

November 18, 1974

CONGRESSIONAL RECORD—HOUSE

H 10705

FREEDOM OF INFORMATION ACT—
VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-383)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 12471, a bill to amend the public access to documents provisions of the Administrative Procedures Act. In August, I transmitted a letter to the conferees expressing my support for the direction of this legislation and presenting my concern with some of its provisions. Although I am gratified by the Congressional response in amending several of these provisions, significant problems have not been resolved.

First, I remain concerned that our military or intelligence secrets and diplomatic relations could be adversely affected by this bill. This provision remains unaltered following my earlier letter.

I am prepared to accept those aspects of the provision which would enable courts to inspect classified documents and review the justification for their classification. However, the courts should not be forced to make what amounts to the initial classification decision in sensitive and complex areas where they have no particular expertise. As the legislation now stands, a determination by the Secretary of Defense that disclosure of a document would endanger our national security would, even though reasonable, have to be overturned by a district judge who thought the plaintiff's position just as reasonable. Such a provision would violate constitutional principles, and give less weight before the courts to an executive determination involving the protection of our most vital national defense interests than is accorded determinations involving routine regulatory matters.

I propose, therefore, that where classified documents are requested the courts could review the classification, but would have to uphold the classification if there is a reasonable basis to support it. In determining the reasonableness of the classification, the courts would consider all attendant evidence prior to resorting to an *in camera* examination of the document.

Second, I believe that confidentiality would not be maintained if many millions of pages of FBI and other investigatory law enforcement files would be subject to compulsory disclosure at the behest of any person unless the Government could prove to a court—separately for each paragraph of each document—that disclosure “would” cause a type of harm specified in the amendment. Our law enforcement agencies do not have, and could not obtain, the large number of trained and knowledgeable personnel that would be needed to make such a line-by-line examination of information requests that sometimes involve hundreds of thousands of documents, within the time constraints added to current law by this bill.

Therefore, I propose that more flexible criteria govern the responses to requests for particularly lengthy investi-

gatory records to mitigate the burden which these amendments would otherwise impose, in order not to dilute the primary responsibilities of these law enforcement activities.

Finally, the ten days afforded an agency to determine whether to furnish a requested document and the twenty days afforded for determinations on appeal are, despite the provision concerning unusual circumstances, simply unrealistic in some cases. It is essential that additional latitude be provided.

I shall submit shortly language which would dispel my concerns regarding the manner of judicial review of classified material and for mitigating the administrative burden placed on the agencies, especially our law enforcement agencies, by the bill as presently enrolled. It is only my conviction that the bill as enrolled is unconstitutional and unworkable that would cause me to return the bill without my approval. I sincerely hope that this legislation, which has come so far toward realizing its laudable goals, will be reenacted with the changes I propose and returned to me for signature during this session of Congress.

GERALD R. FORD.

THE WHITE HOUSE, October 17, 1974.

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

The question is: Will the House, on reconsideration, pass the bill H.R. 12471, the objections of the President to the contrary notwithstanding?

MOTION OFFERED BY MR. MOORHEAD OF PENNSYLVANIA

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I move to postpone further consideration of the bill and veto message from the President on H.R. 12471, to amend the Freedom of Information Act, until Wednesday, November 20, and before moving the previous question on my motion I would like to address myself briefly to the President's veto action.

(Mr. MOORHEAD of Pennsylvania asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I was shocked and dismayed by the President's unfortunate and ill-advised action on October 17 in vetoing H.R. 12471; the bill makes a series of strengthening amendments to plug loopholes in the Freedom of Information Act of 1966.

This bipartisan legislation, overwhelmingly approved in both the House and Senate after more than 3 years of oversight and legislative hearings, will help restore the confidence of the American public in their Federal Government by providing greater access to Government records. As we have dramatically witnessed during the Watergate tragedy, unnecessary secrecy and an almost paranoid desire to hide the business of Government from the people and their elected representatives brought about the most grave constitutional crisis in our Nation in more than 100 years.

Mr. Speaker, President Ford's pledge of “open government” made to the Ameri-

can people soon after he took the oath of office had indicated a recognition of the destructive effects of the “government secrecy mania” that helped bring about his predecessor's resignation. Less than 2 months ago, President Ford expressed to me, as chairman of the House-Senate conference committee on H.R. 12471, his commitment to “open government” and the Freedom of Information Act. In a letter dated August 20, 1974, he stated:

I share your concerns for improving the Freedom of Information Act and agree that now, after eight years in existence, the time is ripe to reassess this profound and worthwhile legislation. Certainly, no other recent legislation more closely encompasses my objectives for open government than the philosophy underlying the Freedom of Information Act.

In that letter, Mr. Speaker, he raised certain questions about specific provisions of H.R. 12471, most of which had already been tentatively agreed to by the House-Senate conferees during earlier sessions of the conference committee. Nevertheless, we carefully studied President Ford's arguments, discussed them in subsequent meetings of the conference committee and did make a number of changes he requested in both the bill language and in the conference report to help allay his concerns. As I told the House when the conference version of the bill was finally acted upon and sent to the White House on October 7—

We have gone “more than half-way” to accommodate his views.

But 10 days later, he vetoed the freedom of information bill. It is now clear, Mr. Speaker, that congressional cooperation is not sufficient for the President, and only total capitulation to the White House viewpoint will suffice. I refuse to abdicate my duties as a Member of this House and hope that an overwhelming vote by our colleagues to override this senseless veto will make it clear to the President that cooperation is a two-way street.

As in the Watergate debacle, the umbrella of “national security” is now being raised in the veto message to cover the real reasons for the bureaucrat's opposition to the public's right to know. The message itself is filled with inaccurate statements, misconceptions, and warped interpretations of the bill language that raise questions as to whether anyone really knowledgeable about the law even took the trouble to read and analyze the provisions of H.R. 12471. Contrary to the President's expressed view, the bill would not in any way bare our Nation's secrets, nor would it jeopardize the security of sensitive national defense or foreign policy information.

Mr. Speaker, 8 years ago when Congress passed the original freedom of information bill, President Johnson was urged to veto the measure by every single Federal agency. Bureaucrats said that it was unconstitutional; some said it would bring the business of Government to a halt; others foolishly claimed that it would give away our vital defense secrets to foreign powers. But Lyndon Johnson was well versed in the ways of the Federal bureaucracy. He was not fooled by their rantings and ravings. He courage-

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ously rejected their silly arguments and signed the bill into law. In his statement he reaffirmed the people's right to know when he said:

No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest.

This year the House and Senate approved the conference version of H.R. 12471 to add needed teeth to the original 1966 freedom of information law to plug loopholes used by Federal bureaucrats to hide information from the public. The House rollcall vote was 349 to 2 and the Senate approved it by voice vote. During our hearings, every executive branch witness opposed any strengthening changes to the present law. The Nixon White House and Justice Department operatives lobbied vigorously in the other body in a vain attempt to kill the freedom of information legislation.

When H.R. 12471 was cleared by Congress and sent to the White House, the Federal bureaucracy predictably geared up an all out effort to persuade President Ford to veto it. As in 1966, almost every Federal agency recommended a veto. Many of the same old discredited arguments which President Johnson had rejected were dusted off and fed into the White House. Such overused cliches as "administrative burden," "flexible criteria," "compulsory disclosure," and the old reliable bureaucratic standby "national security" were all sprinkled throughout the veto message. Thus, President Ford succumbed to the old scare slogans of the bureaucrats, who apparently have so much to hide from the public.

But the obvious public need for truly "open government" must not be sacrificed on the altar of bureaucratic secrecy, suspicion, and meaningless slogans. The hard lessons learned from the tragic Watergate coverup must certainly result in some positive achievement to prove to the American people that Congress—at least—is sensitive and responsive to the fundamental need for "open government" in the conduct of our public business.

Mr. Speaker, our colleagues in the House will have the opportunity to vote to override this misguided Presidential veto of the Freedom of Information Act amendments on Wednesday, November 20 by the motion I have just offered. I stress the fact that this is not partisan issue that divides us along party lines. Our effort to override this veto is being led by both Republicans and Democrats on our Government Operations Committee, as shown by the "dear colleague" letter sent to all Members today and signed by: Chairman CHET HOLIFIELD; the ranking minority member of the full committee, the gentleman from New York (Mr. HORROR); by the ranking minority member of our subcommittee, the gentleman from Illinois (Mr. ERLÉN-BORN); and by myself, as chairman of the Foreign Operations and Government Information Subcommittee. With our letter we enclosed a reprint containing a representative selection of editorials from across the Nation urging that Congress override this veto. Every Member

should have in his office a copy of this reprint and our letter.

