipeline.

The Congress was unable to override the President's veto of a bill which would have raised the minimum wage to \$2.20 after June 30, 1974.

In 1974 the Congress will work on several major bills of interest to labor, including bills to establish standards for private pensions, to raise the minimum wage, and to increase public service employment.

Your views are important to me, and I welcome your comments on any legislation before the Congress. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress took several steps to improve the quality of American education. After Congressional pressure \$1.5 billion impounded by the President were released, and funds for libraries were continued. Other steps involved bills to:

Extend for two years programs of job training and rehabilitation of the handicapped.

Expand the National Foundation for the Arts and the Humanities.

Concentrate Basic Opportunity Grants on first-year, full-time college students.

Increase the federal contribution to school breakfast and lunch programs, and provide for semi-annual cost-of-living adjustments.

Provide cash for commodities that could not be supplied for school meals because of food shortages.

Provide support for environmental and drug abuse education.

1974 will be a major year for education legislation because the Elementary and Secondary Education Act expires June 30, 1974, and must be renewed. Other legislation to be considered would establish an advisory council on women's education.

I appreciate your interest in education. Your views on legislation are important to

me, and I welcome your comments. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress took several steps to help federal employees, including legislation to:

Liberalize eligibility for cost-of-living increases in Civil Service annuities.

Improve the annual leave system by allowing greater accumulation of unused leave or payment in lieu of accumulated leave.

Increase the government's contribution to federal employees' health premiums to 80% by early 1975. (This bill will be sent to the President for his signature soon.)

Because one of the scheduled pay raises in 1972 was delayed by Presidential action, federal employees in 1973 received two cost-of-living increases.

Some other important measures awaiting action in the Congress are bills to:

Establish a federal labor relations authority, which would regulate labor-management relations for the entire executive branch.

Decrease the employee share and increase the federal share of contributions to federal retirement funds.

Make minimum Civil Service retirement annuities equal to the minimum Social Security benefit.

Liberalize retirement benefits for federal law enforcement officers and firemen.

I appreciate the work you do for the federal government. Your views on legislation are important to me, and I welcome your comments. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress enacted several pieces of legislation of interest to low-income individuals.

On January 1, 1974, public service programs for the aged, blind and disabled, previously administered by the States, were replaced by a new Federal program of Supplemental Security Income. Congress has already acted to raise SSI benefits beginning in mid-1974. Congress also kept alive the Office of Economic Opportunity, including community action agencies.

Some other important bills enacted in 1973:

Provide for a distribution of cash to States for school food service programs in place of commodities.

Extend community manpower programs with public employment in areas of high unemployment.

Improve the Food Stamp program by providing for semi-annual adjustments of food stamp allotments to reflect inflation and extending the program to virtually all areas currently operating commodity distribution programs.

Much more needs to be done. I am hopeful that in 1974 the Congress will act to permit SSI recipients to receive food stamps, raise the minimum wage, require all public schools with needy children to offer a school lunch program by 1975, and provide legal services to low-income persons.

I appreciate your interest in legislation for low-income persons. Your views on legislation are important to me, and I welcome your comments. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress enacted several measures of interest to small businessmen, including bills to:

Establish a new disaster relief program giving the Small Business Administration and the FHA authority to grant 5% no-forgiveness disaster loans to persons who cannot obtain loans elsewhere.

Authorize the SBA to make loans to assist small businesses in meeting Federal regulatory standards.

The President vetoed another bill which would have expanded SBA loan programs and raised the SBA loan ceiling.

I am aware that much remains to be done before the Congress will have fulfilled its obligation to small businessmen. In 1974, I hope that the Congress will direct more of its attention to the critical problems of small business, including a bill I support to reduce the federal paperwork burden for small businessmen, and that it will revise the tax structure so that the tax burden will be distributed more equitably between large and small businesses.

Your views are important to me, and I welcome your comments on legislation before the Congress. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress enacted several pieces of legislation of interest to veterans. Chief among them were bills to:

Provide a 10% increase in non-service-connected pension rates and increase the rates for hospitalized veterans and the children of deceased veterans.

Establish within the Veterans' Administration a National Cemeteries System, with a special \$150 burial plot allowance, in addition to the present allowance of \$250, in cases where a veteran is not buried in a federal cemetery.

Widen the scope of treatment VA hospitals may provide, and expand medical services to veterans' dependents.

Establish a Veterans Loan Guaranty Program, with flexible interest rates to be set by the Administrator of the VA.

Several measures await Congressional action in 1974. These include bills to:

Improve veterans' educational benefits and increase service-connected compensation.

Provide care for disabled veterans suffering from alcoholism or other drug problems.

Extend full Servicemen's Group Life Insurance to members of the Reserves and National Guard.

Grant tax relief for civilian or military personnel returning from Vietnam, including prisoners of war and the families of personnel missing in action.

I appreciate your interest in legislation for veterans. Your views on legislation are important to me, and I welcome your comments. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress enacted several pieces of legislation of interest to farmers and rural residents:

(1) A new omnibus farm bill encourages production, establishes target levels on basic crops, increases dairy price support levels, and establishes a new rural conservation program, featuring long-term contracts in dealing with conservation problems. It requires export reporting to monitor foreign grain sales and extends the Food Stamp and Food for Peace programs.

(2) A new disaster relief program permits 5% no-forgiveness emergency farm loans to persons who cannot obtain loans elsewhere.

(3) A restructuring of the Rural Electrification Administration converts it into an insured and guaranteed loan program, with 2% loans for rural electrification and telephone systems in sparsely populated areas.

(4) The federal share of funds for school breakfast and lunch programs was increased, and the USDA was required to make up in cash for the commodities it cannot supply to schools because of food shortages.

There may be action in 1974 to strengthen federal regulation of futures trading and to deny the President the authority to impound agriculture and rural development funds.

I appreciate your interest in agricultural and rural America. Your views on legislation are important to me, and I welcome your comments. Please let me know if I can be helpful to you.

Sincerely,

LEE H. HAMILTON,  
Member of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: In 1973 the Congress enacted several pieces of legislation of interest to older persons.

It increased Social Security benefits by 11% in 1974 in two steps—7% in March and 4% in June. It increased to \$2,400 the amount a Social Security beneficiary under 72 may earn in a year and still receive full benefits.

On January 1, 1974, public service programs for the aged, blind and disabled, previously administered by the states, were replaced by a new federal program of Supplemental Security Income. Congress acted to increase these SSI benefits beginning in July, 1974.

Some other important bills enacted in 1973:

Protected needy persons from losing Medicare coverage when the SSI program went into effect.

Permitted elderly persons to use food stamps to purchase meals at community centers.

Extended benefit increases in railroad workers' retirement annuities.

Provided part-time work opportunities in community service activities for low-income people over 55.

Provided funds to develop educational and library programs for the elderly.

Provided for further research on the problems of older Americans and funds for a variety of services for them.

I am hopeful that in 1974 the Congress will act to: allow SSI recipients to receive food stamps, protect private pensions, extend Medicare coverage to prescription drugs used at home, and further improve Social Security.

I appreciate your interest in legislation for older persons. Your views on legislation are important to me, and I welcome your comments. Please let me know if I can be helpful to you.

LEE H. HAMILTON,  
Member of Congress.

### ENVIRONMENTALISTS: AIMS OF ANGELS, TOOLS OF TYRANTS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. CRANE. Mr. Speaker, there are a number of causes of the energy problems we face at this time. One, clearly, is the Arab embargo upon oil shipments to the United States. Yet, long before the

latest Middle East war began, gasoline was scarce.

The scarcity of gasoline during the past summer was directly caused by unwarranted governmental intervention in the economy. This was done in several ways. One was strict controls upon the price of natural gas, which eliminated any incentive to produce additional natural gas. This transferred demand to petroleum products and here we observe a second governmental interference in the economy, import quotas which prevented us from obtaining necessary oil supplies from abroad.

Thus, long before the Arab embargo, our own Government had created a minor crisis all by itself.

While Government planners deserve a share of the responsibility for our present plight, an equal, if not greater, share belongs to those self-appointed environmentalists who, in pursuit of a worthy cause, have made it almost impossible for our economy to function properly.

Discussing this situation, Shirley Scheibla, Washington editor of Barron's, noted that—

If court action by environmentalists had not blocked construction of the Alaskan pipeline, today we already would be receiving over a million barrels a day from that one source. . . . Another tremendous source of domestic oil and natural gas lies offshore. According to the Interior Department, about 3 million acres a year in prime prospective tracts should be made available for exploration. But back in 1971 when the Department started a five year program calling for general lease sales, the Natural Resources Defense Council obtained a court injunction which held up the sale of 346,000 acres from December, 1971 to September 1972.

The roadblocks which environmentalists have placed in the path of any effort to achieve energy self-sufficiency have been notable. Mrs. Scheibla reports that—

To help encourage exploration for natural gas, the Administration has called for ending price regulation by the Federal Power Commission. But FPC Chairman John Naskikas told me, "If we just de-regulate all gas, that wouldn't solve the problem because, without opening up the federal offshore leases, it would only run up the price and not bring out enough gas." Thus, the environmentalists are discouraging exploration for one of the cleanest and most environmentally acceptable fuels.

