UNITED STATES OF AMERICA

U.S. Congress.

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS
FIRST SESSION

VOLUME 119—PART 30

NOVEMBER 30, 1973 TO DECEMBER 6, 1973

(PAGES 38795 TO 40138)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1973

The chanting protestors remained seated and the arrests began at about 12:30. The demonstrators, many of them munching on snacks, joked with the police as they were escorted into the four paddy wagons and several police cruisers. "Just give us the address, we'll walk over," one man said.

Police said 32 men and 23 women were arrested and that all were charged with unlawful entry. They were arraigned in Superior Court and all were released on their own recognizance. Trial was scheduled for Jan. 30.

TRADE REFORM ACT OF 1973

Mr. MONDALE. Mr. President, I intend to submit several amendments to the Trade Reform Act of 1973. I am pleased that Senator RIBICOFF, chairman of the Trade Subcommittee of the Finance Committee, is joining me as a cosponsor of these amendments. The amendments update the trade bill to address the new challenge which confronts us today—the use of export controls on scarce raw materials and perhaps even manufactured products as a new weapon in international politics.

The Trade Reform Act, as reported by the House Ways and Means Committee, would provide authority necessary to achieve greater access for American products to overseas markets. While this is a necessary objective for meaningful trade negotiations, it must not be the exclusive aim of trade reform. Yet, the bill in its present form does not deal with the equally pressing need to assure access to supplies of the raw materials we need for a stable and growing economy.

Under the Export Administration Act of 1969, the President has the authority to curtail the shipment of our products overseas. But the use of export control authority cannot be viewed solely within a domestic context, as the oil embargo clearly shows. Agreements to prevent the unjustified use of export controls must be a major goal of international trade negotiations, and the President must have more explicit and precise authority to respond to export embargoes against the United States.

During the last World War, President Roosevelt and Prime Minister Churchill dedicated our two nations to the defense of several major principles which form the basis for the collection security of Western countries. Enumerated in the Atlantic Charter, these principles include under title IV the goal of "access, on equal terms, to the trade and to the raw materials of the world."

The principle articulated by Secretary of State Cordell Hull, the father of the trade agreement program, that "if goods cannot cross borders, armies will," was ignored before the war. In the postwar decades, international trade negotiations concentrated almost exclusively on the problem of surplus production and on access to markets, and virtually ignored the problem of access to supplies of raw materials.

However, today we face new problems of resource scarcity and accelerated inflation in which producing countries are withholding supplies of a wide variety of products for purely economic reasons or, in the case of oil, to extract political concessions.

The United States, Japan, and the Common Market countries are all suffering from intolerable rates of inflation. This inflation poses a threat to our political institutions. For the continual increases in the cost of living tend to erode public confidence in government.

When prices spiral out of control, people may reach out for government which can effectively halt inflation even at the expense of their democratic traditions.

Inflation is eating away at the real earnings of working people in the United States. Shortages of food, fuel, timber, cotton, scrap iron, cement, and many other products are a major cause of rapid inflation this year.

At the present time, many U.S. companies are facing difficulties in obtaining raw materials, and a number have asked that authority under the Export Administration Act be invoked to curtail shipments overseas.

While in some cases such controls may be justified, I believe we must begin to view export restrictions in a broader international context. For instance, if we prohibit all exports of America's oil, would the Canadian Government—the single largest supplier of oil to the United States—be encouraged to follow our example?

The imposition of the Arab embargo over oil is the most clearcut example of the unreasonable use of export controls, and it has greatly intensified the economic difficulties we face. Our factories and farms depend upon petroleum to operate. Unless adequate supplies of fuel are made available, shortages and higher prices will spread throughout our economy next year.

Although we need fuel, American foreign policy cannot yield to blackmail over oil. At stake is not only our firm and longstanding commitment to Israel but also our best strategic and economic interests. A taste of success from extortionist tactics will only increase the appetite for more concessions. For the long-term lesson is that blackmail could easily be employed by countries that are monopoly suppliers of other products.

The United States is already more than 50 percent dependent on imports for 6 of the 13 major raw materials required by our industries, and projections show that by 1985 we will be dependent on imports for 9 of these materials.

A senior Brookings economist, Fred Bergsten, recently noted in Foreign Policy magazine:

> Four countries control more than 80 percent of the exportable supply of world copper, two countries account for more than 60 percent of world tin exports, and four countries raise that total close to 95 percent. Four countries combine for more than 50 percent of the world supply of natural rubber. Four countries possess over one-half the world supply of bauxite. And a handful of countries are coming to dominate each of the regional markets for timber.

In our increasingly interdependent world, a high degree of responsibility must be exercised by all countries. Industrialized nations have an obligation to asure that developing countries have an opportunity to achieve desired levels of economic growth by providing technical assistance, market access, credits, and grants in aid. At the same time, countries that have valuable resources have an obligation to use those resources in a manner which will not injure but benefit the world community.