Mr. Speaker, we urge our colleagues of both parties to join us in this fight for more responsible "open government." We trust that we can—by an overwhelming vote to override this veto—show the American people the sincerity of our pledge of truly "open government" and the willingness of Members of Congress to stand up and be counted on this vital issue.

Mr. Speaker, the "dear colleague" letter is as follows:

WASHINGTON, D.C.,

November 18, 1974.

DEAR COLLEAGUE: A vote will be taken in the House on Wednesday, November 20, on overriding the veto of H.R. 12471, the Freedom of Information Amendments of 1974.

We will vote "Aye"—to override—and hope you will join with us.

We have worked for more than 3 years in the bipartisan development of these amendments to the Freedom of Information Act. We received much detailed testimony about the issues raised in the veto message—both pro and con—and carefully worked to make certain our bill would protect the people's right to know without infringing upon the need for government secrecy in some areas.

The objections cited by the President in his veto message, therefore, were not new to us. They had also been called to our attention in the course of our conference sessions. We took them seriously and made changes, both in the language of the bill and in the conference report. We believe the President's objections were accommodated by these changes.

H.R. 12471 passed the House March 14 by a vote of 383 to 8, and the conference report won approval by a 349 to 2 roll call vote.

We believe the American people will have more confidence in their Federal government if we can enact these Freedom of Information Amendments into law over the President's veto. This legislation will help to restrain our civil servants and will help to make them more responsive to the people who pay their salaries.

The attached reprint of some of the representative newspaper editorials over the past several weeks—from all parts of the country—indicates the broad support for overriding the veto.

We suggest that President Ford must have listened more carefully to the bureaucracy than to the Congress and the people when he decided on his veto.

I hope you will join in voting to override the Freedom of Information Act veto on Wednesday, November 20.

Sincerely,

CHET HOLIFIELD,
Chairman, House Government Operations Committee.

WILLIAM S. MOORHEAD,
Chairman, Foreign Operations and Government Information Committee.

FRANK HORTON,
Ranking Minority Member, House Government Operations Committee.

JOHN N. ERLÉN-BORN,
Ranking Minority Member, Foreign Operations and Government Information Subcommittee.

Mr. Speaker, I reserve the balance of my time.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. ERLÉN-BORN) be permitted to revise and extend his remarks at this point in the RECORD and that all Members may have permission to revise and extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,

October 22, 1974.

HON. CARL ALBERT,
The Speaker,

House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 5:00 P.M. on Tuesday, October 22, 1974, and said to contain H. R. 11541, An Act to amend the National Wildlife Refuge System Administration Act of 1966 in order to strengthen the standards under which the Secretary of the Interior may permit certain uses to be made of areas within the System and to require payment of the fair market value of rights-of-way or other interests granted in such areas in connection with such uses, and a veto message thereon.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.
(By BENJAMIN J. GUTERIE).

NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT OF 1966—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-382)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am withholding my approval from H.R. 11541, a bill which would amend the National Wildlife Refuge System Administration Act of 1966. I am advised by the Attorney General and I have determined that the absence of my signature from this bill prevents it from becoming law. Without in any way qualifying this determination, I am also returning it without my approval to those designated by Congress to receive messages at this time.

This bill would amend section 4(d) of the Act of October 15, 1966, by adding a new standard in determining the authority of the Secretary of the Interior to allow certain rights-of-way across lands of the National Wildlife Refuge System. This new standard would require the Secretary to review all reasonable alternatives to the use of such area, and then make a determination that the proposed right-of-way use is the most feasible and prudent alternative for such purpose.

If we are to have adequate energy-

FOI

Congress, the Press and Federal Agencies Are Taking Sides for Battle Over Government's Right to Secrecy

By MARTIN ARNOLD

Special to The New York Times

WASHINGTON, Nov. 14—A battle is building over the complicated question of the Government's right to keep secret its secrets.

The participants are Congress and much of the national press on one side and the White House, the Justice Department and the Central Intelligence Agency on the other.

The fight was touched off by President Ford's veto last month of amendments to the Freedom of Information Act—legislation that would have made government-held information more accessible to the public.

The amendments were vetoed at the behest of nearly every government department and agency, but particularly by those involved in criminal investigations and in gathering domestic and foreign intelligence. The fight is mainly over military and foreign affairs information and the investigative files of the Federal Bureau of Investigation.

Support to Override

The amendments, 17 in all, were overwhelmingly passed by both houses of Congress. Staff members of the House Foreign Operations and Government Information Committee, which helped draw up the amendments, believe that there will be enough votes in Congress to override the veto, particularly in the climate created by the Democratic sweep earlier this month.

If not, then the new, even more heavily Democratic Congress, will almost surely pass the amendments and override any Presidential veto, these staff members say. In the Senate, the fight to override the veto is being led by Senator Edward M. Kennedy, Democrat of Massachusetts.

Even before that Democratic sweep, Walter W. Gurfel, president of the National Newspaper Association, said after the organization conducted a Congressional survey that "there appears to be an overwhelming bipartisan Congressional sentiment in favor of overriding the veto." The association represents 6,000 daily and weekly newspapers in the country.

In Defense of Veto

President Ford defended the veto tonight in a message he prepared for a convention in Phoenix of Sigma Delta Chi, a journalist's fraternity.

The President said the veto may have appeared inconsistent with his pledge that "mine would be an open and candid Administration," but that this was not so. He said some of the amendments would damage national security, diplomatic relationships and the privacy of individuals.

He said that he had proposed that courts be required to uphold government classifications "where a reasonable

basis exists to support them" and that F.B.I. files should be withheld if there was "a substantial possibility that individual rights would be endangered or law enforcement operations compromised."

The Freedom of Information Act, passed in 1966, authorized persons to file a complaint in a Federal District Court to force a government agency to produce information that it was withholding. Exempt from it were medical reports, the agencies' internal rules and regulations, confidential trade secrets and foreign policy and national defense information that had been classified secret by executive order.

One of the 17 amendments

vetoed called for judicial review of classified foreign policy and national defense information before it could be withheld. The Justice Department and the C.I.A., among others, opposed this as written.

President Ford in his veto message said that the amendment would give Federal judges "the initial classification decision in sensitive and complex areas where they have no expertise."

The Justice Department, according to Antonin Scalia, Assistant Attorney General in charge of the Office of Legal Counsel, believes that judges should not have the right to declassify information unless

agency seeking to withhold information is unreasonable.

Under the Administration position the presumption would be in favor of classification— withholding the information.

Decisions at Low Level

The Administration says it is concerned over the amount of bureaucratic time that it would take to make available such things as the F.B.I.'s investigative files. It interprets the amendments to mean that a judge would have the obligation to go over such a file page by page and make the files available, as he sees fit, page by page.

The Justice Department would rather have the judge

mandated to keep secret the entire file if he felt any part of it should be kept secret. That is the basis upon which the Defense Department, for instance, classifies documents.

The arguments in favor of the amendments include the fact that the Government concedes that at least 17,000 persons are empowered to stamp documents classified, that some of them are as low as navy ensigns, and that a Federal judge would have at least the sophistication of a Navy ensign.

Proponents point out that the Government has a long history of classifying information not on the basis of national defense or foreign affairs but merely because its disclosure would be

embarrassing to the Administration in office.

The C.I.A. not only opposed the amendments but its director, William F. Colby, has also been trying to build up support for toughening the espionage laws. This has been a concern of the agency since The New York Times made public the Pentagon papers in June, 1972.

Ellsberg Case Cited

Under the espionage laws, which were passed mainly during World War II, there is no criminal sanction for a Government employe who makes public classified information. Dr. David Ellsberg has said he disclosed the Pentagon papers to some of the press, and he was

tried for espionage, theft and conspiracy in a trial that ended in mistrial and dismissal after six months.

"If we don't update the espionage laws we'll have to go through an Ellsberg trial every time someone leaks important documents, and probably the man will get off," a high official of the C.I.A. said yesterday.

"We are not concerned about getting the publication that prints a leaked document," he said. "We only want to get the source." The official said that he doubted that the new Congress would strengthen the espionage laws, and traditionally Congress has been reluctant to do so, except in several cases, because of fear that a

sensitive executive branch would be tempted to stamp secret on endless number of documents from housing programs to defense plans.

The exceptions have concerned atomic energy information and national defense information that is turned over to agents of foreign governments. These are covered by the espionage laws.