In her recent talk to the security subcommittee of the National Security Industrial Association, Mrs. Scheibla discusses the maze of rules and regulations which have made it almost impossible for American business and industry to meet the demands of today's complex world. She concludes that—

. . . the environmental and allied movements are using the aims of angels to fashion the tools of tyrants.

I wish to share with my colleagues the address of Mrs. Shirley Scheibla, presented October 10, 1973, in Washington, D.C., and insert it into the RECORD at this time:

REMARKS OF MRS. SHIRLEY SCHEIBLA, WASHINGTON EDITOR OF BARRON'S

AIMS OF ANGELS, TOOLS OF TYRANTS

Scientists probably won't know for years the full significance of the astronauts' proven ability to live in space for 59 days.

But one bad fallout from the space program already is readily apparent—the widespread belief that the United States government can do just about anything if it devotes enough resources to it.

The War on Poverty already has proven that this is not true. Instead of ending poverty, it has created monumental problems. Now the government has embarked on a crash program to stop pollution and make everything safe and beautiful. Like the elimination of poverty, it's a hard goal for politicians to quarrel with.

#### BEYOND GOAL-SETTING

This newest crash program, however, now has gone beyond the goal-setting stage. In addition to your activities of looking for those who would overthrow the government by force, it would be well worth your while to examine what this program has done so far and where it is leading. It has waked the nation up to the need to control pollution, and that is indeed laudable. But the hysteria and insistence on a crash program to end pollution at all costs already has made serious inroads on the profit system and actually has been counter-productive in several important instances. Unguided by common sense and the art of the possible, it can lead to totalitarianism and the end of capitalism.

#### ENERGY SHORTAGE

Since nothing can disrupt industry or bring a nation to its knees faster than an energy shortage, let's take a look first at what the environmental movement has done in that field. The fuel shortage is forcing the United States to currently import oil at a record rate of over a million barrels a day from the unstable, unfriendly Middle East. Yet if court action by environmentalists had not blocked construction of the Alaskan pipeline, today we already would be receiving over a million barrels a day from that one source.

Even if Congress passes pending legislation during this session to enable construction to go forward, we could not receive oil from that pipeline for four years since that is the minimum time required for construction. Meantime, the estimated cost of the pipeline has escalated from \$1.5 billion to \$3.6 billion, and a large part of one of the richest oil fields in the world lies unexplored because of lack of means to transport new discoveries. (The planned capacity of the pipeline is 2 million barrels a day, while already discovered oil would mean 1.2 million barrels a day.) Let us all pause for a moment and give thought to Alaska's caribou and permafrost and the price we are paying for their comfort and preservation.

#### OFFSHORE OIL AND GAS

Another tremendous source of domestic oil and natural gas lies offshore. According to the Interior Department, about 3 million acres a year in prime prospective tracts should be made available for exploration. But back in 1971 when the Department started a five-year program calling for general lease sales, the Natural Resources Council obtained a court injunction which held up the sale of 346,000 acres from December 1971 to September 1972. Environmentalists have protested the sales of more than a million acres of leases since then and are threatening to take the Interior Department to court over the first lease sale in the Florida Gulf Coast, scheduled for December of this year. Also taking in parts of Mississippi and Alabama, it is expected to involve 800,000 acres.

#### NASSIKAS WARNING

To help encourage exploration for natural gas, the Administration has called for ending price regulation by the Federal Power Commission. But FPC Chairman John Nassikas told me, "If we just de-regulated all gas, that wouldn't solve the problem, without opening up the federal offshore leases, it

would only run up the price and not bring out enough gas."

Thus, the environmentalists are discouraging exploration for one of the cleanest and most environmentally acceptable fuels.

#### SANTA BARBARA

Because of pressure from environmentalists, the Interior Department, in apparent violation of sanctity of contract and due process of law, indefinitely suspended 35 oil leases in the Santa Barbara channel. They are located in the vicinity of a blowout which several years ago poured oil over 400 square miles of ocean surface and 100 miles of coastline. However, production at the blow-out site is continuing because capping would increase the risk of another disaster. As for the area comprising the 35 leases, the Geological Survey has concluded it is no more prone than any other to blowouts and that the potential benefits outweigh the slight risk involved in drilling.

#### OIL IMPORT QUOTAS

Back in 1959 the Interior Department imposed oil import quotas on grounds of national security. It said the quotas were essential to encourage domestic exploration and development. The idea very clearly was to bring about high enough prices for such encouragement. Prices never got that high, however, and the hoped for production boost did not occur. Because of pressure from the consumer movement, the Interior Department let the oil companies know it would increase imports if prices got too high. Now, of course, regardless of prices, the situation is too desperate to continue the import quotas.

#### DEEPWATER PORTS

The most efficient way to handle the increasing imports is to build deepwater ports, and several groups of companies are interested in spending the hundreds of millions of dollars each one would cost. Such ports would require legislation, however, and naturally, the environmentalists are opposing it.

#### REFINERIES

They already have blocked construction of several refineries in the U.S. Let me just tick off a few: A Stuart Petroleum refinery at Piney Point, Md., to operate in conjunction with a bulk plant it already has there; a 100,000 barrel a day facility by Supermarine Inc. at Hoboken, N.J. on the site of the old Todd Shipyard; a 65,000 barrel a day refinery by North East Petroleum at Tiverton, R.I.; expansion of the Amerada Hess plant at Port Reading, N.J. and expansion by Chevron East at Perth Amboy, N.J.

Shell Oil Co. tried to build a 150,000 barrel a day refinery on Delaware Bay but ran into a state law obtained by the environmentalists which prohibits refineries and other heavy industry within 10 miles of the coast. McClean Fuels Co. wanted to build a 200,000 barrel a day refinery at three different locations, South Portland, Me., Searsport, Me. and Riverhead, L.I., but failed to get environmental approval.

#### FUEL PENALTIES

Discouragement for obtaining petroleum would seem to dictate stringent use of it, but environmentalism is resulting in just the opposite. At the beginning of this year when he was head of the Office of Emergency Preparedness, General George Lincoln said that cleaning up auto exhausts already has cost 300,000 barrels a day of extra gasoline and will cost about two million barrels a day by 1980. Additional safety equipment means more fuel penalties because of the extra weight. Also, taking the lead out to please environmentalists means a 15% to 20% decrease in fuel efficiency.

#### BOILER FUEL

Because of the natural gas scarcity, the Federal Power Commission has been trying

to discourage wasteful use of it as a boiler fuel. But here again environmental demands are causing trouble. The Commission is finding that many firms feel forced to use clean natural gas for boiler fuel because of anti-pollution requirements. Incidentally, some who converted their facilities to use oil because of FPC pressure and natural gas scarcity now are having trouble getting oil.

#### COAL IS BLACK

Coal, of course, is the only domestic fuel in plentiful supply. But its name is black with environmentalists because it is dirty. Filters have not yet been perfected. Neither has liquefied coal. Meantime reliance on limited supplies of low-sulphur coal is creating much economic hardship.

Since there are inadequate resources for extensive hydro-power, and technology is still evolving for oil shale, thermal, solar, tidal and other exotic sources of power, that leaves only the atom. But that's anathema to environmentalists.

#### NUCLEAR POWER PLANTS

In a massive fuel study released early this year, the National Petroleum Council said that 23 nuclear power plants with a capacity of 20,000 megawatts will be delayed six months to three years by environmental obstacles. Let me stop here to translate for you the meaning of 20,000 megawatts. That's 20 million kilowatts, and a kilowatt is equal to 1,000 watts. I have a good-sized home covering 3,000 square feet, and it has 50 kilowatts. The next time we have a brown-out or black-out, you might consider how many homes, offices and factories those 20 million kilowatts would power (The Council also said each year's delay could cost the electric utility industry between \$5 billion and \$6 billion.) For 17 months following the Calvert Cliffs decision by the Court of Appeals the Atomic Energy Commission licensed no plant at all while it took time to do the environmental studies required.

Now Ralph Nader and Friends of the Earth have gone to court to force closure of 20 of the 31 operating plants but have failed to obtain an immediate injunction, and the issue of whether they should be closed is still pending before a court of appeals.

#### AUTOS

A new game plan is to penalize use of private autos and compel greater travel by public transportation. This, so the reasoning goes, not only would mean purer air, but less use of gasoline, thus leaving more petroleum for other purposes. So far as I can determine, however, no one has figured out how the nation's cities, already strapped financially, are going to be able to afford the big outlays for public transportation this will require. The tendency is to look to the federal government, but I suggest that those who do so also take a look at the current size of the federal budget. Also ignored is how greater public transport would affect the private auto market and, in turn, the nation's economy since the auto industry makes up such a large part of it.

#### CLEAN AIR ACT

The transportation edicts are framed by the Environmental Protection Agency under authority of the Clean Air Act which is one of the greatest instruments of tyranny ever fashioned by Congress. Although EPA itself admits that some of its orders under it lack scientific validity and that it is having trouble equating economic costs with health benefits, we be to anyone who doesn't obey EPA. The Act calls for fines of up to \$25,000 a day and imprisonment up to a year for a first violation of EPA rules and \$50,000 a day and two years for a second offense. In some instances compliance requires passage of state laws. Yet, the Bill of Rights notwithstanding, the penalties for non-compliance

apply to state and local officials as well as ordinary citizens.