Nations have obvious concerns about guarding the domestic supplies of raw materials when threatened by shortages or other national emergencies. Although the United States used such justifications last spring to impose export controls on soybeans, oil seeds, and other products, in taking such steps without prior consultation with our traditional trading partners—Japan and Europe—we set a bad example for the rest of the world.

It is naive to assume that our trading partners will give us greater access to their markets if we do not assure them stability of supplies. How can we expect, for example, the European Economic Community to liberalize its common agricultural policy and forgo self-sufficiency in food production unless we provide reasonable quarantees that we will not cut them off each time our stocks run low?

An assurance of markets is necessary for an assurance of supplies. The United States should play a leading role in working to liberalize trade barriers. But we also must build a system of world food reserves to make certain that export commitments can be met and that food will be available to the developing countries in time of emergency needs.

For an assurance of markets and other economic benefits also requires an assurance of supplies. We must take the initiative in negotiations to achieve an international set of rules to assure access, on an equitable basis, to supplies of food and scarce raw materials.

The amendments I offer today are designed to accomplish these goals.

First, my amendments would provide the basis for collective trade agreements on export controls. I recognize that there is already a general prohibition against export controls in GATT, article 11. But there are many exceptions in GATT articles 11, 20, and 21 which need to be tightened and reformed; and the general prohibition has never been enforced.

The President would be directed to seek to strengthen the GATT provisions or other international agreements to include rules governing access to supplies of food, raw materials, and manufactured products. An extension of the GATT provisions would also be sought to authorize multilateral sanctions in GATT, or any other multilateral forum, against countries which by their actions substantially injure the international community, and thereby threaten the entire existence of the GATT system. If we can suggest curtailing our services to nations which give refuge to hijackers, and if we can suggest denying port facilities to nations which pollute the oceans with their tankers, then we can certainly consider multilateral trade and aid embargoes on nations which unjustifiably withhold vital raw materials.

While I would hope that such retaliatory measures would not have to be used, if they became necessary, rather than acting as helpless giants, members of the GATT system must work together to maximize their leverage against the offending countries. Just as the international community reacts together against import quotas, so it should react against countries which place unreasonable controls over exports.

For 20 years GATT has focused on the liberalization of import restrictions. These amendments would mean a major expansion of GATT responsibilities. Events of the past 2 years have demonstrated that it is crucial that these responsibilities be expanded.

We face an immediate crisis over oil. But in considering sanctions against producing countries, we must recognize the many practical problems that are involved. For example, would enough countries be willing to cooperate so that sanctions would be effective? How would we prevent the transshipment of products in the event a counterembargo were imposed?

Recent studies have cast doubt upon the effectiveness of a counterembargo imposed by the United States alone. We have also seen indications of an unwillingness on the part of the European states and Japan to resist the demands of oil-producing countries in the Middle East. The European countries have so far been unable to cooperate even among themselves in responding to Arab threats; and it is therefore unlikely that we can immediately secure cooperation between Europe, the United States, and Japan.

But it is obvious that the thrust of the Trade Reform Act must be redirected toward export control policies because of rapidly changing events. It is equally clear that the scope and powers of the general agreement on tariffs and trade must be enlarged to deal with this crucial issue. My amendments are designed to speed movement in this direction and to stimulate discussion so that we can arrive at the most effective means of responding to recent events.

My amendments would also give the President authority to retaliate against export controls which injure the United States. The definition of unfair trade practices provided in the Trade Reform Act would be expanded to include unreasonable and unjustifiable export restrictions—including quotas and embargoes on exports to the United States of manufactured goods and raw materials required for a stable and growing economy. The President would be given authority, subject to certain specified procedures, to counter such restrictions by the imposition of export and import quotas of our own and embargoes against any country which engages in these unfair trade practices.

In addition, the President would be empowered to deny economic and military assistance, as well as participation in any program of the United States which extends credit or investment guarantees to offending nations. Finally, the President would be authorized to restrain foreign direct and indirect investment by U.S. companies in these countries.

These amendments would give the President the leverage he needs to negotiate with other governments from a position of strength. Hopefully the President would use this authority within a multilateral context as called for by my proposed changes in the GATT rules.

We must begin now by rebuilding our relationships with the Europeans and the Japanese. Over the past 4 years, the administration has devoted most of its attention to superpower politics and has largely overlooked our traditional trading partners and the less developed countries. This neglect has left both the Atlantic and Pacific Alliances in an unprecedented state of disarray.

For example, in the President's most recent energy message, he made no mention of the need of our allies in planning their energy programs. Self-sufficiency for the United States by 1980 in energy would not end our problems if Europe and Japan were still totally dependent on Arab oil.