"All we're after is the source," a C.I.A. official said. "The news media can't function if its sources are revealed. All it would mean to a newspaper is that news sources would dry up. In the C.I.A. it might mean the death of a source if our sources and methods are exposed."

municate clearly, locate information, solve problems and make judgments by finding their own value systems.

Dr. Lindaman foresees colleges functioning more as resource centers for an indepth, all-involving kind of learning. It will not be just a place to spend 4 years of one's life, but a place to go to, off and on throughout life, to plug into the resources when they are needed. And Whitworth has been changing over, gearing itself to meet these anticipated changes.

I think we should all be grateful to Whitworth College for having had the foresight to build for the future, not only for the future of the institution, but for the future of America.

RESOLUTION OF NATIONAL REPUBLICAN HERITAGE GROUPS COUNCIL

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, under leave to extend my remarks, I am pleased to offer for inclusion in the RECORD, the resolution that was adopted by the National Republican Heritage Groups (Nationalities) Council, at their annual convention in Boston, Mass., September 1974. Mr. Leon T. Delvannis of Arlington, Va., is the first vice-chairman of this organization.

RESOLUTION OF NATIONAL REPUBLICAN HERITAGE GROUPS (NATIONALITIES) COUNCIL

Whereas, Turkey has committed an act of armed aggression against Cyprus, and

Whereas, Turkey has illegally utilized American arms and defense material to kill or wound thousands of Greek Cypriots and force over 200,000 of them from their homes, and

Whereas, the U.S. Foreign Assistance Act and the Foreign Military Sales Act require as a matter of law that all military assistance cease immediately when the recipient country has violated provisions of the Act, and

Whereas, the government of Turkey committed genocide against the Armenian community in Turkey in 1915, massacring over 1½ million Armenians, the first genocide of this century, and

Whereas, Turkey has historically committed genocide and acts of barbarism against the Ukrainians, the Greek Orthodox, and the Kurds in Turkey, particularly during the years 1915-1922, and continues to persecute minorities in Turkey, and

Whereas, Turkey has unilaterally breached its agreement with the United States to ban opium poppy production and has resumed the growing of the opium poppy production, which represents the source of the heroin reaching the U.S.; and

Whereas, Greece was an ally of the United States in two World Wars and continues to be the key to the Eastern Mediterranean, and

Whereas, we should do everything possible to support and to strengthen representative government in Greece, and

Whereas, the political strategic relationships between the United States and Greece are of overriding importance to both countries and to the free world, and

Whereas, the United States gave full support to Greece after World War II in her fight against Communist aggression: Therefore be it

Resolved, That (1) all military, economic, or other assistance of whatever nature and form from the United States Government to the Government of Turkey be suspended immediately, and

(2) that the United States continue to provide military and economic support to Greece on an accelerated basis; and

(3) that the United States provide humanitarian support for all Cypriot refugees and economic support to the Government of Cyprus.

PRESIDENT'S VETO OF H.R. 12471, FREEDOM OF INFORMATION ACT AMENDMENTS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I am shocked and dismayed by the President's unfortunate and ill-advised action today in vetoing H.R. 12471, the bill making a series of strengthening amendments to the Freedom of Information Act of 1966.

This bipartisan legislation, overwhelmingly approved in both the House and Senate after more than 3 years of congressional study and careful consideration, would help restore the lagging confidence of the American public in their Federal Government by providing greater access to Government records. As we have dramatically witnessed during the Watergate revelations, unnecessary secrecy and the almost paranoid desire to hide the business of government from the American people and their elected representatives brought about the most grave constitutional crisis in our country in more than 100 years.

President Ford's pledge to open Government made to the American people soon after he took the oath of office had indicated a recognition of the destructive effects of the Government secrecy mania which helped bring about his predecessor's resignation. Less than 2 months ago, President Ford expressed to me as chairman of the House-Senate conference his commitment to open Government and the Freedom of Information Act. In a letter dated August 20, 1974, he stated:

I share your concerns for improving the Freedom of Information Act and agree that now, after eight years in existence, the time is ripe to reassess this profound and worthwhile legislation. Certainly, no other recent legislation more closely encompasses my objectives for open Government than the philosophy underlying the Freedom of Information Act.

In that letter he raised certain questions about specific parts of H.R. 12471, then being considered by House-Senate conferees. We carefully studied his arguments and made certain changes in both the bill language and in the conference report to help allay his concerns. As I told the House when the conference version of the bill was finally acted upon and sent to the White House on October 7, "We have gone 'more than halfway' to accommodate his views."

But it appears that cooperation is not sufficient and only capitulation will suf-

fice, for again, as in the Watergate debacle, the national security umbrella is being used to cover the real reasons for bureaucratic opposition to the public's "right to know." H.R. 12471 would not bare our Nation's secrets, nor in any way jeopardize the security of legitimate national defense or foreign policy matters if the classification markings applied to them were done so properly in accordance with Executive Order 11652.

Mr. Speaker, 8 years ago when Congress passed the original Freedom of Information Act, President Johnson was urged to veto the measure by every single Federal agency. He courageously rejected the advice of the secrecy-minded executive bureaucracy and signed the bill into law. This year, the conference version of the 1974 amendments to the Freedom of Information Act—strengthening its operation and plugging loopholes used by the bureaucracy to hide information from the public—was passed by the House and Senate with only 2 dissenting votes. Predictably, the Federal bureaucracy again geared up its efforts to kill the measure. This time, all but a single Federal agency recommended a veto and unfortunately President Ford succumbed to the scare talk of the bureaucrats, who apparently have so much to hide from the public.

I call upon all Americans who value their freedom and their "right to know" what the massive Federal bureaucracy is doing in their name to contact their individual Senators and Congressmen and urge them to rally behind our effort to override this misguided veto of H.R. 12471 by President Ford. "open government" must not be sacrificed on the altar of bureaucratic secrecy. The hard lessons learned by the tragic Watergate experience must result in some positive achievement to prove to the American people that Congress, at least, is sensitive to the fundamental need for "open government" in our Nation.

MR. ALGIA GARY: A MAN OF THE PEOPLE

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. MURTHA. Mr. Speaker, we can never forget in government that the prime task of government officials rests with the people.

That was brought home to me again in looking over the background of Mr. Algia Gary, who will be honored shortly in Johnstown for his outstanding community work.

Let me list for you just some of the work Mr. Gary has done with people: Currently, he is director of the Equal Opportunity Division of HUD advising on equal housing, employment and civil rights activities; formerly he served in the Pennsylvania Department of Labor handling recruitment of workers, employee-employer relations and other areas of racial relations; former supervisor of OIC helping to train individuals

various satellite nations of Eastern Europe with the basic right of self determination that her people so desperately seek. The people of Latvia continue to be subjected to brutal and dehumanizing treatment at the hands of their Soviet captors. The rights of free press, religion and speech, inherent to the success of free world nations, remain but elusive dreams for the brave people of Latvia.

In our quest to achieve a full détente with the Soviet Union let us not be overly hasty and abandon our commitment to seeking that all people of the world enjoy basic freedom. We must speak out and denounce continued domination of weaker nations by the Soviet Union. The concept of détente is an admirable one, but will be only cosmetic if it does not include a guarantee by the Soviets that they will release the stranglehold they continue to have over such nations as Latvia.

On this important day let us salute the rich cultural heritage of the Latvian people. Let us pay tribute to the contributions which the Latvian American has made to this Nation. And finally, let us pledge our continuing support of the quest of the brave people of Latvia as they struggle to repair a life of freedom and dignity which was so coarsely snatched away from them by the Soviet Union.

CONGRESS MUST NOW OVERRIDE VETO OF FREEDOM OF INFORMATION ACT AMENDMENTS

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. THOMPSON of New Jersey. Mr. Speaker, a recent editorial in the New Brunswick, N.J., Home News, makes an excellent case for Congress to override President Ford's untimely and unwise veto of H.R. 12471, the Freedom of Information Act amendments passed by the House on a 349 to 2 rollcall vote last month.

As the editorial points out:

There is nothing in the legislation vetoed by the President which should alarm any federal government bureaus and agencies—unless they have something to hide. It goes on to point out that the amendments would simply strengthen the provisions of the 1966 act by chopping down some of the bureaucratic barricades to the people's access to their own government.

Mr. Speaker, the best antidote for the Nixon administration's obsession for secrecy that brought on the Watergate mess and its own demise is a strong dose of Freedom of Information—embodied in the provisions of H.R. 12471. I hope that Congress will vote to override the Ford veto of this important measure and commend to our colleagues the full text of the Home News editorial:

CONGRESS MUST OVERRIDE VETO

President Ford's self-proclaimed "open administration" was just two months old when he sent up his veto of Congress's amendments to the Freedom of Information Act. He wants stronger Freedom of Information legislation, he assured Congress, but the measure he

vetoed last month wasn't quite what he had in mind.