Under the Act, EPA also is struggling with what one official calls the "biggest challenge in the air program" by trying to nail down specific requirements for about 50,000 individual stationary sources.

#### NON-DEGRADATION OF CLEAN AIR

But that's only one facet of the Clean Air Act. Last June, in a case brought by the Sierra Club, the U.S. Supreme Court upheld the ruling of a lower court that there must be no significant degradation of air quality, even for areas which presently have cleaner air than required by federal standards. This could throttle industrial development for clean areas. In a stab at defining "significant" in a way that would allow some development, EPA held hearings in August on four rules it suggested. The Sierra Club, however, has notified EPA that it doesn't like any of the ideas and will take the agency to court if it tries to implement any of them.

#### LAND USE CONTROLS

The draconian Clean Air Act notwithstanding, EPA officials still aren't satisfied with their tools for forcing purity in the air and elsewhere. They are advocating legislation which would require an EPA okay for any use to which land might be put. Thus, a buyer who paid a handsome sum for a choice site with a specific use in mind might find that use vetoed by EPA—if the land use planning legislation goes through. If it does, kiss property rights good-bye in the name of purity.

#### WATER POLLUTION

Agency action under the Water Pollution Act is not so far along since the measure was enacted only last year. Here too, however, it appears that EPA is using it to impose expensive controls on industry. They are expected to cost billions of dollars and cause some plant closings. Nevertheless, in a study for EPA not yet made public, the National Academy of Sciences has found that many of EPA's criteria are faulty and lack adequate scientific justification.

#### DDT

EPA also administers the nationwide ban on DDT. The depredations of the Gypsy Moth in the east as a result are well known. Now the Tussock Moth is devastating northwest forests and worsening the shortage of timber. Consequently, some of the original Senate sponsors of the DDT ban are trying to get it rescinded.

#### OSHA

The Occupational Safety and Health Act, administered by the Labor Department, is providing just as potent anti-business weapons as the environmental and consumer movements. A year ago George C. Guenther, then Assistant Secretary of Labor for Occupational Safety, told me that under OSHA, the Labor Department commands enough power to put everybody out of business. That is not hard to understand. Senator Carl Curtis (R., Neb.) told the Senate that regulations implementing the law make up a stack 17 feet high. Virtually every employer is in violation of OSHA one way or another, and the Labor Department has authority under the law to assess fines without court review. Critics of the law are legion and even include some of its original Congressional sponsors. One of the main complaints is that it is inflating the cost of doing business without corresponding gains in safety and health.

As this cursory glance shows, the environmental and allied movements are using the aims of angels to fashion the tools of tyrants. Let us hope that the hysterical crash program soon succumbs to the rule of reason so that we can get on with the job of cleaning up under the system which affords the greatest freedom, efficiency and general well-being of any yet devised by man.

## REPRESENTATIVE ANDREW YOUNG ON MARTIN LUTHER KING

### HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mrs. CHISHOLM. Mr. Speaker, we hear a lot of talk about "beautiful people." I would like to share with my colleagues in Congress an article written by Congressman ANDREW YOUNG about Martin Luther King—two truly beautiful people. ANDY YOUNG was an intimate associate of Dr. King in the Southern Christian Leadership Conference throughout the years of struggle and victory for the cause of human freedom and equality. This article appeared in the New York Times on January 15, the anniversary of Dr. King's birth.

#### KING'S LEGACY TO AMERICA

(By Andrew Young)

WASHINGTON.—He would have been 45 years old today but he never reached his 40th birthday. So much could have been different had not the Rev. Dr. Martin Luther King Jr.'s heart been stilled by an assassin on that infamous day in Memphis, April 4, 1968.

He would have never allowed this nation to forget its calling nor to delude itself into thinking that there was little or no difference between Richard M. Nixon and Hubert H. Humphrey in 1968. He would have refused to interpret the death of more than 45,000 American sons in an immoral war as "achieving peace." The years of revolutionary rhetoric and frustrating politics might have been spent better, and perhaps we would be much further down the road toward realization of his dream of only ten short years past.

But even in death Martin bequeathed his humble contributions. He gave more to this nation in 39 years than many men of equal talent would ever envision. In Montgomery, Ala., in 1955 he broke the terror of silence and gave voice to the plaintive longing for justice in the hearts of ten million Southern black Americans. He taught us how to live and pointed us in the direction of equality without ever giving in to hatred.

He advocated a method of change that thrived on an organized aggressive goodwill that confronted evil and refused to be drawn into its web of complicity. He demonstrated that "truth"—a deep understanding of man's conflicts—and "love"—a systematic attack on specific injustice while forgiving all those involved by tradition or weakness—can be mobilized into beautiful, world-changing forces.

He never despaired of his commitment to nonviolence, but he would despair of his inability to overcome the violence to which this society is prone. He dared to confront a nation whose total orientation had been programmed toward violence—cops and robbers, cowboys and gunslingers, a \$70-billion Pentagon budget—with the notion that soul and mind were more powerful than even atomic weapons.

His organization and message never had more than a few hundred thousand dollars yet in Birmingham he turned around an entire nation with only a staff of 14. Had it not been for those efforts, the Southern states might have been a bitter and bloody battlefield that would have made violence in Northern Ireland pale by comparison.

Today his thought cries out to us. His warning, "nonviolence or nonexistence," has been heard by millions who are now ready to say, "I ain't gonna study war no more."

One would think that such a man would have been unanimously acclaimed by his

fellow men, yet his life and works were constantly harassed by those who villed themselves in the authority of Government. The F.B.I. spread malicious gossip, tapped his phones and bugged his places of residence and work long before such acts became fashionable. He was informed of this surveillance by both President Kennedy and Attorney General Robert F. Kennedy, but he did not protest, and seemed more concerned about their fear than his own vulnerability.

The Internal Revenue Service had him indicted for tax evasion, only to see his case rejected by an all-white jury in Alabama. However, Martin's tax problems were with him until his death. His difficulty was that he gave away too much of his earnings. His Nobel Peace Prize in 1964, about \$54,000, was divided among movement organizations—with the Southern Christian Leadership Conference receiving the smallest portion. He had to borrow money to pay taxes on money he had given away. No tax-shelter or charity-depletion allowances were available to him, and he donated his early papers to Boston University with no consideration of a deduction.

Through all the trials and tribulations, his was a beautiful life, the life of a man who belonged to others, the "least of these" in our society.

He would have been proud of the progress we have made politically. The election of black mayors in Atlanta, Los Angeles, Detroit, Raleigh, and more than a thousand elected black officials in the South alone are a fulfillment of an important part of his dream.

It is not generally realized that his movement stressed gaining the vote: "Give me the ballot." Martin spent more time marching on behalf of voting rights than any other issue. The most important civil-rights legislation of the century was the product of his 1965 movement in Selma, Ala. The election of those of us in white-majority districts indicates not only a growth of new black voting strength but also white progress beyond the heritage of racism.

The big question, the economic question, that he raised in the Poor People's Campaign on the eve of his murder, is still confronting America. Martin knew that it did little good to open up public accommodations if a man had not means of paying for goods and services.

Before the campaign, few acknowledged that widespread hunger existed, and even fewer discussed the notion of some form of guaranteed income. Today, many more Americans have experienced unemployment and declining purchasing power. Sometime in the not-too-distant future, we have got to face squarely the questions of income distribution and United States economic policy, for the fabric of our society is being torn asunder by the corruption and greed of a few.

"The people who sat in darkness have seen a great light," Martin said. "Our only hope today lies in our ability to recapture the revolutionary spirit and go out into a sometimes hostile world declaring eternal hostility to poverty, racism and militarism. With this powerful commitment we shall boldly challenge the status quo and unjust mores and thereby speed the day when 'every valley shall be exalted, and every mountain and hill shall be made low, and the crooked shall be made straight and the rough places plain.'"

## ADVANCES IN PARAPLEGIA RESEARCH

### HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. HANSEN of Idaho. Mr. Speaker, in a continuing effort to keep my colleagues

apprised of current efforts aimed at eventually finding a cure for paraplegia, I would like to share with them some interesting trends concerning research in this vital area that have been compiled by Mr. Richard Veraa, a noted and distinguished leader in this field.

In an article published in the December 1973 issue of Paraplegia News magazine, Mr. Veraa points out the following:

In 1966, only 9 scientific papers were published throughout the world relating to regeneration of the central nervous system; in 1972, there were 71.

In 1966, only 17 research projects in this field were underway in the United States. Now there are 189.

And, while the National Institute of Neurological Diseases and Stroke—NINDS—funded only 10 regeneration-oriented projects in 1966 for a total of \$277,000, in 1972 it supported 97 for a total of \$4.3 million. This is nearly a tenfold increase in the number of projects and is more than a fifteenfold increase in dollars involved. This is truly progress.