There has been a failure of advanced consultation on a whole array of issues involving our allies. But one symbolic example of the administration's neglect is its refusal for more than a year to appoint an Ambassador to the prime forum for cooperation with our allies—the OECD—during this time of acute crisis in world economic relationships. It is the OECD in which oil policies are coordinated among the industrialized countries and in which basic economic policies are reviewed among the industrialized countries together.

We must start to work together to build new procedures and rules within GATT and the OECD—rules that will serve notice that the United States and its allies will be prepared to act together to counter any threat to our collective economic security. One immediate step would be to join together and form within these organizations a coalition of oil-consuming nations to present a common front in bargaining with the Arab States.

Rules must be formulated in a manner which insures a fair return to producing countries for their precious resources and which insures their economic development. I believe that we can devise a system which is equitable to producing countries and to the industrialized world.

While many obstacles must be cleared, we must seize this opportunity to make our international economic institutions more responsive to the problems of scarcity, of inflation, and of unfair trade practices which deny raw materials to member countries—just as these economic institutions have dealt in the past with problems of abundance, of unemployment and of unfair trade practices in which imports unfairly penetrated markets.

Economic self-sufficiency is a good rhetorical catch phrase. But it no longer is a realistic or meaningful goal as we enter the final quarter of the 20th century. We must learn to cooperate in accordance with recognized principles of fair trade so that the people of all countries can look forward to a more secure and prosperous future.

The agreements concluded in the Tokyo round of negotiations will in great measure determine the future shape of international economic relations. We may find ourselves in a world dominated by growing hostility between rich and poor and among the rich unless the United States takes the lead in strengthening the community of interest among our Nation, our principal trading partners and the developing countries.

Mr. President, I ask unanimous consent that the full text and a summary of my amendments, along with a recent editorial from the Washington Post and a statement from a group of Cambridge economists, be printed in the RECORD.

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

SUMMARY OF MONDALE AMENDMENTS TO TRADE REFORM ACT OF 1973

The Mondale amendments would:

Amend the Trade Reform of 1973 to make access to supplies of raw materials one of the major goals of U.S. trade negotiations;

Direct the President to seek to extend and strengthen provisions of the General Agreement on Tariffs and Trade (GATT) or other international agreements to include rules governing export embargoes by member nations that deny equitable access to supplies of food, raw materials, and manufactured products;

Direct the President to seek to negotiate authority for multi-lateral sanctions, through GATT or any other international forum against member or non-member countries which impose export embargoes that substantially injure the international community; and

Amend the definition of unfair trade practices to include the unjustifiable or unreasonable use of export embargoes, and authorizes the President, subject to procedural safeguards, to retaliate against countries which deny raw materials to the United States by imposing a counter embargo, by prohibiting economic and military assistance, credits or investment guarantees, and by restricting foreign direct and indirect investment by U.S. companies.

On page 5, line 7, strike out "and", and after line 7 insert the following:

(2) to insure equitable access to supplies of food or raw materials required for production of energy and orderly economic growth and development; and

On page 5, line 8, strike out "(2)" and insert "(3)".

On page 16, line 6, strike out "and".

On page 16, line 11, strike out the period and insert ", and".

On page 16, after line 11, insert the following:

(7) the strengthening and extending the provisions of GATT or other international agreements to include rules governing access to supplies of food and raw materials, including rules governing the imposition of export controls and the denial of access to supplies of petroleum, raw materials, and manufactured products.

(8) the extending the provisions of GATT or other international agreements to authorize multilateral sanctions by contracting parties against member or non-member countries which deny equitable access to supplies of petroleum, raw materials, and manufactured products, and thereby substantially injure the international community.

On page 106, line 3, after "IMPORT" insert "AND EXPORT".

On page 109, after line 3 insert the following:

SEC. 302. RESPONSES TO CERTAIN EXPORT PRACTICES OF FOREIGN GOVERNMENTS

(a) Whenever the President determines that a foreign country or instrumentality imposes unjustifiable or unreasonable restrictions, including quotas or embargoes, on the export to the United States of food or raw materials required for the production of energy or for orderly economic growth, he shall take all appropriate and feasible steps within his power to obtain the elimination of such restrictions, and he may take action under section 301 with respect to such country or instrumentality and its products, and, in addition, he may—

(A) impose restrictions, including quotas and embargoes, on the export of United States products to such country or instrumentality,

(B) deny economic and military assistance and participation in any program of the Government of the United States which extends credits, credit guarantees, or investment guarantees, to such country or instrumentality, and

(C) prohibit or restrict investments, direct or indirect, in such country or instrumentality by United States citizens and domestic corporations and by other corporations and entities which are controlled by United States citizens and domestic corporations.