Well, Congress has worked on the amendments to the 1966 Freedom of Information Act for nearly three years. It has already reviewed and accepted many of the suggestions for modifications made by President Ford. But it has refused to emasculate the legislation.

Now the time for compromise is over, and when the Congress returns, it should have as one of its first items of business the overriding of the Ford veto.

There is nothing in the legislation vetoed by the President which should alarm any federal government bureaus and agencies—unless they have something to hide. The amendments would simply strengthen the provisions of the 1966 act by chopping down some of the bureaucratic barricades to the people's access to their own government.

An "open administration" is just a meaningless phrase so long as bureaucrats can delay and impede and frustrate the citizens' access to information they have a right to see. President Ford's veto of amendments to the Freedom of Information Act is a veto for secrecy. The Congress must override it and reaffirm the right of citizens to know.

NO RELIEF FOR SOVIET JEWS

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. PEYSER. Mr. Speaker, in spite of the grand statements from the Soviet Union about their intentions to cease harassment of Soviet Jews and to change their present emigration policies, their harassment has not stopped and there has been no easing in their restrictive emigration policies.

During the past recess, I learned about several other cases of harassment of Soviet Jews who desire to emigrate. One concerns a poor Jewish Soviet young man, Aleksandr Silnitsky of Krasnodar, Ukrainian Republic. Mr. Silnitsky's only crime was a simple request to leave the Soviet Union and for this, he has been harassed and tormented by the Soviet Secret Police.

Another case concerns a family, the Vinkovetsky's of Leningrad. Mr. and Mrs. Aron Vinkovetsky have twice had their visa applications denied on the basis that his work as a naval engineer dealt with secret matters. This is an absurd argument, as Mr. Vinkovetsky retired from his job more than 7 years ago—the maximum time for information to lose its secret character in the U.S.S.R.

Mr. Vinkovetsky's son and daughter-in-law, both geologists, have also applied for emigration visas twice and been twice denied. His son, Yakov Vinkovetsky has had his apartment searched by the KGB and both he and his wife have lost their jobs. He has been asked to supply the KGB with information about his friends who admire the writings of Iosif Brodsky and Aleksandr Solzhenitsyn and when he refused to comply, his application was turned down.

Mr. Speaker, I strongly urge the White House not to be deceived by any idle promises from the Soviet about changes which they intend to make in their policies toward Soviet Jews. Actions speak louder than words.

WHITWORTH COLLEGE BUILDS FOR THE FUTURE

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. FOLEY. Mr. Speaker, at a time when Americans are becoming increasingly concerned about whether colleges are properly preparing our Nation's youth for leadership roles in our society, I wish to take this opportunity to commend a Presbyterian Church-related college in Spokane, Wash. Whitworth College, a fully accredited 4-year liberal arts college, has concerned itself with the new challenges to young men and women and has made creative changes in curriculum and campus living that will enable its graduates to be effective in the world of the future—their future.

While colleges all around the country are suffering cutbacks in enrollment including many who have closed their doors permanently, Whitworth College continues to grow, its student enrollment up 39 percent in 3 years. Founded in 1890 by George Whitworth, a pioneer of the Northwest and a Presbyterian minister, the college now serves a student body of 1,400 men and women from 30 States and 12 other countries. Whitworth, a member of the Association of American Colleges, also offers evening and summer classes for 2,000 people.

According to Dr. Edward B. Lindaman, president of Whitworth, the school's unprecedented growth is beginning to reflect a move away from the "youth ghetto" campus concept toward a program that attracts men and women of all ages to the campus. Because of the college's laudatory tuition-free program for students over 65, there are currently 42 senior scholars enrolled. These older people, says Dr. Lindaman, have electrified the campus, stimulating the rest of the student body because of their experience, adding a valuable new dimension to classroom discussions. By the late 1970's, Dr. Lindaman believes 10 to 15 percent of the student body will be senior citizens, and another 10 to 20 percent will be women between the ages of 30 and 50.

For women, Whitworth has designed special daytime and evening mini courses, offered on campus and at various locations in the metropolitan area. One wheat farmer's wife drove 85 miles each way to attend classes. The college estimates more than 1,000 women will have taken part in the program by the end of the year.

Not the traditional Christian or church-related school, Whitworth, whose student body includes non-Christians and agnostics, has done away with compulsory chapel, preferring instead to develop enthusiasm for faith in an atmosphere of openness, diversity and shared responsibility. The school has become a new model for Christian colleges everywhere.

At a time when more and more young people are graduating from college with few areas of competency, Whitworth stresses competencies by providing the student with the environment and resources to develop the ability to com-

without new legislation or changing regulations by telling the banks that the government funds would be withdrawn each day unless they return them each night to the local Federal Reserve bank and obtain from the Federal Reserve Bank a loan to cover the same amount. The Reserve banks currently make such loans, called discount window loans, but for different purposes.

In this way, Cox said, banks would pay interest to the government on the funds in the accounts. In addition, Cox said, the monetary system would not be disrupted because the money would be retained by the commercial banks. What would be involved, Cox said, would be a bookkeeping transaction that would, in effect, convert the accounts to interest-bearing investments.

Cox said the proposal was rejected by the Federal Reserve Board on grounds the accounts are "Treasury operations."

WHERE CASH IS

Following is a listing of federal interest-free accounts at Washington banks as compiled by the Federal Reserve Board as of last March:

Riggs National Bank	\$4,586,951
American Security & Trust Co.	4,201,899
National Capital Bank of Washington	1,553,073
National Bank of Washington	958,578
Union Trust Co. of D.C.	813,122
Industrial Bank of Washington	806,220
McLachlen National Bank	796,145
First National Bank of Wash.	685,255
National Savings & Trust Co.	636,925
District of Columbia National Bank	466,688
Security National Bank	433,255
Madison National Bank	409,756
Public National Bank	327,809
United National Bank of Wash.	88,053
Bank of Virginia—Loudon	30,937
American Indian National Bank	652

Following is a nationwide listing of the 10 largest government interest-free accounts held by banks as of February, 1927, in millions of dollars:

Chase Manhattan Bank	\$177.3
Bank of America	149.7
First National City Bank	139.5
Security Pacific National Bank	109.9
Chemical Bank, N.Y.	102.5
Manufacturers Hanover Trust Co.	87.2
Morgan Guaranty Trust Co.	75.2
Bankers Trust Co., N.Y.	71.6
First National Bank of Chicago	48.7
Mellon National Bank & Trust Co.	66.7

FEDERAL BANKING PATTERN BENEFITS FIRMS
(By Ronald Kessler)

"The way I look at it is, a tax payment has to be made on a certain date. The government doesn't draw the money out for so many days. So why shouldn't the funds be placed where they can benefit the company? You're able to generate big dollars on a little check you're sending to Uncle Sam."

A financial expert familiar with the inner workings of one of the Washington area's major corporations was explaining how his firm gains financial benefits by placing its federal tax payments in the government's interest-free accounts at particular banks.

The name of the game is knowing how long the government will take to withdraw its money. Here's how it works:

"Let's say you put a \$2.5 million tax payment in a bank's government account," the expert said. "Let's say it stays in the account four days before the government draws it out. That means that on an annual basis, you're adding to the bank's balances by \$28,000, and most of the money can be invested by the bank until it is withdrawn. The banks want that money, so what do they do to get it?"

"A corporation can't operate today without a line of credit. That means the bank agrees

to loan up to, say, \$1 million whenever the corporation asks for it. In return for that service, the bank wants the company to leave, say, \$100,000 in compensating balances at that bank. If a loan is actually taken for \$1 million, they want another \$100,000 in balances, plus interest on the loan.

"That's where the tax accounts come in. The \$28,000 average annual balance from your tax payment is considered part of the compensating balance you're keeping at the bank in return for the line of credit. If the company doesn't get the credit for the \$28,000, it may have to borrow that much at the prime rate to keep its balances at the specified level.

"In our case, we'll send the tax balances wherever you can get the best benefits for them. We'll wire them up to Boston or New York (banks that also have accounts from the same company), depending on how often the Treasury withdraws money from that particular bank in that area. It depends on whatever the government is doing.

"Every six months or so, the bank will tally up your average balances. If you have a shortfall—meaning your balances were too low—you'd better buy an interest-free certificate of deposit with that bank. If you're over the amount required, they don't say anything and maybe you're a nice guy and will get favors later.