However, Mr. Veraa also notes that by last September there were already 23 projects totaling \$875,000 that were approved on merit but not funded due to lack of funds. This clearly illustrates a situation, unlike others, where the amount of well-thought-out ideas, carefully evaluated and approved, exceeds the dollars available to fund them. So often it is the other way around—the dollars are appropriated with only a vague idea of what the money will be specifically used for. As we know so well, that is when a program or project has a greater chance of failure.

To provide my colleagues with more information, Mr. Speaker, and as a call to future action in finding a cure to paraplegia—which until a few short years ago we thought impossible. I insert the complete text of Mr. Veraa's article in the RECORD at this point:

RESEARCH NOTES  
(By Richard Veraa)

ROCKY ROAD

This column has often alluded to the increased interest and activity among scientists in the repair of damage to the spinal cord and the central nervous system in general. Although it's difficult to place numbers on the painstaking progress of science, a few relevant figures might be of interest.

In 1967, the National Paraplegia Foundation commissioned a study of research at that time. It included a bibliography prepared by the UCLA Brain Information Service, a tabulation of relevant projects sponsored by the National Institute of Neurological Diseases and Blindness (now the National Institute of Neurological Diseases and Stroke, NINDS), and abstracts of all relevant ongoing projects prepared by the Smithsonian Institution Science Information Exchange.

Recently this writer has requested searches of similar updated information from the same sources (with the addition of a bibliographic search by the MEDLINE computer system of the National Library of Medicine).

GRATIFYING INCREASE

The comparison between the years 1966 and 1972 is startling and very gratifying. In 1966, throughout the world, only 9 scientific papers were published reporting findings applicable to the problem of CNS regeneration. In 1972, there were 71.

In 1966 there were only 17 research projects under way at various institutions in the United States dealing with this problem. This number has risen to 189.

Scientific interest and optimism has been recognized by the government—to a great extent through NPF's efforts—so that while NINDS funded only 10 regeneration-oriented projects for a total of \$276,722 in 1966, in 1972 a total of 97 projects were supported, for \$4,313,107. An additional 92 projects were supported by other government agencies and private sources.

NOT READY

All this activity represents an extraordinary change in thinking. In the 60s the thought of repairing a damaged human spinal cord seemed utterly impossible—and the few who held a belief that it *might* be possible were hampered both by lack of support and also by the fact that in many ways biological science at that time was not yet ready to tackle the problem in new and meaningful ways.

But the double advent of the "biological revolution" in science and the "space age" in technology was just then opening a multitude of avenues of significant investigation and providing scientists with a sophisticated new arsenal of instruments and techniques.

With scientific interest finally catching on and significant progress finally being made, as reported in the journals, a disturbing economic fact has emerged with the most recent update of NINDS grants, dated September 28, 1973.

SAD CATEGORY

Grant applications to NINDS are carefully reviewed for merit by a council of eminent scientists, who thoroughly evaluate each proposal to assure that grant funds will be used wisely. Recently, however, in these days of tight budgets and funds frozen or withheld by the Administration, a sad category appears among the grant listings: "Meritorious Proposals Approved But Not Funded."

In 1972 these comprised eight proposals totalling \$185,262. By last September this number had swollen to 23 proposals totalling \$875,192.

In 1972, shortly after the tabulation for that year had been released, a NINDS official responded to a call for additional research with the observation that money alone could not solve the problem unless there were enough qualified scientists willing and able to engage in meaningful research in this area. "We need ideas," he said, "not just dollars."

When we pointed out that there were at that time at least eight qualified scientists whose ideas had been approved by a council of their peers, and who did indeed need 185,262 dollars, he agreed that this was regrettably true, but that it was a temporary condition caused by the Administration's anti-inflationary fund holdbacks.

These matters are truly beyond the control of the Institute, which is fully committed to the fullest support of regeneration research. He expressed the hope shared by all of us that the remaining funds would soon be available.

A VICTIM

The most recent grant summary, however, indicates that although the total amount of funds released has increased to \$5,632,985, the number of projects supported has dropped from 97 to 94. Thus, the increased money has not even kept up with the increased costs of laboratory equipment and supplies.

It is strange that the Administration justifies its austerity in research funding with the spectre of inflation. Research—far from being a "cause" of inflation—is one of its greatest victims.

The 23 grant proposals currently unfunded—23 valuable ideas—represent a tremendous loss in man-and-mind power for the cause of paraplegia. Our greatest need for the long run is the continuing interest of active able scientists. That interest is alive and growing, but it is still young and small compared to that in other fields, such as

cancer and heart disease. And it needs more than any to be encouraged.

DETAILED DOCUMENT

A Federal research grant application is a massive book-length document. It must describe exactly what the applicant plans to do and how he will do it. It must cite the work of others, showing what is presently known or theorized, explaining how the applicant's work will add to man's knowledge. It must show in considerable detail not only what techniques will be used and what data they may be expected to yield, but also to justify the expense of every aspect of the project almost to the penny.

The preparation of one of these applications is a formidable research project in itself, sometimes taking more than a year of preliminary experiments and study of the literature. There can, then, be hardly anything more frustrating, disheartening, and discouraging than to have such a proposal judged meritorious by a council of one's most learned fellow scientists, and then to learn that no funds are available for the project. Nothing could be better calculated to turn a person off.

And it is not just a matter of 23 investigators. Each project involves a team of some ten scientists—any one of whom just might hold the key we seek. Further, the "junior partners" of each team are usually students whose entire life's work is very likely to continue the work begun as a student. We are thus losing not only 23 worthy projects, but possibly many more brilliant lifetimes.

NO OTHER SOURCE

In recent months the National Paraplegia Foundation has received grant requests from Laval University (Quebec), The University of Lund (Sweden), Rutgers University, the University of Pittsburgh, Colorado State University, the University of Chicago, the University of Washington, Northwestern University, and the University of Indiana.

Most were among those approved by the NINDS Council, and many indicated that they realized that NPF's capacity for research support is extremely limited. But no other sources were available. It is clear that the needs of worthy and profitable research are not being met either by public or by private sources.

In June a petition distributed by the Federation of American Scientists under the sponsorship of three Nobel prize winners in the National Institutes of Health was signed by 2,000 scientists protesting the Administration's research funding policies. Also mentioned in the petition and commented on by members of NPF's Scientific Advisory Committee was an additional factor not reflected in the figures on project grants. Scientific educational funds—specifically, postdoctoral fellowships to outstanding young scientists—have been even more stringently curtailed. This can have a devastating effect on scientific progress in the future.

NEED GREAT

NPF does maintain a fund allocated for support of research, to be disbursed on recommendation of the Scientific Advisory Committee. Unfortunately, the money presently remaining in this fund is now hardly enough to purchase a good microscope or support a postdoctoral fellow through a semester! The generosity that established the fund permitted the awarding of a few small emergency grants that were important in tiding over a small bit of the valuable work that might otherwise have perished. But the need is great—at least \$875,192 this year.

Recently, new fund-raising efforts have been initiated by NPF chapters to help meet some of this need. These will be described in a later column. Anyone interested in helping to raise funds may contact the NPF National Office, 333 North Michigan Avenue, Chicago, Illinois 60601, or Richard Veraa, 3397 N.W. 33 Court, Fort Lauderdale, Fla. 33309.

It is also most important to write to your Congressmen and to the White House requesting higher priorities and a more productive policy for support of basic neurological research. If others won't do it, it's up to us.

**HIGH SCHOOL METEOROLOGIST**

**HON. WILLIAM F. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. WALSH. Mr. Speaker, very often today's young people complain about not being allowed to participate in the mainstream of society. Many times those complaints are justified, but in the case of an Auburn, N.Y., high school student, no such statement can be made. A recent article in the Syracuse Herald-American details how 17-year-old Michael Speck of Auburn has picked a career and a profession and made himself an active part of that profession while still in high school. I would like to share that article with my colleagues:

If there's one subject that dominates the conversations of Upstaters, it's the weather. And while we still don't seem to be able to do much about it, there is a select group who are doing a little more than talking about it.

One individual is Michael J. Speck, a senior at Auburn High, who's been operating a sub-station for the National Weather Service for the past four years. Though his official duties are restricted to precipitation and temperature recording, Mike's interest in meteorology has expanded far beyond the simple readings of thermometers and rain gauges. Packed into a tiny basement room in the Speck home at 32 South Hurd Circle are two ceiling-high racks of atmospheric monitoring devices reminiscent of a control board for a NASA moon shot.

Pulsating beams of light skitter across oscilloscopes, drum recorders plot the fluctuations of air pressure and temperature and a vintage World War II teletype machine spews meteorological information from other stations around the country.

The amazing thing about Mike's operation is that he bought, restored and installed almost all the equipment himself, beginning with a few simple instruments and gradually adding devices which measure and record wind speed and direction, solar intensity and duration, spheric activity (electrical activity, enables Mike to locate thunderstorms as far away as 600 miles), humidity, rain and snowfall and accumulation, air pressure and temperature.

Much of Speck's equipment was purchased from government and industrial surplus or from a recent radio station auction. And some, including the racks which house the devices, was scavenged at the city dump.

The main reason for such frugality is that the weather service doesn't provide funds for equipment or services for the more than 12,000 observers around the country. The almost 50 observers in Central New York are volunteers who, with the exceptions of a few thermometers, provide all their own equipment and who share an abiding interest in weather.