(b) In determining what action to take under subsection (a), the President shall consider the relationship of such action to the international obligations of the United States and to the purposes stated in section 2.

(c) The President shall provide an opportunity for the presentation of views concerning the export restrictions referred to in subsection (a). Upon request by any interested person, the President shall provide for appropriate public hearings with respect to such restrictions after reasonable notice, and he shall provide for the issuance of regulations concerning the conduct of hearings under this subsection and subsection (d).

(d) Before the President takes any action under subsection (a) with respect to any foreign country or instrumentality—

(1) he shall provide an opportunity for the presentation of views concerning the taking of any such action,

(2) upon request by any interested person, he shall provide for appropriate public hearings with respect to the taking of any such action, and

(3) he may request the Tariff Commission for its views as to the probable impact on the economy of the United States of the taking of any such action.

On page 109, line 4, strike out "302" and insert "303".

On page 109, line 6, after "301" insert "OR 302".

On page 109, line 8, after "301(a)" insert "or under subparagraph (A), (B), or (C) of section 302(a)".

On page 109, line 19, after "301(a)" insert "or section 302(a), as the case may be,".

On page 43, line 11, strike out "302(b)" and insert "303(b)".

On page 43, strike out line 13 and insert "________________ of the 'Trade Reform Act of 1973' (with the blank space being filled with '301' or '302', which applies); and".

On page 43, line 26, strike out "302(b)" and insert "303(b)".

On page 46, line 11, strike out "302(b)" and insert "303(b)".

On page 46, line 18, strike out "302(b)" and insert "303(b)".

OIL, GRAIN AND THE TRADE TALKS

The massive and ponderous process of world trade negotiations has now begun, to the accompaniment of loud public fanfare and quiet private doubts. The doubts arise from the basic aims of the negotiations, which are now to a significant degree obsolete. These trade talks were originally organized as a further attempt to reduce protectionism among the rich nations, and open up markets for the poor. But the world's economy has changed suddenly and profoundly over the past year or two. The central issue now is not so much the various countries' attempts to shut out each others' goods. To the contrary, the real and pressing danger is the savage competition for access to limited supplies of those imported goods crucial to every nation's life—above all, grain and oil.

The world has no rules for distributing scarce commodities. Or, more accurately, it rations them to the highest bidder by raising prices. Currently that means soaring commodity prices that are inciting spectacular inflation rates in the industrial countries, and are lifting these goods altogether beyond the reach of the poor. It is an efficient process, in a mechanical sense, but it is intolerably disruptive and cruel. The trade negotiators seem to be commencing a long solemn discussion of barriers to imports, at a moment when their governments at home are scrambling frantically to grab the imports that they need.

Nearly two years ago, at the time of the first American devaluation, the leading nations all agreed that they ought to work out orderly new rules for world trade and money. The long labor of reorganizing the monetary system is now getting under way at the International Monetary Fund's meeting in Nairobi. The parallel reform of the trading rules, after months of preparations, now has formally begun with a meeting of 103 nations in Tokyo. They published a formal declaration pledging themselves to seek "the expansion and ever-greater liberalization of world trade." That is an admirable objective, but it is not at the moment the most important one. Nor is it likely to be the most important one for some years to come.

The great symbol of the sudden reversal of the issues is the United States and its wretchedly battered trade policy. After years of drumming on the European Common Market to loosen its barriers to American farm products, last June we swung around without notice and embargoed the exports of soybeans on which those same Europeans were counting. Meanwhile, after 15 years of limiting our imports of foreign oil, in order to keep our domestic prices up, we are now desperately trying to buy enough fuel oil in Europe to get ourselves through the coming winter.

The most urgent business for trade negotiators these days are those two commodities, food and oil. In both cases, there will be no international agreement at all unless the United States takes the initiative. But the United States does not seem to have any very clear idea precisely what it wants to do with either of them.

Regarding oil, the importing nations need an agreement on dividing up the available supplies, whatever they may be. Granted, an agreement would be agonizingly difficult to work out. But month after month of snarling and squabbling among the oil-fueled nations would inflict catastrophic damage on the relationships that have, for a generation, guaranteed world stability.

The prospects for an international grain system are, if anything, even dimmer. Solutions exist. Last week a group of eminent economists from Japan, Europe and this country met here at the Brookings Institution and worked out a draft plan for an international grain reserve. It would be expensive and complicated. It would require a kind of international consultation and joint action reaching well beyond the rather rudimentary procedures of the present trade and monetary systems. The only thing to be said for it is the cost of the alternative, in recurrent inflation, panic and anger.

The trade meeting in Tokyo was a sign of progress. The negotiations are now under way. But they are like a big ship, difficult to turn under full steam. There is a risk that this huge enterprise, with 103 nations aboard, will keep sailing ahead, by sheer force of momentum, toward an obsolete purpose instead of turning to the work that most needs to be done.