"Banks can do you a lot of favors. 'Can you call up so-and-so and set up an appointment.' 'Can you put in the good word for us'. If you keep being nice to your bankers over the years, it's an insurance policy. Banks are extremely powerful."

To make sure the banks don't get more than their fair share of balances, companies call the bank each day to find out how much money is needed to cover the checks presented for payment during the day, the expert said.

If the company during the year has kept balances larger than required, it will transfer into the checking account only enough money to cover the checks presented, leaving the day's balance at close to zero, the expert said. Otherwise, it will transfer into the account only enough funds to keep the balances at the agreed-upon level after the checks have been covered.

"It's an art," the expert said. "It's the type of highly sophisticated money management that is being used by most large companies today. It's done by negotiation with the bank, and of course they don't advertise it.

"The real question is, 'Why the hell should corporations get additional benefits from those tax funds'. The government and the taxpayer should. But it's the Treasury's fault, and if the Treasury is going to allow it, you can't blame the companies for taking advantage of it."

CONGRESS URGED TO OVERRIDE
VETO OF H.R. 12471, FREEDOM OF
INFORMATION ACT AMENDMENTS—I

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, newspapers from all parts of the United States have been editorializing about President Ford's surprising veto on October 17 of the Freedom of Information Act amendments contained in H.R. 12471. This bipartisan measure was passed by the House last March by a vote of 383 to 8 and in May it was approved by the Senate by a 64 to 17 mar-

gin. As you recall the measure was cleared for the White House on October 7 by a vote of 349 to 2 on the conference report.

Having pledged himself to "open government," it is inconceivable that the President could have vetoed H.R. 12471, the product of more than 3 years of congressional investigations, reports, legislative deliberations, and thoughtful consideration by Members of both parties who were virtually unanimous in their support for the legislation.

Mr. Speaker, we are urging our colleagues in the House to join with us in voting to override this unfortunate and ill-advised veto. In that effort we are being supported by newspapers from all parts of the country and all shades of opinion. A representative sample of such articles and editorials urging the overriding of the veto of the freedom of information bill are included at this point in the RECORD:

[From the New York Times, Oct. 17, 1974]

MORE OPEN GOVERNMENT

The Freedom of Information Act was passed by Congress in 1966 on the assumption that the public should have broad rights of access to information about the workings of its Government. The act hasn't functioned particularly well since it went into effect because of the Federal Government's use of a variety of obstructionist tactics ranging from forcing those seeking information into long and costly litigation to plain old bureaucratic foot-dragging.

Congress has now passed and sent to the White House a number of amendments designed to make the law work more effectively, including a provision that would subject to judicial review decisions on the classification of information. Other amendments would open up noncriminal investigatory files for the first time and would award attorney's fees to successful public litigants.

The Department of Justice is reported to have recommended that President Ford veto this legislation. The President himself has reportedly expressed reservations about the bill on national security grounds.

Mr. Ford's concern appears misplaced. Congress, in developing the new amendments, made an extraordinary legislative effort to balance the public's right to information with the Government's need to protect its legitimate secrets. Unless the President feels that the Federal judiciary is insensitive to national security or is incapable of handling such issues appropriately, he can have no justifiable fears about the law's adequacy to protect legitimate national secrets.

The ability to preserve free and responsive government depends in large measure on the preservation of open government to the greatest possible degree. That is the principle that animated the Congress in passing the amendments. It is the motivation that should lead the President to sign them into law.

[From the Washington Post, Oct. 5, 1974]
AMENDING THE INFORMATION ACT

For several years now, the public and the press have had at their disposal an instrument to pry unwarranted secrets out of government agencies, but it is so cumbersome that it is little used. Only a handful of cases has been brought by the news media under the Freedom of Information Act, and those took many months to resolve.

Now Congress has brightened the future of openness in government, and President Ford will soon have an opportunity to share in the results. By overwhelming votes of both the House and the Senate, a series of

REFLECTIONS

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. JONES of Tennessee. Mr. Speaker, recently at the Naturalization Day ceremonies at Greenville, Tenn., an address was delivered by Mr. Gerhard Ruetz, a naturalized citizen of the United States. Because I feel that Mr. Ruetz' speech is of interest to all citizens of the United States, I insert the text of his talk in today's RECORD.

REFLECTIONS

Seven years ago in this very courtroom, my petition for American Citizenship was granted by this judicial branch of the United States government. I was then, as I am now, deeply honored, and a little nervous to state my reasons and beliefs why I wished to become a citizen of this country.

Abraham Lincoln once said: Better to remain silent and be thought a fool—than to speak out—and remove all doubt! Well, I hope this will not apply to me. You see, I am a self-taught linguist and my struggle with the language, after so many years, is still, sometimes, evident. If that occurs, I hope you will forgive me. I found there is little one can do, when the mind thinks one way, but the mouth express it totally different.

In a few months we will be celebrating one of the most outstanding events in human history. I am speaking of the 200 anniversary of the birth of our nation. In my opinion, we are not just having a birthday. Oh no, much more than that; We will be celebrating an event which realized the deep and basic need of mankind to be free. This need has been eminent since man's existence upon the earth. Open up any history book, in any country, and you will find accounts of man's quest for freedom. Open the Holy Bible and you will read the same. Almost every day we are witnesses through the medium of radio, television, and the printed press of acts involving independence concerning some individual. The drama of man's search for freedom is unending, it cannot be erased, because God implanted in us the spirit of freedom.

Perhaps it would do us good to reflect during our bi-centennial celebration on the short, but glorious history of our country. To find meaning and strength in the efforts of individuals, people like you and me, who established ideologies and defended them with their lives, so that government of, for and by the people should never vanish from this earth.

No one gave this country a chance to survive, based simply on those principles on which it was founded. I wonder, if we here all realize that we are actually standing in the cradle of independence? Theodore Roosevelt in the first volume of his series: "The Winning of the West" described the forming of the "Watauga Association" in 1772 as "the first men of American birth to establish a free and independent community on this continent." On July 5, 1776, only one day after the signing of the Declaration of Independence, (and we could remember here that instant communication was not available at that time, and it took probably weeks before that news from Philadelphia spread to the frontier) the citizens of Washington District presented a petition to the Provincial Council of North Carolina, stating:—"You may annex us to your province in such a manner as may enable us to share in the glorious cause of freedom and liberty."

We should be proud of the fact that here, in this area, the seeds of independence were

amendments has been proposed for the old Freedom of Information Act which should make it much easier for citizens and journalists to learn what the government is doing in their behalf. The bill has emerged from conference in good shape. It has already been given final approval by the Senate, and the House is expected to do the same next week. Then it will be up to Mr. Ford—and there the outcome is not as certain.

The Justice Department has expressed the fear that the new regulations would make FBI files vulnerable to search by the public and the press. Indeed, the act does require the disclosure of certain types of investigative information, but it safeguards that involving current prosecutions. Nevertheless the Justice Department has continued to object and has from time to time advocated a presidential veto. But we suspect that the valid interests of the FBI will be amply protected by the courts when those interests are in need of defending. And in the meantime the value of the legislation is so great it would be a pity if the President chose to veto it on these grounds.

The new amendments would require agencies to keep an index of the documents they generate so that citizens for the first time would have some orderly way of keeping track of what government agencies are doing. They would shorten to 30 days the amount of time in which an agency would have to respond to a suit claiming that valid information had been denied. If a citizen were to sustain his claim in court, the agency might be required to pay his legal fees. Agency officials who withheld information the court believed they should have provided could be required to answer for their actions before the U.S. Civil Service Commission. The agencies would be required to conform to strict guidelines in handling requests for information, and they would have to report to Congress once a year on their performance.

Even with the possibility of a presidential veto—remote though we hope it is—there may well be sufficient votes to override, because the original bill passed both houses by large margins.

The remaining imponderables concern the various news media themselves. In the past, the scant use of the act by the press could conveniently be attributed to the amount of work and frustration that went into trying to make use of it. The frustration was not just at the hand of the agencies, but also at that of the courts, which often showed less enthusiasm than they should have for cases involving the information law.

Now that Congress has expressed its clear intent that adjudication under the act should be speedy, it can be hoped that, if the legislation becomes law, the courts will act within that spirit. All of this should make journalists more aggressive about using this improved instrument. Even under the old law, the act proved useful to those with the perseverance to keep pushing. That is how Carl Stern of NBC News was able to discover from the FBI that the late J. Edgar Hoover took it upon himself to mandate the unconstitutional harassment of political dissenters. Learning how government business is done is the business of the media, and this new measure could help, if it is 1) signed into law and 2) used.