Mike's monthly temperature and precipitation readings are sent to Dr. B. A. Pack, senior research associate with the Department of Atmospheric Sciences at Cornell, one of the schools Mike favors for continuing his education next fall.

If he does decide on Cornell, he'll be following his brother, David, a junior majoring in chemistry, who helped Mike with some

of the electronics problems he ran into when installing his station.

With college less than a year away, Mike's been planning for his months away from home. He recently installed a digital recorder which automatically prints a permanent record of nearly all meteorological data, eliminating the need for laborious copying of charts and leaving more time for analysis of climatological trends.

Meteorology is becoming more and more of an exact science, says Mike, who contemplates a career in the field. "Ultimately we may even be able to control it to some extent. Until then, we'll have to be content to talk about it."

Michael Speck is to be congratulated for his initiative and resourcefulness and should serve as a shining example to other young people that if they have enough interest in a goal and are willing to work hard, that goal can be accomplished.

**CONTRIBUTIONS TO PRESIDENT NIXON'S CAMPAIGN**

**HON. LES ASPIN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. ASPIN. Mr. Speaker, for the past several days executives of the major oil companies have been testifying before the Senate Committee on Investigations. So that my colleagues will have a better idea of the activities of these individuals, I am taking the liberty of inserting into the CONGRESSIONAL RECORD a record of their contributions to the reelection campaign of President Nixon.

The officers of the "big seven" may have had a slightly cool reception here on Capitol Hill, but from all indications very much the opposite has been taking place at the White House. After financing almost 10 percent of Mr. Nixon's last campaign the oil barons seem to have been assured of smooth sailing by the administration. Mr. Simon's reluctance to proceed with the implementation of an excess profits tax only reinforces my belief that Mr. Nixon is so beholden to the oil interests that he will never direct that they share in the sacrifices being made by the American people.

The material follows:

**CONTRIBUTORS—PART III  
TENNECO**

Askin, S.....	\$1,350
Ackerman, L. C., Newport.....	1,250
Allison, S. F., Sen. VP.....	1,000
Allen, Herbert, Dir.....	2,200
Blaglini, B. F., Dir.....	5,000
Broadman, A. R., VP.....	500
Brogdon, J. S., Tennessee Gas Trans., VP.....	500
Buxton, J. T.....	500
Bonfield, G. B., Jr.....	600
Bayly, G. V., Pack.....	600
Campbell, L. W. A., Tennessee Gas Trans.....	625
Cook, Thomas G., Walker.....	1,500
Dugger, R. W., VP.....	550
Diesel, J. P., Newport News.....	1,000
Ellis, S. T.....	1,190
Freeman, N. W.....	2,000
Fitzgerald, G. M.....	600
Fox, Jack L.....	500
Harris, Henry, Dir.....	10,000

Hancock, Thomas.....	\$500
Ketelsen, J. L., Jr.....	500
Lee, Leonard, VP.....	500
Lyman, John C., Chem VP.....	500
McGee, R. E., Exec VP.....	1,500
Mark, Dewey, T Oil.....	500
Meason, G. H., T Oil.....	1,000
Marguleas, MGT.....	2,500
McCollum, S. V., T Oil.....	800
Parrish, J. L., Jr., TG Pipeline.....	600
Perrine, George R., Tennessee Gas Trans.....	1,000
Reid, Morris, Jr.....	500
Rackley, C. W., T Oil.....	600
Robertson, J. M., Mid Gas.....	2,000
Scott, W. E.....	1,250
Sherran, Stanley, T Chem.....	550
Simonds, V. H., Sr. VP.....	1,000
Thomas, J. A., Jr., HMT.....	600
Wilson, Christopher.....	1,796
Walsher, W. D.....	1,000
Wells, S.....	500
Webb, C. C.....	500
Wilson, W. F., Newport.....	500
Wakefield, W. G.....	500

Total ..... 52,711

**KERR-M'GEE**

Jorgensen, Earle M., Director:	
GAO.....	2,500
GAO.....	7,500
CC.....	25,000
Saunders, J. B., Director.....	2,000
McGee, D. A. (NPC), Chairman of the Board.....	1,000
Harris, Grady D., Director.....	3,000
Love, Frank (Pres. & Dir.).....	1,000
Love, Frank (Pres. & Dir.).....	3,000

Total ..... 45,000

**MURPHY OIL**

Deming, John W., Director.....	1,000
Nolan, William J., Director.....	1,000
Owen, Ralph, Director.....	1,000
F. B. Ingram, Director.....	2,000

Total ..... 5,000

**FENNZOIL**

Kerr, Baine P. (Gen. Comm. & Dir.):	
GAO.....	500
CC.....	1,000
Liedtke, William C. (Pres.):	
CC.....	23,348
GAO.....	1,000
Winchester, R. J. (VP).....	500
Leland F. Johnson, Dir.....	1,000
J. D. Coleman (Dir).....	3,000
Cockrell, E., Jr. (Dir).....	4,000
McLaughlin, Arthur A. (Officer).....	1,000

Total ..... 30,348

**SEDCO**

Clements, W. P., Jr., (Chrm.).....	20,923
Clements Loan (Forgiven).....	6,000
Spencer L. Taylor (Pres.).....	5,924
B. G. Clements (Treas.).....	500
J. P. Cunningham (VP).....	5,924
T. B. Rhodes (VP).....	5,924

Total ..... 45,195

**NORTHERN NATURAL GAS**

Strauss, W. A., National Petroleum Council, Chairman and President, Northern Natural Gas Co. (CC).....	974
Cummings, Tilden.....	3,000
Chicago Director.....	2,000

Total ..... 5,974

**TEXAS GAS TRANSMISSION CORP.**

Blaske, Floyd H. (VP).....	500
Brown, George R. (Dir.) (CC).....	9,889
Butcher, E. D. (VP).....	1,000

Hershey, J. W. (VP)-----	\$1,000
Thurston B. Morton (Dir)-----	5,000
Henry Hillman (Dir)-----	11,300
<b>Total</b> -----	<b>28,889</b>

HUNT PETROLEUM

Hunt, N. B., Inter. Mang-----	6,000
-----	3,000
Hill, Al G., Sec/Treas-----	2,500
<b>Total</b> -----	<b>11,500</b>

SIGNAL

Thomas, G-----	1,000
Walkup, William E. (CHB) (CC)-----	5,000
Harry H. Wetzel (Dir)-----	7,000
Belton K. Johnson (Dir)-----	52,000
Shumway, Forrest N. (Pres.)-----	5,000
Agnes M. Shumway-----	7,000
<b>Total</b> -----	<b>77,000</b>

CELANESE

Brooks, John W. (Pres.)-----	5,000
Murphy, Grayson M. P. (Dir.)-----	2,000
Place, John B. M. (Dir.) (CC)-----	1,000
<b>Total</b> -----	<b>8,000</b>

PAN OCEAN OIL

McCConnell, Nell A., (Director), Pan Ocean Oil Corp-----	3,000
-----	2,540
-----	2,540
-----	7,625
-----	1,000
-----	2,545
-----	21,255
-----	5,085
-----	2,540
-----	19,620
-----	3,000
-----	2,545
-----	2,545
-----	3,000
-----	3,000
-----	2,540
-----	2,540
-----	2,540
-----	2,545
-----	12,710
-----	5,080
-----	5,080
-----	7,625
-----	2,540
-----	2,540
-----	2,545
Louis Marx, Jr. (CEO & Dir.)-----	8,000
Dan Lufkin-----	10,000
<b>Total</b> -----	<b>137,035</b>

CONTINENTAL OIL

Norstad, Louis (Dir)-----	1,000
McLean, John G. (NPC) (Chrm.)-----	2,500
-----	500
Kircher, J. E., (Pres. E. Hemis.)-----	2,000
Royds, James S. (Sen. VP)-----	2,000
Brown, W. F-----	1,000
Blauvelt, Howard W. (Exec VP)-----	2,000
John Corcoran (Pres. Consol Coal Pitts.)-----	2,000
W. A. Hewitt (Dir)-----	3,000
C. Howard Hardesty (Sen. VP)-----	2,500
Glenn, Wayne E. (Officer)-----	2,000
McCullum, L. F. (Chrm of Bd.)-----	1,000
Son-----	1,000
Robinson, James E. (Dir)-----	3,000
<b>Total</b> -----	<b>23,000</b>

STANDARD OIL OF INDIANA

Brice, John W-----	2,200
Bugas, John S-----	22,000
-----	3,000
Myers, George V. (Exec. VP)-----	1,000
CC-----	1,000
GAO-----	2,950

Patterson, Herbert P. (Dir.)-----	\$3,000
CC-----	2,200
GAO (wife)-----	2,065
Swearingen, John (Chrm.) (CC)-----	500
Yost, F. Randolph (Dir.) (CC)-----	500
Bugas, John S. (Dir.)-----	25,000
Wright, Joseph S-----	3,000
Gunness, Robert C. (Dir.)-----	2,000
<b>Total</b> -----	<b>69,415</b>

AMOCO

Stockton, James R-----	1,000
Advertisement-----	10,000
<b>Total</b> -----	<b>11,000</b>