OIL SHORTAGES AND MIDDLE-EAST POLITICS

A statement by Kenneth J. Arrow, Franklin M. Fisher, John Kenneth Galbraith, Simon Kuznets, Wassily Leontief, Merton J. Peck, Paul A. Samuelson, and Robert M. Solow.

We make the following statement in order to clarify the tenuous and complex relation between current oil supply problems and Middle East policy.

The coincidence of difficulties with the supply of gasoline and heating and residual fuel oils in the United States and the recent war in the Middle East may give rise to misunderstandings about the nature of the relation. It may be felt that American aid to Israel and support for its position are in some way responsible for the energy difficulties (the word, "crisis," is much too strong). There is only a limited and most transitory connection, and our foreign policy should not be deflected in the slightest by the illusion that giving in to oil blackmail will in fact gain us anything.

1. The world crude oil situation has two aspects. First is the cartel of the producing nations, the members of the Organization of Petroleum Exporting Countries (OPEC), which has both Arab and non-Arab members. This cartel has been able to raise prices repeatedly by raising the tax on oil exports. The tax becomes a cost to the oil companies, who are able to pass it on to customers like any excise tax. The upper limit to this monopoly is the cost of alternative sources of fuel. This is obviously a very uncertain ceiling in the short or long run. Some put it near $5 a barrel f.o.b. Persian Gulf, some as high as $10. It is certain that the OPEC nations will keep probing toward this limit. They began this process with the Teheran "agreements" of 1971, which were violated within a few months.

In early October of this year, the Persian Gulf members ended the charade of negotiations and raised prices unilaterally. Without doubt, they will do so again.

There was and is no connection between Middle East peace and the oil monopoly of Arab and non-Arab nations. If some perfect Middle East political settlement were reached tomorrow, the OPEC countries would not give up a cent of their gains, and they would not cease to consider when and how much to raise prices. To suggest a connection between Arab-Israel strife and the contrived scarcity of oil to drive up prices is to commit a non-sequitur.

2. The new element in the situation lies in the cutbacks, over and above the normal scarcity, which were proclaimed in mid-October by the Arab nations and which, they said, would continue until the borders of Israel return to those before the Six-Day War of 1967 and until the Palestinian people were granted their "rights," a concept not explained. To the cutbacks has been added a proclaimed total embargo against the United States.

The embargo is not important in itself. We need only cite the June 1973 statement of the ex-Secretary-General of OPEC, Dr. Pachachi of Iraq, to the effect that a selective embargo is useless, as well as the interview with King Feisal and Prince Saud of Saudi Arabia in late August, when they pointed out that the United States could not be reached by an Arab embargo against them alone.

The cutback in total production of the Arab countries is genuinely damaging to the consuming nations, though the United States is harmed least of all. The extent of those cutbacks is not altogether clear. Iraq has not joined; Libya's stand is unclear, though both have embargoed the United States. According to press reports, the reduction appears to be 25 percent of Arab oil, or about 15 percent of all oil moving in international trade. The Arab nations are said to plan no further cuts because they fear retaliation: the denial of food and manufactured goods, not to mention military action by consuming countries (New York Times, 10 November 1973).

3. In the United States, the scarcity of gasoline and home heating oil is due primarily to a shortage of American refining capacity, which is not expected to be made up before about 1977. So long as capacity is inadequate, and there is little slack elsewhere in the world, product will be short even if crude oil is available without limit.

Arab crude oil imports have amounted to about one million barrels daily, and refined products made from Arab oil, "an amount difficult to estimate but possibly as much again," (Petroleum Press Service, November 1973, p. 405). Since part of the maximum two million barrels, out of a daily consumption of 17 million barrels, will be made up by increased imports from non-Arab sources diverted to the United States (a decision which depends to no small degree on American oil companies), the overall loss to this country is at most 12 percent. But the loss is not equally distributed. The main impact will fall on the East coast supply of residual fuel oil, used almost entirely by industry. About 35 percent of this supply is from refineries, mostly in the Caribbean, which run partly on Arab oil. Some uncertainly large fraction of this will be stopped.

4. The consuming nations are not without weapons of their own, once they realize they are confronted with what the Petroleum Minister of Saudi Arabia, Sheik Yamani, has rightly called "war" (Platt's Oilgram News Service, 22 February 1973). If united, they can refuse to supply food and manufactured goods to the nations committing the hostile act of embargo. The Soviet Union might find it difficult to make up the deficit, and the Arabs might well be unwilling to accept the resulting dependence. It would be more productive for consuming nations to confer on such counter-measures than to outdo each other in subservience which profits them nothing. ("Arabs don't have to police their own boycotts. Sycophant nations are doing it for them." (Wall Street Journal, 6 November 1973).