[From the Pittsburgh (Pa.) Post-Gazette, Oct. 13, 1974]

FORD'S WRONG; MOORHEAD'S RIGHT

On the same day that President Ford demonstrated a commendable desire for open discussion of national issues by testifying voluntarily before a congressional committee, he turned around and vetoed legislation designed to improve public access to government-held information.

The President rejected House Resolution 12473, which included a series of amend-

ments strengthening the Freedom of Information Act of 1966. His action drew a prompt and justified rebuke from Pittsburgh Rep. William S. Moorhead who, as chairman of the House Foreign Operations and Government Information Subcommittee, played a leading role in the legislation.

Mr. Moorhead rightly sees the veto as another victory for bureaucrats over the public's right to information concerning governmental activities. Virtually every government department and agency, including the Justice Department, opposed the amendments.

The principal objection to the resolution apparently centered around an amendment that would have subjected to judicial review decisions on the classification of information.

That amendment would have permitted a petitioner to ask a federal judge to review privately classified information being sought and rule on whether the information should be classified and withheld or should be made public. Federal judges already have such a right in criminal cases.

The bureaucrats persuaded the President that this and other amendments would jeopardize information classified as secret for foreign policy or national security reasons. But surely federal judges could be relied upon to exercise discretion and judgment.

Mr. Moorhead and his colleagues shouldn't take the veto lying down. They should try to override it and, failing that, they should hold the President to his promise to submit soon his own proposal to strengthen the law. We believe that this President can be persuaded yet to put the public's interest ahead of that of overly-secretive bureaucrats.

[From the Miami Herald, Oct. 29, 1974]

TO LET THE SUNSHINE OUT

In a joke making the rounds a few years back, a picketer at the White House waves a sign reading "The President Is a Fool" and is promptly arrested for revealing top secret information.

The anecdote makes a point. Although governmental secrecy has some legitimate uses, it is as often the refuge of fools and scoundrels who cover up their indiscretions by denying the public access to vital information.

It does not have to be that way. In Florida a tough law to bring about "government in the sunshine" is a model for other states.

At the federal level, Florida's Sen. Lawton Chiles, the citizen lobby Common Cause and several prominent persons in government and the media have been pushing for a national version of the "sunshine law" with a few changes to take into account military secrecy and foreign affairs that are not a problem at the state level.

After months of work, congressmen thought they had hammered out an acceptable compromise to guarantee public access to public records and the public's business.

The measure, watered down somewhat to meet President Ford's stated objections, passed the House 383-8 and the Senate 64-17. The chief author of the compromise, Rep. William Moorhead of Pennsylvania, noted that the bill would "provide the openness in government that President Ford has promised us" and predicted it would be signed into law.

But Gerald Ford had a secret. He vetoed the compromise measure in an ill-advised action that Washington observers blamed on the President's listening to the Pentagon's views on secrecy.

Mr. Ford's stated reasons for his veto were totally unconvincing. We trust that when Congress returns following its election recess, it will act promptly to enact the Freedom of Information Act to start letting a little sunshine illuminate the activities of the federal government.

associates are to be commended for the leadership and foresight they have displayed in developing computer audit programs which I am certain have a beneficial impact upon our economy. The company today has a client roster of some 70 companies who are utilizing their packages in the over 200 computer installations they maintain.

Under the leave to extend my remarks in the CONGRESSIONAL RECORD, I include the following excellent story by Martin Skala from the Christian Science Monitor of September 18, 1974:

In an effort to reduce white-collar crime and safeguard business records, security-conscious companies are throwing a protective net over their computers.

The corporate computer center, with its blinking lights and whirring tapes, is no longer considered a glass-walled showcase for all to see. Instead, computer-security experts say, business firms are increasingly limiting physical access to costly data-processing centers and taking special measures to protect computer files against the entry of unauthorized transactions of spurious records.

Concern over computer security has grown considerably since disclosure of the Equity Funding scandal and other less spectacular cases of computer fraud, according to Joseph Wasserman, president of Computer Audit Systems. As more companies process their records by computer, he says, the risk of major losses, either through fraud or human error, mounts substantially.

This computer-security expert says that companies must be alert to several types of computer misuse ranging from vandalism by disgruntled employees to the theft of money or proprietary data by covert manipulation of computer files. Although they often create a big headlines, "all deliberate attempts to steal through the machine cost business far less than programming errors and ineffective controls over computer systems," Mr. Wasserman said in an interview.

Programming errors can destroy, scramble, or misplace data, resulting in thousands of dollars of financial loss, if managements don't install proper controls.

In one widely reported case an inexperienced programmer and made a key change in the accounts-receivable file of a large retail chain. The change was never reviewed or tested before running the program under actual operating conditions. This failure was responsible for destroying by erasure, all customer-debit balances, and led ultimately to the chain's bankruptcy.

This type of problem, Mr. Wasserman says, can be minimized by using the technical capabilities of the computer to audit itself.

As computer systems have become faster and more versatile, a growing number of calculations are performed internally without leaving a printed record. This makes it very difficult for accountants, who often are not familiar with programming methods, to trace transactions and spot irregularities. With high-speed, magnetic-tape systems connected to numerous input-output terminals at remote locations, computers no longer leave piles of paper for an "audit trail," according to Mr. Wasserman.

To protect computerized data against tampering and to spot errors, Computer Audit Systems and other computer consultants have devised special computer programs for control purposes. These consist of series of instructions, written in computer-language, that independently analyze information already processed by the computer. The audit software, in effect, tests the information stored in the computer for accuracy, and in some cases, may even detect fraudulent acts.

In addition, many computers are being programmed to limit an individual's access to certain files. Sometimes passwords, keys, and badges are required to activate a computer input device, thereby limiting access to the system. Some business firms Mr. Wasserman notes, instruct the computer to produce a journal, or log, which reveals who has used the system, when and how.

Such records help establish individual accountability, a key element in preventing computer misuse.

Major accounting firms, some of whom faced legal suits because of alleged oversights in detecting computer fraud, are rapidly building up computer-auditing expertise.

This month, the American Institute of Certified Public Accountants will issue a set of standards emphasizing auditors' responsibility to evaluate a computer system's accounting-control features.

CONGRESS URGED TO OVERRIDE VETO OF H.R. 12471, FREEDOM OF INFORMATION ACT AMENDMENTS—III

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, soon after President Ford took the oath of office last August, he pledged to the American people his commitment to "open Government." The sponsors of H.R. 12471, making clearly needed improvements to the Freedom of Information Act, had labored for more than 3 years to produce the bipartisan legislation which had been approved by the House and Senate by almost unanimous votes. We subsequently approved the conference report on the legislation in the House by a 349 to 2 rollcall vote and sent it to the President for what we all thought was to be the first action by President Ford to fulfill his commitment. But much to everyone's shock and amazement, he vetoed the bill on October 17, just as Congress was preparing to return home for the Election Day recess.

Mr. Speaker, newspaper editorials from all parts of the country have since pointed out the urgent need for Congress to override this unwarranted veto in order that the American public's "right to know" may be preserved and the pledge of "open Government" may become a reality. At this point in the RECORD, I include another representative sample of these articles and editorials for the information of our colleagues who will soon be asked to join with us in voting to override this senseless veto:

[From the Seattle Post-Intelligencer,
November 12, 1974]

CONGRESS MUST GUARANTEE PUBLIC'S RIGHT TO KNOW

One of the vital issues facing Congress when it returns from the election recess will be President Ford's veto of the 1974 Freedom of Information Act.

Congressmen should override the President's veto of the measure—designed to make it easier for citizens to gain access to federal documents.

The 1974 version of the act would close loopholes in the 1966 Freedom of Informa-

tion Act that have frustrated the public's right to know. The new act would shift the burden of proof from individuals seeking information to those agencies denying access to federal documents.

Under the present act, information often has been withheld simply because it might serve to embarrass an agency or cause a bit of effort by government employes. Individuals have had to go to court to obtain federal documents.

A dramatic example of why the new act is needed was provided last week with the end of a local couple's five-year struggle to see Internal Revenue Department tax audit records.

Philip and Sue Long of Bellvue finally secured access to the records after spending \$20,000 of their own money in the quest for IRS tax information.

It is the first time that this information has been made available to the public, the press or even Congress.

The new Freedom of Information Act would reduce the leeway of law-enforcement agencies to withhold information for "confidential" reasons and shorten by a few days the amount of time an agency has to comply with a request. It would also permit the Civil Service Commission to discipline bureaucrats, if the courts find that they have "arbitrarily or capriciously" withheld information.