UNION

Bailey, J. W-----	2,000
Call, Richard-----	1,000
Hartley, Fred L. (Pres.)-----	3,000
Mudd, Henry T. (Dir.)-----	3,000
-----	3,000
-----	2,000
Stewart, A. C-----	500
Thornton, Charles B. (Dir) +Family-----	51,096
Doheny, William H. (Dir.) +Family (Timothy, E. L. III, and Patrick)-----	15,500
<b>Total</b> -----	<b>81,096</b>

INDEPENDENTS

Mosbacher, Robert (NPC) (CC)-----	24,675
-----------------------------------	--------

GETTY

Larkin, Frederick G., Director-----	1,000
Medberry, C. J. III, Director:-----	
CC-----	2,500
GAO-----	2,000
Schiff, John M., Director-----	1,000
Sons: David T., Peter G-----	6,000
-----	8,200
-----	2,000
-----	15,000
Getty, J. Paul, Pres. & Director:-----	
CC-----	50,000
CC-----	25,000
GAO-----	3,000
GAO-----	44,000
GAO-----	3,000
Getty, George F. II (NPC), Exec VP-----	2,000
Boothby, Willard S., Director-----	9,000
-----	1,092
Berg, Harold, VP & Gen. Mang-----	500
Thomas, Joseph A. (Dir)-----	4,000
<b>Total</b> -----	<b>179,292</b>

MARATHON

Boyer, W. B. (Dir) :-----	
GAO-----	1,000
GAO-----	2,000
CC-----	1,000
Churchwell, R. M. (VP) (CC)-----	1,000
Clark, G. A. (VP-Research) (CC)-----	1,000
Donnell J. C. II (Chrm. of Bd.)-----	1,000
GAO-----	1,000
CC-----	14,000
CC-----	3,000
Dumbros, N. G. (VP. Public Aff.) (CC)-----	1,000
Graham, E. A. (VP, Fin.) (CC)-----	1,000
Grant, E. R-----	1,000
Herring, J. H. (VP, Marketing) (CC)-----	1,000
Jetton, G. R. (Asst. to Pres.) (CC)-----	1,000
Moriarity, F. C. (VP) (CC)-----	1,000
Milford, R. H. (Dir)-----	1,000
Rhea, R. E. (VP) (CC)-----	1,000
Young, Grant (Chrm. Exec. Comm.) (CC)-----	3,000
G. R. Schoonmaker (VP) (CC)-----	1,000
Anderson, James D. (Sr. VP) (CC)-----	1,000
J. R. Donnell (Sr. VP)-----	3,000
-----	1,000

Mrs. Glen M. Donnell (mother of J. R. & J. C.)-----	\$5,000
<b>Total</b> -----	<b>46,000</b>

OCCIDENTAL

Babcock, Tim (Pres.)-----	5,000
Hammer, Armand (Chrm. of Bd)-----	2,000
Cash-----	46,000
Horace, Chalor C. (VP)-----	500
Vall, Herman L-----	750
Reid, E. F. (Officer)-----	2,000
<b>Total</b> -----	<b>54,250</b>

THE INDOCHINA PEACE PLEDGE LEGISLATION

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. DELLUMS. Mr. Speaker, almost 1 year ago the Paris Peace Agreement ostensibly ended America's tragic military involvement in Indochina. However, it is increasingly evident that the United States still plays an active role in Southeast Asian military affairs.

The Nixon administration has continued to pour billions of dollars into Thieu's corrupt dictatorship. Recently, administration spokesmen have hinted they might resume bombing. Given the vague conditions of the War Powers Act, it would take little stimulus upon the administration to order massive murderous bombings upon the peoples of Indochina.

However he might frame it, such an action by President Nixon would be clearly repugnant to the will of the American people. Future American involvement in Indochina can only further divide a nation already weary from the struggles and costs of a decade of illegal, immoral, and insane adventurism.

And it is out of this revulsion that the Coalition to Stop Funding the War drew up the 1974 Indochina Peace Pledge. The Pledge reads:

1974 INDOCHINA PEACE PLEDGE

I will vote for legislation to:

1. Preclude Direct U.S. Military Involvement—by positively prohibiting the renewal of United States air, sea or land combat operations and the use of United States military or paramilitary advisors in Indochina.
2. Encourage a political settlement based on the Peace Agreement signed by the U.S.—by withholding nonhumanitarian aid to either party in South Vietnam which does not comply with Agreement which provides for a cease-fire and for the restoration of the basic freedoms of press, speech, meeting, political belief and movement for the people of South Vietnam.
3. End United States police aid—by opposing all direct and indirect United States funding of police and prison systems for Indochina, particularly those funds used in South Vietnam for the continued imprisonment and torture of political prisoners whose release is called for by the Peace Agreement.

OPTIONAL POINT

I will also vote for legislation which prohibits funding of the police, prison and internal security systems of all other countries which imprison their citizens for political reasons.

Since my election to Congress, I have dedicated myself to the principles of the Indochina peace pledge, and as a strong believer in these concepts, I have translated these goals into legislation this week as H.R. 12156.

This bill would: First, effectively prevent U.S. military involvement in Indochina; by prohibiting renewal of U.S. air, sea or land combat operations and the use of American military or paramilitary advisers in Indochina, we could finally cure a disease that has been plaguing us for more than a decade; second, to encourage a political settlement based on the peace agreement signed by the United States, prevent U.S. aid to any party which fails to comply with the peace accords or fails to restore the basic freedoms of press, speech, meeting, political belief, and movement.

American funding still props up the sagging Thieu regime. However Thieu's continued imprisonment of virtually his entire political opposition and his blatant disregard of the Paris agreements continue to undermine any chance of political settlement in South Vietnam. Such disregard calls for strong, punitive action on the part of Congress.

Third, likewise, it is imperative that we eliminate American funding of the police and prison systems of South Vietnam, especially those funds that are employed for the continued imprisonment and torture of political prisoners whose release was called for by the peace agreement. Recently the Senate Appropriations Committee substantiated accounts of mistreatment and torture among political prisoners in South Vietnam—H.R. 12156 would end U.S. subsidization of such programs in Indochina and other foreign nations which imprison their citizens for political reasons.

As this country continues to support—directly and indirectly—the unjustified, devastating, and inhumanitarian conduct perpetrated by Thieu and his friends, not only will thousands of South Vietnamese suffer but growing outraged American masses will demand a full explanation why U.S. dollars are pumped into a dictator's war budget.

This is why throughout the country thousands of conscientious citizens are signing the Indochina peace pledge. My personal integrity just will not permit me to passively watch the Nixon administration allow flourishing fascism in South Vietnam. All conditions of the peace agreement must be met now.

I am totally dedicated to a world peace—and to promote true peace in Southeast Asia I would hope that my colleagues will join me in supporting this legislation.

#### COMMENTS ON FUEL OIL CRISIS

**HON. WILLIAM LEHMAN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. LEHMAN. Mr. Speaker, while south Florida's winter sun protects us

from the effects of the fuel oil crisis, we will clearly be a part of any gasoline shortage. There are essentially three ways we can deal with this problem: total rationing, a free market approach, and modified rationing.

Those old enough can recall the troubles caused by total rationing during World War II, such as discrimination, black marketing, and coupon counterfeiting.

The free market approach is advocated by Secretary of the Treasury Shultz. In his major premise, he assumes that oil companies in this country function under a competitive system based on supply and demand. There is, however, serious question as to the individuality of the oil companies, and likely outcome would be the same amount of fuel being sold at double the price. This will produce windfall profits for the oil companies, and further enrich oil exporting countries. Those most adversely affected in this country will be people of low and moderate incomes.

While in the long run, I believe that our energy shortfall can be met by such means as solar energy, which is not subject to foreign policy considerations and is clean energy, I realize that in the near future, restrictive measures may have to be taken to conserve petroleum.

In the event the administration determines that total gasoline rationing is the solution, it has submitted for public comment its rationing contingency plan. I would like to share with my colleagues my remarks to William Simon, Administrator of the Federal Energy Commission, on his plan, as well as my letter to him regarding the impact of the energy crisis on businesses in the immediate future.

The items follow:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., January 22, 1974.

Mr. WILLIAM E. SIMON,  
Administrator, Federal Energy Office, Washington, D.C.

DEAR MR. SIMON: I am submitting herewith my comments on the gasoline rationing contingency plan which appeared in the Federal Register on January 16, 1974.

First, let me point out that the population of the 13th District has increased by 35.1 percent since the 1960 census. Almost half of the available housing units in my District now lie outside central Miami. Within the entire District, certain areas have seen even greater growth. North Miami Beach has had a 43.5 percent increase in population; Hialeah, 52.7 percent; Hallandale, 127.5 percent; Hollywood 203.3 percent; and Miramar, 337.1 percent.

A significant portion of the work areas in Dade and Broward Counties are located far outside the central metropolitan area, to which public transportation does not extend. In the past two years, since 1972, these population centers which have sprung up have not been able to keep pace with the transportation demands placed upon them. Industrial parks have suddenly appeared along stretches of highway in the western part of my District which used to be empty for miles upon miles. It is here where many of my constituents now work, and for the most part, they must commute for some distance. According to the 1970 census, 152,712 persons in my District get to work by private car. Only 12,396 are able to use public transportation.