5. The threat to American oil usage may indeed have beneficial effects. As the President's message shows, the threat has awakened the country to the need for meeting the energy problems which would be upon us in any case within the next twenty years. It has alerted us to the profligacy with which we have been using energy to accomplish tasks of secondary importance. Conservation of energy has become a prime need in meeting both the short-run difficulties and the long-run growing scarcity, and with a reduction in energy usage will come a reduction in our serious problems of air pollution.

6. We express no opinions on the nature of any Middle East peace, or what the United States could or should do to bring it about. We do warn that letting our policy be determined or even influenced by the threat of injury is as futile as it is ignoble. Oil is a non-durable good. If to maintain the flow this year we accede to a course of action we would not otherwise desire, then it will follow as the night the day that we will be blackmailed again and again. The Japanese government has for years been among those most favorable to the Arabs, yet they have been denounced for their "odious neutrality" (New York Times 18 October 1973), and more was demanded: breaking relations with Israel, economic sanctions, and military aid to the Arabs (New York Times 9 November and 15 November 1973). The more is given, the more will be demanded.

Saudi Arabia will promise oil for next year in exchange for the "right" kind of peace, then make fresh demands for further oil the year after that. As Sheik Yamani said of the Teheran "agreement" in September, his government would have liked to honor the agreement but circumstances had changed (Middle East Economic Survey 7 September 1973). Circumstances will always change. And, as the Wall Street Journal warned last 26 April, giving in to blackmail on one issue in one part of the world invites blackmail on every issue in every part of the world. We hope our policy makers and our public will remember this and not be dazzled by the hope of some grand "settlement" which wraps up oil and politics in a neat looking package which will soon start to unravel and lean to endless confrontations.

The greatest service which the United States can render to friendly nations in Europe and Asia is not to let itself be swayed by this blackmail. For if the United States cannot be reached or influenced, then Europe and Asia are being tormented to no purpose, the Arabs have no motive to continue the cutbacks, and the usual money incentives to resume normal output will operate.

IDENTIFICATION OF STATEMENT SIGNERS

The following information about the signers of the statement on Oil Shortages and Middle-East Politics is provided for identification purposes only. No organization mentioned has taken any position on the issues discussed.

Kenneth J. Arrow: Professor of Economics, Harvard University; awarded Nobel Memorial Prize in Economic Science, 1972; President, American Economic Association.

Franklin M. Fisher: Professor of Economics, Massachusetts Institute of Technology; Editor, Econometrica.

John Kenneth Galbraith: Professor of Economics, Harvard University; Past President, American Economic Association.

Simon Kuznets: Professor Emeritus of Economics, Harvard University; awarded Nobel Memorial Prize in Economic Science, 1971; Past President, American Economic Association.

Wassily Leontief: Professor of Economics, Harvard University; awarded Nobel Memorial Prize in Economic Science, 1973; Past President, American Economic Association.

Merton J. Peck: Professor of Economics and Chairman of the Department of Economics, Yale University.

Paul A. Samuelson: Institute Professor of Economics, Massachusetts Institute of Technology; awarded Nobel Memorial Prize in Economic Science, 1970; Past President, American Economic Association.

Robert M. Solow: Institute Professor of Economics, Massachusetts Institute of Technology.

SPECIAL PROSECUTOR LEGISLATION

Mr. COOK. Mr. President, in yesterday's Washington Post there was an article by our colleague, Senator CHARLES PERCY, in which he discussed the relative merits of the Special Prosecutor legislation which the Senate will be considering later this week. The incisive comments found in this article should prove helpful to the Members of this body as we prepare for consideration of these very important proposals.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

[From the Washington Post, Dec. 2, 1973]

A TRULY INDEPENDENT PROSECUTOR

(By Charles H. Percy)

By now, almost no one questions the need for an independent special Watergate prosecutor. Instead, the challenge before us is to agree on the process by which the prosecutor shall be established by law and protected from arbitrary dismissal. The goal, of course, is credibility. When eventually the prosecutor declares that Mr. X deserves to be prosecuted or, perhaps more important, that Mr. Z is completely innocent, we must be able to believe him.

This week, the Senate will debate and choose between three proposed processes for creating and protecting the special prosecutor. Basically, they differ in two fundamental ways: how the special prosecutor would be appointed and how he could be dismissed.

One proposal, the early front-runner, would take the appointment of the prosecutor away from the executive branch and hand the responsibility, however unwelcoming, to the federal courts. This method quickly achieved the co-sponsorship of more than half of the Senate and has substantial support in the House. But under study, the court-appointed prosecutor appears to many of us to be the wrong approach, in an unusual series of statements, judges of the U.S. District Court for the District of Columbia have expressed their opposition to the bill. Judge Gesell, declaring that "the courts must remain neutral." points out bluntly that "Congress has it within its own power to enact appropriate and legally enforceable protections against any effort to thwart the Watergate inquiry."