During the House debate on the 1974 bill, Rep. Bill Alexander, Arkansas Democrat, said he had been unsuccessful last year when he tried to find out how much wheat subsidy had been paid to grain exporters for their sales to the Soviet Union.

Alexander concluded: "If I, as a member of Congress, become frustrated when I am denied access to information vital to the public welfare, what about John Q. Citizen and his efforts to get the information he needs?"

What about John Q. Public indeed?

When President Ford took office in August, he declared his administration would be an "open" one. Despite that promise, he has taken a step backward in vetoing the Freedom of Information Act.

Congress should act promptly to re-affirm the public's right to know what its government is doing.

[From the Providence Bulletin,
Oct. 21, 1974]

INFORMATION FREEDOM

There were no ruffles and flourishes when President Ford vetoed the Freedom of Information Act Amendments last week. As quietly as possible the press was informed late Thursday afternoon that the President considered the legislation "unconstitutional and unworkable" although he said it had "laudable goals."

Ironically, the Senate-House conference committee, which labored four months over a compromise measure, had altered various provisions in an effort to satisfy White House reservations expressed soon after Mr. Ford took office. When the final version was completed, Mr. Ford took no position and it was approved—by voice vote in the Senate and 349 to 2 in the House.

Ironically, the President's most serious objection is to a provision authorizing the courts to review secret government information to determine whether it had been properly classified. Mr. Ford said this would permit the courts to make what amounts to "the initial classification decision in sensitive and complex areas where they have no expertise." An important point he failed to acknowledge, however, is that the courts now have this authority in criminal cases.

Other objections cited in the veto message include these provisions: 1. giving the courts discretionary authority to grant court costs and attorneys' fees to successful petitioners;

fastly resisted all attempts at resuscitation. We have yet to develop the alternate sources of energy that everyone concedes are essential to our future well-being. And we continue to live with the ominous threat of nuclear war.

Clearly, it is a time for responsible action. The question is: Can a large Democratic majority in Congress get together with a Republican congressional minority and a Republican President in order to accomplish the things that need to be accomplished?

On the surface, the prospects for meaningful cooperation between the Republican executive and the Democratic Congress seem remote. Many Republicans, myself included, are tempted at first glance to assume the politically attractive attitude which was aptly articulated by Sen. Hubert Humphrey (D-Minn.):

"Democrats beware! Now you have to deliver." The Democrats have increased their control of Congress to something approaching a monopoly. The people expect them to act decisively and are likely to be disappointed. That is because increased party numbers have little to do with congressional effectiveness; it is the *machinery* of Congress that needs to be changed in order for positive action to take place. Theoretically, the advantageous Republican strategy would be to wait for the inevitable non-performance of congressional Democrats and reap the electoral rewards in 1976.

But that would be precisely the type of politics-as-usual that the country cannot afford. That is why I am proposing a drastic departure from political tradition in which the Democrat majority will come together with the Republican minority and the President to form in effect a consensus type of government.

Practically speaking, this would involve the clearance of administration legislative proposals with the Democratic and Republican leadership prior to their arrival on Capitol Hill. It would also mean that the Democratic leadership would provide the minority with substantially greater input on the scheduling of legislation, so that partisanship would play less of a role in the fate of legislation that the country needs.

There is a modern precedent for this type of consensus approach. In 1947, President Truman and the Republican-controlled Congress were able to get together despite their personal differences in order to launch the Marshall Plan, an effort which Professor Richard Neustadt termed "as thorough a display of executive-congressional cooperation as any we have seen since the Second World War." That is precisely the type of non-partisan concern for the welfare of the nation that I suggest must prevail during the remainder of this session of Congress and throughout the 94th Session.

I realize that it is a notion that is not instantly attractive to many members of both political parties. But neither is inattention to the nation's problems attractive. Never before has it been more important for good men and women of both political parties to join together in a common assault on the nation's problems. The American people deserve action on the part of their federal government and not two years of partisan stalemate.

AMERICAN INTERNAL SECURITY STILL REQUIRES VIGILANCE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. ASHBROOK. Mr. Speaker, we have all heard a lot about the policy of

détente between the United States and the Soviet Union. It is widely believed that this policy has meant a relaxation of tensions between the two countries. During debate on the retention of the House Internal Security Committee—whose function is to watch those groups which advocate violence to attain their objectives as well as those controlled by unfriendly foreign powers—it was even argued that the committee was obsolete "in this era of détente."

This, however, is certainly not the case. Although tensions have supposedly relaxed, the FBI now reports that there has been an alarming increase in the number of foreign intelligence agents—mostly Soviet—operating inside the United States. Whatever else détente may mean, it does not mean an end to the cold war. American internal security still requires vigilance.

Following is an article on the FBI report by John Lofton, which appeared in the November 16 issue of *Human Events*.
FBI CHIEF HAS HANDS FULL: ALARMING INCREASE IN RED SPIES IN THE UNITED STATES
(By John D. Lofton, Jr.)

Many people believe that détente has meant a so-called "relaxation of tensions" between the Soviet Union and the United States. But for FBI Director Clarence Kelley détente has been a time of increasing tensions. As a matter of fact, Kelley is very uptight about the Russians.

What's bugging the nation's No. 1 G-man is that as "tensions" have supposedly "relaxed," there has been an alarming increase in the number of foreign intelligence agents—mostly Soviet—operating in the United States.

The FBI's top cop naturally declines to say specifically how many of his men are watching suspected foreign spies, but he has revealed that a recent study shows 25 percent of the Bureau's time is spent investigating such people and domestic subversives.

However, there are not enough FBI men to watch the spies. Ideally, Kelley says, he would like to have one agent to assign to each spy. But he doesn't. What has him worried, he says, is that the gap between the number of FBI agents and foreign operatives is widening.

"We're losing ground," Kelley observes, saying that he may have to ask Congress for another 250 agents to deal with the problem.

Over the years, the number of Soviet officials in the United States has drastically increased. In testimony earlier this year, Kelley said there were 1,463 Soviet-bloc officials in this country and a total of 3,111 officials and their families.

The number of Soviet officials alone—943 on Feb. 1, 1974—is 142 more than a year earlier and 249 more than four years ago. A substantial proportion of the 943 Soviet officials, Kelley says, have been identified as intelligence operatives. Hence, the Soviet potential for espionage has been greatly enhanced. The USSR personnel now here in the United States has a formidable contingent of spies.

In this connection, the opening of a Soviet consulate in San Francisco gave Moscow another base from which to operate. Previously, Soviet officials were assigned to the Soviet Embassy in Washington, D.C., and the United Nations in New York.

However, on June 13, 1968, the U.S.-Soviet Consular Agreement was ratified by both countries. This agreement provided for the exchange of consular sites. The Russians opened a consulate in San Francisco and we opened one in Leningrad. The Soviet consulate on the West Coast has a permanent staff of about 20 people.

The kind of thing Kelley worries about is typified by the case of Valeriy I. Markelov. Markelov, his wife and daughter, arrived in New York in 1967 and he began his work at the U.N. as a translator.

In the fall of 1970, he became acquainted with an engineer employed at the Grumman Aerospace Corp. on Long Island. It soon became apparent to the FBI that Markelov was interested in much more than translating Russian at the U.N. Secretariat.

Markelov had 11 separate meetings with the engineer at various New York restaurants and persistently solicited classified information about the new Navy jet fighter Grumman was developing, the F14A.

On Feb. 14, 1972, Markelov was arrested after taking possession of classified documents relating to the plane. Evidence against him also included the fact that he had supplied the engineer with a portable copying machine and a 35 millimeter camera.

Markelov was subsequently indicted by a federal grand jury but the indictment was dismissed and he was returned to the Soviet Union.

So, thanks to FBI Director Clarence Kelley, we have one more criterion by which to judge the success of détente. Presumably, the Russian spies there are running around in this country, the more "tensions" are being "relaxed" between our two countries.

Aren't you glad the Cold War is over?

COMPUTER SECURITY

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. PEYSER. Mr. Speaker, as you know many business and financial organizations as well as Government agencies have spent millions and millions of dollars for the most modern computer information systems and libraries. Unfortunately, these organizations have not maintained adequate security procedures to eliminate the fraud, theft, vandalism and sabotage which has occurred over the years.