A transit factor, while laudable in theory, does not take into account several items. While a particular metropolitan area may have a transit factor of less than 0.018, nonetheless, the public transportation available may not reach a person's place of work. This is most certainly a common situation in my District. If these two counties are so rated that persons in the area would be permitted only 80 percent of the maximum number of rationing coupons, the economic results would be disastrous.

I would also like to suggest that a transit factor should take into consideration the amount of time needed, and the number of transfers necessary for persons to get from their homes to work places. If it would take a worker three or four times as long to get to work via public transportation, clearly public transportation is not a viable alternative, and that person's needs should be considered. I am enclosing a copy of an article which appeared in the Community Newspapers which further explains this.

A second problem with the gas rationing contingency plan is its restrictions on the ability to save coupons for more than two months at a time. This will have an enormously adverse effect on the recreation and tourist industry in Florida, which is my District's bread and butter. When the tourist trade declines, as the attached tables indicate, so do the wages of my constituents, while unemployment increases.

In another area, I note that no provision is made for handicapped persons. Obviously, these people who are able to use public transportation only with great difficulty, or not at all, should be permitted to obtain sufficient gasoline to meet their needs. As one of my constituents put it, "For we handicapped people, our cars are our legs."

There also seems to be some ambiguity as to whether a traveling salesperson would be included in the private users or commercial users category. Clearly, it should be the latter.

Finally, I would also like to submit some comments on total gasoline rationing in general. I believe the need is for a program which would guarantee required gasoline while also permitting access to greater supplies. I feel the solution to this is a limited rationing formula, which would allocate about ten gallons of gasoline per week at a price under fifty cents per gallon, and beyond that, all fuel would be subject to an open market price. For a driver presently using one tank per week—about twenty gallons—it would result in forcing him to restrict about five gallons' worth of driving. In most cases, he would still have enough gas to get to and from work without sustaining too great a financial burden. For those who wanted more, there would be still an expensive, but available, supply for other uses.

A limited rationing plan would also alleviate some of the difficult problems that a total rationing plan would bring on Florida's tourist industry.

With best wishes, I am,  
Sincerely,

WILLIAM LEHMAN,  
Member of Congress.

STATE OF FLORIDA,  
DEPARTMENT OF COMMERCE,  
Tallahassee, Fla., January 21, 1974.

#### ENERGY CRISIS UPDATE

Each Friday during the energy crisis, the Florida Department of Commerce will provide concise, accurate and up-to-date information and analyses concerning the effects of the crisis upon the State of Florida. Please disseminate the contents of this document as you deem appropriate.

**CAMPING FACILITIES UTILIZATION—37 PARKS**  
 JANUARY 18, 1974.  
 November 1972, 60,163; 1973, 69,789; Change 1972-1973—16 percent increase.  
 December 1972, 92,209; 1973, 65,533; Change 1972-1973—29 percent decrease.

**TOTAL STATE PARK ADMISSIONS—73 PARKS**  
 November 1972, 461,934; 1973, 541,418; Change 1972-1973—17 percent increase.  
 December 1972, 573,191; 1973, 538,604; Change 1972-1973—06 percent decrease.

**WELCOME STATION TOURIST DATA**

Welcome station	This week, Jan. 10-16, 1974	Last week, Jan. 3-9, 1974	Year ago, Jan. 11-17, 1973	Jan. 13, 1974	Sunday, Jan. 14, 1973
	<b>I-75, Jennings:</b>				
Cars.....	6,430	7,231	8,877	303	1,557
People.....	16,389	18,139	22,344	819	4,298
<b>U.S. 301, Hilliard:</b>					
Cars.....	1,208	1,426	2,400	54	390
People.....	2,882	3,546	5,946	146	983
<b>U.S. 17, Yulee:</b>					
Cars.....	188	169	258	15	33
People.....	495	447	637	75	84
<b>U.S. 231, Campbellton:</b>					
Cars.....	261	269	348	24	51
People.....	681	720	910	64	136
<b>I-10, Pensacola:</b>					
Cars.....	666	644	1,140	51	171
People.....	1,572	1,621	2,663	130	464
<b>Marina, Fernandina:</b>					
Cars.....	63	87	60	(1)	(1)
People.....	199	261	160	(1)	(1)
<b>Total:</b>					
Cars.....	8,816	9,826	13,083	447	2,202
People.....	22,218	24,734	32,660	1,234	5,965

<sup>1</sup> Closed.

**POOR BUS SERVICE ONE REASON MORE PEOPLE DON'T RIDE THEM**  
 (By Sylvia Ash)

Has the energy crisis made you aware? How aware are you? What are you doing about saving gasoline? How are you getting to work these days?

Have you ever thought about taking a bus? I am a bus rider. I refuse to drive. Now, with the energy crisis I have the perfect excuse for not driving. Best of all . . . it's such a pleasure for a change not to have this idiosyncrasy of mine interpreted for table talk conversation . . .

This past week I went to Ft. Lauderdale. I had missed a Greyhound bus by minutes . . . I waited to be exact . . . two full hours for another bus to arrive (which was late).

I was given incorrect information by the Greyhound clerk who told me to change in Miami to Coral Gables.

Arriving in Miami one hour and a half later, I attempted to get a refund on my ticket.

Forget it! The clerk told me to go upstairs to have the manager approve a refund.

There was no manager . . . a locked door . . . and . . . unbelievable looking people loitering around.

At this point . . . I was an angry sight. I ran to Flagler Street to catch a Coral Gables bus . . . again a miss. It was now dark. The waiting game again . . . just a half hour this time.

I arrived in the Gables . . . only to wait again for the Dadeland Bus which leaves the terminal twice an hour. All told this trip from Ft. Lauderdale to Dadeland consumed six hours of my time.

I have waited on Biscayne Boulevard and

Third Street as long as an hour and a half for a bus to take me to 40th Street and the Boulevard. The energy crisis is just . . . what to transportation of the public nature . . . I wonder!

We get some impressive talks on "How to Save Gasoline" . . . yet . . . please note there are no buses running to and from Dadeland on a Sunday and . . . other parts of our fair city. You are actually stranded if you do not drive and . . . or if . . . you choose to conserve.

New York I understand offers half price on all public transportation on weekends to encourage people to conserve. (This information is hearsay, however I do hope it's true). According to some in public transportation . . . not enough people ride buses . . . therefore the slow schedules. I don't buy this at all.

People just don't ride buses because of far out schedules.

There are so many, many advantages to riding buses . . . one of which . . . the bus offers an opportunity to relax, read and unwind. How nice this experience could be if only we weren't so darn mad by the time we board the bus . . . only because we waited too long.

Are you aware? Are you genuinely concerned? Don't gripe . . . don't snipe . . . do something about it!! Do your "involve-ment thing," get petitions going . . . to give us here in Dade County better public transportation during this energy crisis. Will you decide to do something when the cost of gasoline goes up to \$1 a gallon or . . . will you do it now?

HOUSE OF REPRESENTATIVES,  
 Washington, D.C., January 24, 1974.

HON. WILLIAM SIMON,  
 Administrator, Federal Energy Office, Treasury Building, Washington, D.C.

DEAR MR. SIMON: We, the undersigned, are extremely concerned about the potential effect of the alleged fuel shortage during the upcoming summer months, when citizen travel and vacation activities are traditionally at their peak and when so many people and businesses depend upon the commerce that is generated during this season.

The one glaring failure of the Federal government in the past has been the lack of advanced planning in the energy realm, but we feel that, with some prudent pre-planning, severe personal and economic hardships can be averted this summer, but the "blueprinting" must begin now.

Thousands of businesses and millions of citizens who vacation during the summer have no idea at present what to expect. Will there be mandatory gasoline rationing? Will there be fuel for pleasure boating? How much will we have to cut back air conditioner use? What other mandatory economies are likely to be imposed?

While we fully appreciate the fact that the summer outlook depends in part on whether or not the Arab oil embargo is lifted, it seems that contingency plans can be developed now for either extreme and the shades between a total resumption or imports and no lifting of the embargo.

We strongly urge you to issue a set of "preliminary summer guidelines" for citizen fuel use before the end of February so an 11th hour chaotic situation can be averted. We hope you will agree with us that a general outline of what citizens can expect this summer would go a long way toward adding stability to our economy and personal lives.

Sincerely,

NORMAN F. LENT,  
 WILLIAM LEHMAN,  
 Members of Congress.

**SATURDAY NIGHT SPECIALS**

**HON. JOHN M. MURPHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. MURPHY of New York. Mr. Speaker, I am calling attention of Members to the results of a recent Treasury Department study of thousands of criminal handguns seized by police in the four cities of New York, Detroit, Atlanta, and New Orleans. In my own city of New York the handgun problem is aggravated by the smuggling of thousands of small arms from other States, 66 percent of which were "Saturday night specials."

The Bureau of Alcohol, Tobacco, and Firearms report identified as project I—for identification—defines three classes of handguns used by criminals which were studied. Class C guns were identified as inexpensive handguns of low quality used primarily for nonsporting purposes and commonly referred to as "Saturday night specials." Sixty-six percent of the 2,546 guns studied in New York were in this category.