Instead of propelling the Watergate investigation toward a full and credible conclusion, the court appointed approach would be subject to months of legal challenges. The possibility that all of the work of a court-appointed prosecutor might eventually be nullified as unconstitutional is very real. The nation would not hold blameless a legislature that managed only to make more complicated an already tangled web.

Even if it should pass the Congress, the court-appointed approach faces a sure presidential veto. There is little chance that Congress has the votes to override such a veto. We would be back to square one.

A second approach, one which has White House support, would merely codify the present situation. Under it, the Attorney General would appoint the special prosecutor and he could only be fired by the Attorney General for cause. If this sounds familiar, it is because Archibald Cox received these same "ironclad" guarantees last May. Now, however, we are offered the additional protection of a letter from the Acting Attorney General to the President Pro Tempore of the Senate promising that the prosecutor would have to have the "approval" of the Senate before his appointment and that he wouldn't be fired without the "consensus" approval of a selected group of congressional leaders.

As solemn as such a promise might be, it still is not law. It could quickly become inoperative. Given recent events, both the nation and the Congress would be rightly skeptical of such an informal arrangement.

It can be argued here that we already have a special prosecutor, Mr. Jaworski, in place; that he is both sounding and acting quite independent and that any legislative action would only delay his important work.

But Mr. Jaworski's only real job security at this point is the memory at the White House of the public outcry over the dismissal of his predecessor. There is no legal guarantee that what happened before could not happen again.

This becomes a prime argument for the third alternative, one which I am convinced is not only safe from constitutional challenge but offers the prosecutor credibility and sufficient job security.

The President should *nominate* the special prosecutor, subject to formal confirmation proceedings by the Senate. Some will argue that the President should not appoint a prosecutor who will be investigating the presidency itself. But this method is unquestionably constitutional. It is also the traditional process used, for example, for appointing federal judges and Supreme Court Justices who must be guaranteed independence because they routinely hear cases involving the U.S. government and the President himself.

Because the independence of the special prosecutor is an absolute necessity, Congress should limit the grounds on which he can be dismissed to three: malfeasance in office, neglect of duty or violation of the statute which created his office. A bill which Senator Howard Baker (R-Tenn.) and I have introduced—cosponsored by Sens. William Brock (R-Tenn.), Marlow Cook (R-Ky.) and Milton Young (R-N.D.)—would provide for this method of appointment and limitation of dismissal. In addition, it would provide a 30-day period before any dismissal became effective. During that "cooling off" period the prosecutor could challenge his dismissal in court. If the court decided the dismissal was illegal, the prosecutor would continue in office.

If, however, the office became vacant through legal dismissal, illness or resignation, the court would appoint an interim special prosecutor to serve until a new prosecutor had been nominated by the President and confirmed by the Senate.

This is the responsible approach. It assures the process of law we must have to achieve our common goal of impartial and unfettered resolution of the Watergate nightmare which will stand up both in court and in the minds of a skeptical nation.

DAVID BEN-GURION

Mr. WILLIAMS. Mr. President, I join today the millions of people throughout the world who mourn the passing of David Ben-Gurion. When Mr. Ben-Gurion died Saturday at the age of 87, the State of Israel lost a great and dedicated leader whose name forever will be identified with the creation of that nation; the world lost an elder statesman of penetrating insight.

Mr. President, David Ben-Gurion, born in Russian Poland, emigrated to what was then Palestine at the age of 20. From that time on, all of his energies were dedicated to restoring that land to its historical place as the Jewish homeland. By the time World War II ended in 1945 he could say to the survivors of Hitler's extermination camps:

> We have been working to build up our land, so that you may come there to live as decent human beings again among your own people and where you will not fear again.

David Ben-Gurion was the driving force behind creation of the governmental infrastructure which made possible proclamation of the new state of Israel when the British mandate over Palestine expired. Fittingly, his was the first signature on that proclamation; he became the new nation's first prime minister, and held that position for the next 15 years.

When Mr. Ben-Gurion finally retired in 1963, he went to live in the manner he valued most highly—on a kibbutz in the desert. He spent the last years of his life as a venerated figure among his people, watching the tiny nation he helped found, celebrate its 25th birthday as a strong and mature state.

David Ben-Gurion once said that—

> In Israel, in order to be a realist you must believe in miracles.

He not only believed in miracles, he helped make them happen.

OKLAHOMA NATIONAL 4-H CHAMPIONS

Mr. BELLMON. Mr. President, last week in Chicago a group of talented youngsters from the State of Oklahoma rolled up a victory of which all Oklahomans are proud. With 23 national winners, 4 regional champions, and 2 sectional titles, the 44-member Oklahoma team won the sweepstakes of the 1973 National 4-H Congress.

