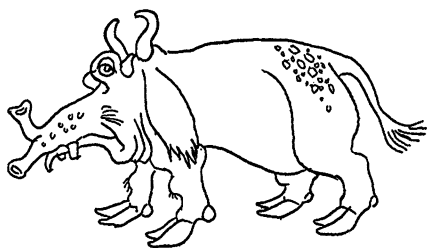


# Congressman Eckhardt, Legislative Craftsman

*Texas representative chairs Oversight and Investigations Subcommittee*

The House Oversight and Investigations Subcommittee gained a reputation under its past chairman, former Representative John E. Moss of California, for conducting aggressive inquiries into a great variety of problems in the public and private sectors, ranging from instances of price gouging by oil companies to doctors performing unnecessary surgery to collect fees under medical insurance plans. Although Moss was respected by his colleagues as a serious



"THIS IS A CREATURE OF THE CONFEREES."

*An Eckhardt drawing from last year's House-Senate conference on the energy bill.*

legislator, his subcommittee had a reputation for going in heavily for "hits," or disclosures of mismanagement or misdeeds which get a big play in the headlines and on the TV news. Hits sometimes help bring about solutions to serious problems, but often there is only the splash in the news media.

Now, however, the Oversight and Investigations Subcommittee has a new chairman, Representative Bob Eckhardt, a liberal Democratic congressman from Houston, Texas, who has shown little taste for headline hunting, or disclosure for disclosure's sake. Eckhardt, 65, has served in the House since 1966 and is known as a careful and patient legislative craftsman and negotiator. For instance, through quiet and extended negotiations with the Manufacturing Chemists Association in 1976, Eckhardt came up with the compromise on premarket notification and testing that led to the passage of the Toxic Substances Control Act (TSCA).

His three-piece suits, bow tie, gold watch chain, and East Texas drawl may at first suggest a Southern Claghorn, but not to anyone who engages Eckhardt in more than a moment's conversation. He is no genial pontificator or backslapper around the cloakroom. In style he is somewhat professorial, but not pompous

or humorless. As his drawings (often done impromptu during committee hearings) attest, he has wit and a sense of caricature.

Eckhardt's predominantly blue-collar district takes in the east side of Houston and the working-class communities along the Houston ship channel. About a fourth of his constituents are low-income blacks and Chicanos. In the main, he "votes his district," and this means he votes liberal, which he does as much out of conviction as political necessity.

On the voting rating charts put together by groups such as the AFL-CIO, the Consumer Federation of America, the League of Women Voters, and Ralph Nader's Congress Watch, Eckhardt invariably ranks in the high percentiles—yet his voting behavior contains enough surprises that he cannot be fairly accused of being a knee-jerk liberal.

By voting to oppose decontrol of oil and gas prices in 1975, Eckhardt, as a Texas congressman from the very home of the oil and gas industry, was literally bearding the lion in its den—with the result that the next year the industry put an incredible \$300,000 into the unsuccessful campaign of his Republican opponent.

Yet, Eckhardt, maintaining a position quite contrary to that of his liberal colleagues from the Northeast, was a leader in bringing about last year's compromise on natural gas pricing that finally led to passage of the National Energy Act.

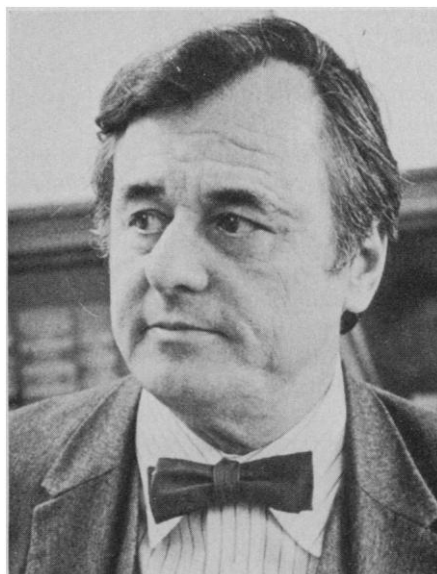
Eckhardt got his new subcommittee chairmanship by obtaining enough votes in the Commerce Committee's Democratic caucus to beat out Representative John M. Murphy of New York, who out-ranked him in seniority (although some questioned Murphy's eligibility for the position in light of his other chairmanships). As a liberal on a committee with a distinctly liberal tilt, Eckhardt had a clear advantage over Murphy, who suffered from a reputation as a protector of big business interests and from press reports that he was under investigation for possible tax law violations.

Eckhardt's staff of 21 professionals—made up of lawyers, economists, and investigators with FBI and CIA backgrounds—will be divided up into four "task forces," including a new one on consumer protection as well as three carried over from the past, on energy, health and the environment, and over-

sight (this last to focus on implementation of the Clean Air Act and TSCA and the operations of the Interstate Commerce Commission and the Department of Transportation). Other specific subjects of inquiry will include energy pricing, disposal of hazardous wastes, and the problem of eliminating a variety of "avoidable costs," such as those arising from a lack of competition in the rail transport of coal from the Northern Great Plains to Texas (Eckhardt was sorely disappointed at last year's defeat of the coal slurry pipeline bill) and the designing of automobiles without proper regard for ease of repair.

According to Eckhardt, three dominant "strands" of inquiry are to run through the subcommittee's work. One will have to do with cost/benefit analysis, and the problem of keeping it honest and in balance, with a fair and realistic reckoning of benefits (which can be hard to measure) as well as costs in the evaluation of regulatory programs under TSCA, the Clean Air Act, and other laws.