The "nonsporting purposes" for which the guns were used in New York City included armed robbery, aggravated assault, homicide, suicide, and other high crimes and misdemeanors.

The situation is as bad or worse in some of our other "crime capitals." The percentage of Saturday night specials that made up the crime gun in the three other cities studied were as follows:

New Orleans—63 percent;

Detroit—called "Kill City" by its own residents because it leads the Nation in homicides and the city that gave the Saturday night special its name—71 percent; and Atlanta—72 percent.

Guns smuggled into New York prior to the passage of the 1968 Gun Control Act—which banned the importation of Saturday night specials—came from nearby States. This pattern has changed and we now find them flooding into that city from far away places. The six States providing the greatest number were South Carolina, Florida, Georgia, Virginia, North Carolina, and Texas.

Twenty-five percent of the crime guns studied were originally purchased in South Carolina for \$20 each in large lots and transported to New York. Fortunately, the dealers who supplied a large number of these weapons have been convicted of Federal firearms violations. However, the study emphasized the fact that guns dispersed by unscrupulous dealers or illegal firearms dealers will be in the hands of criminals for years to come. Current investigations in South Carolina turned up an additional 40,000 firearms either destined for New York or surrounding areas.

Evidence such as this makes it abundantly clear that the Federal Government must outlaw the manufacture and sale of the Saturday night special. The law that I plan to reintroduce in this

session of Congress will accomplish this by plugging the loophole in the 1968 Gun Control Act which allows the domestic production of the very same cheap handgun that we barred from overseas in 1968.

Two and one-half years ago at my request the New York Police Department studied weapons seized from criminals the previous year. Twenty-five percent were Saturday night specials. This means the new Treasury Department study shows an alarming trend. New York has a strong gun control law. But the availability of guns from other States has increasingly detracted from the effectiveness of the Sullivan law. It is impossible to seal State borders and State lines against the traffic in deadly weapons. The only effective solution to controlling the major crime weapon of this decade is a ban on their production.

The Treasury study proves that a total ban on these guns will have a dramatic effect on the overall firearms problem, and my bill will accomplish just that.

I have spoken to Chairman RODINO of the House Judiciary Committee and he is in agreement that something has to be done and done fast. I hope Members will agree that this legislation should receive priority treatment early in the new session.

I urge Members interested in the reduction of violent crime in this country to read the following study and support my legislation to ban the production and sale of the Saturday night special:

DEPARTMENT OF THE TREASURY, BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

The Bureau of Alcohol, Tobacco and Firearms announced today that its pilot study of handguns used in crimes in four selected major cities showed 71 per cent of the weapons were the small, easily concealed "Saturday Night Specials".

ATF Director Rex D. Davis reported that of a total of 4,537 handguns which the Bureau traced through its National Gun Tracing Center, 3,083, or 70 per cent, were Saturday Night Specials.

The cities which provided handguns found in street crimes after July 1, 1973, were New York, Atlanta, Detroit and New Orleans.

"There has been a growing awareness by police officers throughout the nation that more and more of these small handguns are being used in street crimes," Davis said.

"However, statistics from this ATF generic study show concretely for the first time that a majority of guns used in crimes in these cities are Saturday Night Specials," Davis reported.

"It is likely that this use of the small handgun in crime represents a growing pattern throughout the United States. We hope soon to expand this gun tracing project to other cities, particularly in the Western United States, depending upon the availability of Bureau funds."

Davis said the study, called by the Bureau Project I (Identification), was carried out in connection with the police departments of each city. The figures showed that overall 10 per cent of the guns recovered in crimes were stolen, and that there is a high rate of traffic in guns across state lines.

The initial phase of Project I was to identify the kind of guns being used in crime, and then begin the often difficult job of tracing the guns back to their source.

The second phase of the project is for ATF to close these sources of guns which find their way into criminal channels.

Davis said as a result of the pilot study, which was completed for New York City but which is continuing in Detroit, Atlanta and New Orleans, ATF either has made, or is preparing to make, 78 cases for firearms violations. These include 40 cases in New York, 22 in Atlanta, 12 in Detroit and four in New Orleans.

In addition, ATF turned over to the police departments in the cities involved considerable information as leads to other possible cases.

ATF arbitrarily placed the handguns in three categories. These were:

Class A—More expensive guns costing more than \$100 and more commonly used for law enforcement, collecting, sporting and target shooting.

Class B—Handguns costing \$50 to \$100 and used for sporting, personal protection, hunting and other purposes.

Class C—Those guns costing \$50 or less, of low quality with a barrel three inches or less in length. Most Saturday Night Specials fell under Class C.

For the purpose of the study, ATF defined a Saturday Night Special as a small, cheaply made handgun with a barrel three inches or less and easily concealed in the palm of the hand or in a coat pocket.

The number of Saturday Night Specials found in the New York study was 1,692, or 66 per cent. For Atlanta, the number of Saturday Night Specials was 592, or 72 per cent; for Detroit, there were 595 Saturday Night Specials, or 71 per cent; and the New Orleans study showed 204 Saturday Night Specials made up 63 percent of the total.

Of the total 4,537 handguns, the ratio of revolvers to automatics was about 3 to 1. There were 3,499 revolvers traced compared to 1,038 automatics.

New York City, which requires a police permit to possess a gun, is considered to have the strictest gun law in the United States. The major gun tracing effort came in the New York City study which involved 2,546 handguns recovered in street crimes

there. ATF's gun tracers revealed that 1,966 of these handguns were brought into New York City from 46 states and nine foreign countries and involved guns of 89 different manufacturers.

Davis reported that a major source of this influx into New York City was six states—South Carolina 500; Florida 273; Georgia 214; Virginia 169; Texas 83 and North Carolina 80.

The report noted that as a result of 17 ATF investigations or cases made in South Carolina, the Bureau determined that 39,517 firearms were either actually involved in interstate violations or destined for disposition in New York or surrounding areas.

These 17 cases, which cover a period from 1968 to the present, are being handled with increasing severity by courts, Davis reported.

Of the 500 South Carolina handguns in the New York study, the report noted that two South Carolina dealers provided 124 of these firearms. Both of these dealers were arrested and convicted prior to the inception of the New York study, the report noted.

The study showed 29 states contributed to the number of guns found in Atlanta, although the majority, 537, originated in Georgia. Next in line were Florida with 19 and South Carolina with 14. Both of these states are contiguous to Georgia.

Of the handguns which originated in Georgia, ATF traced most of these to 12 licensed dealers in Atlanta. ATF found that one of the dealers was no longer in business. The license of a second dealer is being revoked. The other dealers are under investigation.

Of the Detroit guns, 157 were brought to the city from Ohio. Kentucky contributed 75, Georgia 74, Mississippi 49, Alabama 46, Florida 37 and South Carolina 34.

The state of origin of only 126 of the total number of handguns was determined in the New Orleans study. Seventy-nine guns, or 62 per cent, came from Louisiana. There were nine from Texas and eight from Mississippi. Sixteen other states contributed four guns or less.

The overall figures showed 10 per cent of the 4,537 was stolen. The New York City study showed 263 handguns of its study were stolen, or 10 per cent. For Atlanta there were 50 stolen guns, or 6 per cent; for Detroit there were 109 stolen guns, or 13 per cent; and in New Orleans, there were 5 stolen guns, or 2 per cent.

All of the traces were made through ATF's National Gun Tracing Center in Washington. Traces are made through firearms manufacturers, wholesalers and retailers. The tracing for Project I was made to the last retail seller. Further tracing must then be made by investigating agents who go into the field for their work.

The Bureau of Alcohol, Tobacco and Firearms enforces all federal firearms laws, licenses dealers and manufacturers, and is the nation's only law enforcement agency empowered to trace firearms and explosives.

## PROJECT I

	New York City				Total	New Orleans				Total
	New York City	Atlanta	Detroit	New Orleans		New York City	Atlanta	Detroit	New Orleans	
<b>HANDGUNS</b>										
Number of guns traced.....	2,546	827	840	324	4,537					
Number of class A guns (\$100 or more).....	628	130	84	8	850					
Number of class B guns (\$50 to \$100).....	417	152	210	97	876					
Number of class C guns (less than \$50).....	1,501	545	546	219	2,811					
Number of automatics.....	628	137	176	97	1,038					
Number of revolvers.....	1,913	690	664	227	3,499					
Number of guns with barrels of 3 in. or less.....	1,938	671	568	227	3,404					
Number of guns with barrels over 3 in.....	608	156	272	97	1,133					
Number of guns with .32 caliber or less.....	1,636	561	672	166	3,035					
Number of guns with .38 caliber or over.....	910	266	168	158	1,502					
Number of stolen guns.....	263	50	109	5	427					
<b>"SATURDAY NIGHT SPECIALS"</b>										
Number of class C guns.....	1,501	545	546	219	2,811					
Number of guns with barrels 3 in. or less.....	1,938	671	568	227	3,404					
Number of guns with .32 caliber or less.....	1,636	561	672	166	3,035					
Composite average.....	1,692	592	595	204	3,083					
Percent of total guns traced.....	66	71	71	63	70					