While this honor—the third such championship in a row for the Sooner State—is naturally a source of great pride to everyone in Oklahoma, the achievements of all 4-H club members are deserving of recognition. In these days when many Americans tend to take a pessimistic outlook, these energetic and enterprising young people provide a sound basis for faith in our country's future.

As Washington Post writer William Greider put it, the 1,600 winners at this year's 4-H congress shared "an uncommon sense of self-confidence, a charming optimism in this era of youth's self-doubt."

Greider further described the typical 4-H members:

> In conversation, they are modern, conversant with the world and fashion, the cultural mixing bowl of television and transistors. Yet they still espouse the old values with confidence—hard work, strong family ties, serious religion, plain dealing.
>
> . . . as you might expect, these young people are concerned by current troubles in America and the world, but they are not in the least rattled by them. If you have confidence in your own future, you are less prone to doom-and-gloom predictions in the current media crisis. If you believe the nation's survival depends on the goodness of all its people, you are perhaps not so upset when a few more politicians turn out to be crooks. If you do not believe that the future promises utopia, then you are less disturbed by temporary disasters."

As the father of three daughters who spent much of their teenage years in 4-H club activities, I am completely sold on the merits of this character-building organization. Our country needs the kind of self-determination and hope that is instilled in the young people who work in 4-H. They and their leaders are to be commended for the lasting contributions they have made to our national life.

Mr. President, in order to call attention to the accomplishments of the national champion Oklahoma 4-H team as well as 4-H members from all over the Nation, I ask unanimous consent that an article by William Greider in the Washington Post of Sunday, December 2, 1973, and an article by Robert B. Allen in the Daily Oklahoman of Sunday, December 2, 1973, be printed in the RECORD.

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

[From the Washington Post, Dec. 2, 1973]

4-H: A PATH TO MATURITY

CHICAGO.—One good thing about swine production, aside from the joy and profit of raising hogs, is that it teaches a young man some hard lessons.

Dave Wiggins, a dimpled youth from Lake Hughes, Calif., was only 11 when he started his first 4-H swine project, a modest beginning of two piglets. Every thing went fine until the day of the county fair. Then one of them died.

"I had fed her apple cores the day before," Wiggins remembered, "and I learned the hard way that the seeds are poisonous."

The other teenagers who were listening to Wiggins came up with their own stories of hog tragedies. George Andrew, from a farm near Evansville, Wis., told about the time last March when his hog house burned down.

"I saw the flames and smoke in the sky," Andrew said, with appropriate gestures. "I ran in and I got a couple of gates open, but it was so hot I couldn't stand to stay in there long. I managed to get five sows and about 25 little pigs out, but we lost the rest, maybe 125 or 130 pigs."

"Didn't you have any insurance on the pigs?" asked Ronny Scott, a 19-year-old from Burns Flat, Okla., who wears Prince Valiant bangs and big bow-tie. His incredulous tone sounded like you-poor-sap. The log house was insured, but not the pigs. The young man lost a $9,000 investment.

Dave Wiggins, who is 16 now and aiming toward a career as a veterinarian, recounted how he lost an entire litter of 14, stricken with viral pneumonia on the day they were dropped.

"That's the greatest feeling of loss," Wiggins explained, "when you stay up all night bottle-feeding them and you watch them die, one by one."

That kind of experience has a way of maturing a young person. If your hog house burns down or a new litter of pigs perishes, it is liable to instill a practical, unhurried view of life's opportunities. If you preserve despite the setbacks and become 4-H champions, as these boys have done, the likely result is an uncommon sense of self-confidence, a charming optimism in this era of youth's self-doubt.

1,600 WIN HONORS

In varying degrees, the kids who gathered last week at Chicago's Conrad Hilton Hotel were like that. They were winners, 1,600 of them, mostly high school seniors or college freshmen who won state and national 4-H honors for personal enterprise as diverse as tractor-driving and health service and electrical repair. Their prizes were scholarships and the free trip to Chicago for the "4-H Congress," a lively week in the big city.

Debra Harris, an 18-year-old coed from Coyle, Okla., is into electricity. She helped wire two homes.

Adrian Lee Gaskins, a long-haired health winner from New Bern, N.C. created a coloring book about the danger of rats, called "Zap That Rat." He test-marketed it on his third-grade sister, then published it for school children in his county.

Jeannie Hitt, a frail blond girl from Remlap, Ala., won a dairy foods scholarship for her work as family dietitian. Her father was overweight, one brother had an ulcer, another was diabetic. She juggled the special menus to keep them healthy.

Kathleen Whitney, a robust 18-year-old from Hammonton, N.J., organized an ecology club which campaigned successfully against