Another strand pertains to striking a



*Congressman Bob Eckhardt*

desirable balance in regulatory programs between ensuring procedural fair play and due process for the regulated and accomplishing, in a reasonably expeditious manner, those things (such as abating air pollution and controlling dangerous chemicals) needed to protect the public. Eckhardt believes agency decision-making and enforcement procedures can be

pushed along much faster than they have been in the past.

The third and final strand running through the subcommittee's inquiries will have to do with inflation and the problem of avoidable costs. As Eckhardt sees it, a major difficulty lies in the fact that, absent controls, the price of domestically produced oil will correspond to the world price set by OPEC.

Eckhardt is pleased with the makeup

of his subcommittee, which he regards as predominantly young, able, and progressive on both the Democratic and Republican sides. Several members are particularly interested in certain aspects of the subcommittee's work. For instance, Democrats Andrew Maguire of New Jersey and Albert Gore, Jr., of Tennessee, are taking a strong interest in the kind of chemical waste dump problems that have come to light at the Love Canal at

Niagara Falls, New York, and the "Valley of the Drums," near Louisville, Kentucky.

Given the apparent vigor of the membership and the volatile nature of some of the matters with which it plans to deal, the Eckhardt subcommittee could produce some "hits," or splashes in the news media, despite the sober deliberative mien of its new chairman.

—LUTHER J. CARTER

## Pain, Dying, and the Health Care System

### *Professionals at NIH meeting call for integrated approach toward easing both physical and emotional pain*

Management of pain and humane care of the dying have become prominent concerns of the government, as evidenced by a 2-day meeting last month at the National Institutes of Health.

The meeting, held in the auditorium of the Clinical Center, was filled to capacity, and the makeup of the audience—health professionals of every stripe—was in marked contrast to that of a gathering held 2½ years ago to acquaint NIH personnel with hospices. At that time the audience was almost entirely female, signifying the overwhelming presence of nurses.

Now it appears that the hospice movement, which has been growing apace in this country following the lead of Great Britain, is being folded into a larger philosophical framework in which there is renewed recognition that emotional well-being is at least as important as physical health.

The meeting covered the whole gamut of pain and dying—from detailed scientific presentations on neural and chemical pain mechanisms, to accounts of hospice care, to a philosophical discussion of the concept of "wellness."

John J. Bonica of the University of Washington, Seattle, founder of the nation's first multidisciplinary pain clinic, called the meeting (sponsored by the Interagency Committee on New Therapies for Pain and Discomfort) a "momentous event." "The more I learn about pain," said Bonica, who himself suffers chronic pain from old injuries, "the more I believe it is one of the most serious health problems in the developed countries." Yet, he said, pain research takes only 0.02 percent of the NIH budget. Chronic pain has numerous etiologies; perhaps the most common type is lower back

pain, which afflicts at least 7 million people, costs the economy billions of dollars, and wreaks incalculable damage on sufferers and their families.

Speakers recounted the low priority pain has had in the medical books, in medical schools, and in research. Only in the past 10 years have people started taking a sophisticated look at pain and made the crucial distinction between acute pain—short-term pain with identifiable organic causes—and chronic pain, a debilitating condition generally accompanied by serious psychological problems and often caused by them.

Chronic pain is finally coming to be acknowledged as a disease in itself rather than a symptom of something else. Scores of pain clinics have sprung up in recent years in recognition of the fact that chronic pain sufferers constitute a distinct subpopulation, the "losers" in the medical care system, people who have spent colossal sums on doctors, drugs, and operations without finding relief. Clinicians such as Wilbert E. Fordyce of the University of Washington, who runs a Seattle pain clinic, are increasingly leaning on a combination of psychological and noninvasive physical approaches to help people cope with their pain. Fordyce, for example, described the rigid behavioral program he runs in which pain is treated as the primary problem and in which the goal is to help people reduce their "pain behaviors." Other pain clinics are using various combinations of therapies such as acupuncture, hypnosis, exercise, psychotherapy, and family counseling to help people break out of emotional and behavioral patterns that reinforce what has become, in many cases, literally a career in pain.

The behavioral route at present offers the best hope for pain sufferers since neural mechanisms, particularly in the brain, remain largely a mystery. As Frederick Kerr of the Mayo Clinic pointed out, the textbooks confidently describe pain pathways, but when "we go in and cut, nothing happens." The unpredictability of surgical intervention is so striking that many surgeons are no longer doing such operations. Fordyce cited a sample of 2000 male workers who were operated on for chronic back pain. Of that number, only three individuals returned to work.

Richard Black of the pain clinic at Johns Hopkins Medical Center described how the entire system, from the individual to government policies, operates to reinforce the chronic pain phenomenon. On a psychological level, individuals experiencing various kinds of emotional suffering often express their distress in physical pain because pain is respectable and understandable; psychological suffering often is not. Doctors, trained in aggressive interventions and eager to get complainers off their hands, prescribe drugs that become addictive and perform operations that may do more harm than good. Various systems of reimbursement pay for radical physical interventions but will not support psychological ones. But from Black's standpoint "industry is the biggest culprit" because hiring and dismissal practices discriminate against the disabled, workmen's compensation supplies financial incentives (even if subconscious) to stay laid off, and employers are unwilling to phase convalescents back in with temporarily reduced work schedules.

A better understanding of pain is going to be necessary to change all the social