Recently I came across an article in the business and financial pages of the *Christian Science Monitor* pertaining to the efforts now taking place aimed at reducing such white-collar crimes. This article is based on an interview with Joseph J. Wasserman, president of Computer Audit Systems, Inc., a national organization specializing in the auditing, security and control of computer-based information and computer centers. This article is quite timely in light of our Government's recent establishment of a Domestic Council Committee on the Right of Privacy which intends to study the utilization of computers and computer-based information pertaining to the rights of individuals and invasion of privacy, and the recent publication by the U.S. Department of Commerce, National Bureau of Standards, of FIPS Publication 31, "Guidelines for Automatic Data Processing Physical Security and Risk Management."

Computer Audit Systems, Inc., since its establishment in 1969 has conducted numerous business seminars and workshops aimed at educating management in the areas of computer auditing, control and security. Mr. Wasserman and his

2. establishing a procedure for disciplinary action when a court found that a federal employe had acted capriciously or arbitrarily in withholding information; and 3. setting time limits of 10 working days for an agency to respond to a request for information, 20 days to answer an appeal from an initial request; and 30 days to respond to a complaint filed in court under the act—limits we view as eminently reasonable.

In vetoing the amendments, President Ford has given in to pressure from executive agencies whose opposition may be understandable in terms of bureaucratic convenience but is wholly without merit in terms of open government and the public's right to know.

If Congress meant what it seemed to say in overwhelmingly supporting these amendments, one of the first orders of business when it reconvenes after the elections will be a vote to override and a clear message to the White House that Americans are demanding the kind of open administration that Mr. Ford in his inaugural address promised to maintain.

[From the Charlotte Observer, October 22, 1974]

KEEP IT SECRET: THIS VETO DOES JUST THAT

Take away Linus's blanket and this usually mild-mannered inhabitant of the Peanuts comic strip becomes a tiger. Bureaucrats sometimes react similarly when someone threatens to take away their precious "top secret" classification stamps. In their efforts to keep information from the people, they now have received a boost from President Ford.

Aware when he assumed office that people were sick and tired of secrecy, of being lied to, and of finding that Washington was a Byzantium on the Potomac, President Ford promised to make candor and openness the touchstones of his Administration. But now he is buying the tired arguments that have been invoked so many times to defend secrecy.

In his veto of a bill to strengthen the Freedom of Information Act, he said it was a threat to American "military intelligence secrets and diplomatic relations." He also said it would give the courts power in an area they were unfamiliar with and complained that it would require too much bureaucratic work would be required to go through those mountains of classified documents in complying with requests for information.

The intent of the amendments was to strengthen the bill, particularly by putting the burden not on the citizen seeking information but the bureaucrat withholding it. When the act passed in 1966, it was hailed as a breakthrough for citizens and newsmen anxious to know what their government was up to. But the act has not lived up to its billing, and part of the reason is that bureaucrats are able to frustrate requests for information through administrative hurdles and the courts.

The bill would have changed this by cutting the time limit for agency responses to requests for information, setting administrative penalties for arbitrary refusal and permitting recovery of legal fees by successful petitioners. The courts would have been allowed to review classified documents and classification procedures. And a bureaucrat would have been criminally liable if the court found he "arbitrarily or capriciously" withheld desired information. In short, the act would have some teeth.

Attorney General William Saxbe also recently moved to put shrouds around government information. He in effect has reversed a 15-month-old decision by his predecessor, Elliot Richardson, which gave authorized scholars access to investigatory files more

than 15 years old. A scholar writing a book on the Alger Hiss case obtained FBI files that had numerous deletions, apparently made because of the scholar's request. Mr. Saxbe backed up the FBI on this, thereby violating the spirit if not the letter of Mr. Richardson's policy.

For weeks now, we have been hearing about the "lessons of Watergate," and we will undoubtedly hear more as moralists of every type look for Watergate lessons like shamans examining entrails for signs. But there is one lesson that must be obvious to all: Secrecy creates the environment for a Watergate, a Vietnam, a Bay of Pigs. The power of a bureaucrat or Administration official to cover his mistakes with a classification stamp is inherently anti-democratic. President Ford could not see that. Congress should override his veto of the Freedom of Information bill when it returns in November.

[From the St. Louis Post-Dispatch, Oct. 22, 1974]

OVERRIDE THE VETO

For his ninth veto in less than three months in the Oval Office, Mr. Ford has chosen a bill liberalizing the weak Freedom of Information Act of 1966. One of his objections to the legislation was that it would have given the courts authority to overrule Government security classifications.

Dressing up the old discredited "national security" argument in new rhetoric, Mr. Ford said such authority would jeopardize "military or intelligence secrets and diplomatic relations." That was the argument used in the Nixon Administration's frantic effort to keep the public from reading a Defense Department history of the Vietnam War, and it hasn't become any more persuasive or valid by virtue of being used by a succeeding administration.

If the courts cannot act as arbiter between citizens and Government bureaucrats empowered to conceal anything and everything behind a security stamp (the Navy once classified a Washington Post editorial secret), the public will know only those things the Government is willing to permit it to know.

The President's promise to send Congress a Freedom of Information bill and his request that the lawmakers pass it so he can sign it "during this session" is a hollow gesture; Congress is now in recess until Nov. 18 and will have only a month or so after it reconvenes in which to write new legislation. Mr. Ford knows very well that what he suggested is unfeasible. There is nothing wrong with the bill Congress has sent to the President—it simply seeks to close some of the loopholes that bureaucrats have been using since 1966 to frustrate the intent of the law—so the simplest and best thing to do is to override the veto.

[From the Washington Star-News, Oct. 22, 1974]

THE PEOPLE'S BUSINESS

President Ford's surprising veto of legislation to expand the public's access to information about government will, beyond much doubt, go over very poorly with the public. We expect that many Americans are sadly noting the contradiction with his promise, upon taking office, that this will be an administration "of openness and candor." In his personal performance he has brought a refreshing openness to the presidency, but in this veto he sided with the agencies that want to conduct much of the public's business in secrecy.

Astonishingly enough, that includes most agencies—not just those engaged in sensitive diplomatic and defense fields. Most of them were opposed to the strengthening amendments to the Freedom of Information Act which Ford vetoed. These were passed by Congress to remedy serious deficiencies

which have shown up in the 1966 act, including one that came to attention very sharply in a Supreme Court decision last year. It turned out that the law had not empowered courts to look behind the "classified" designation which agencies place on documents. If a citizen wants information bearing this stamp, the judiciary cannot decide whether the classification is being used justifiably or capriciously. Hence the agency label prevails and access to the information is denied.

This vetoed legislation would have ended the vast coverup potential inherent in such a system by allowing federal judges to decide, in privacy, whether documents have been classified properly. Ford fears for defense and diplomatic secrets under such a provision for judicial review, but the safeguarding procedures agreed upon by Congress seem adequate. He also was troubled by a proposed time limit for providing information sought by citizens or the press, and in general favored having less "administrative burden placed on the agencies . . ."

The problem is that administrative ingenuity now is applied all too often to delaying the release of requested information indefinitely, and hiding mundane facts behind labels of official secrecy. Official bumbles still can be covered up too easily by these and other methods which the 17 amendments vetoed by Ford would render largely inoperative. We think the public wants, more than ever before, to see the workings of government illuminated, and the bureaucracy can very well take on some added burden—indeed some strict accountability—for that worthwhile purpose.

Congress realized that fully, in passing this legislation with only two dissenting votes in the House and none in the Senate. With that sort of majority an override of Ford's veto—which certainly is called for—should not be too difficult when Congress returns next month.

ANTI-SEMITISM

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. FRENZEL. Mr. Speaker, the anti-Semitic statements of Gen. George Brown, Chairman of the Joint Chiefs of Staff, have by now been roundly denounced by Americans of all political and philosophical persuasions, including the President of the United States. I, of course, join in those denunciations. Despite America's official proclamations of tolerance, equality, and love, bigotry, racism, sexism, and intolerance are closer to the surface of our society than most of us would like to admit. General Brown's remarks revealed some of the ugliness from which few of us are immune.

It is, of course, necessary that anti-Semitism, and other bigotries be promptly identified and promptly denounced. Denunciations do not change attitudes, but they do signify that intolerance is not the accepted norm in our society.

General Brown has been justifiably and necessarily criticized. But, the Brown incident ought to be more than an opportunity for politicians to scourge an easy target. The incident ought to be a grim reminder that there is some of the best in all of us. It ought to remind us of goals

as yet unachieved, and of the need to work even harder to attain a society of equality and tolerance.

MAKING THE CASE FOR NUCLEAR POWER

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. PRICE of Illinois. Mr. Speaker, this Record and the public media continue to print articles concerning the safety of civilian nuclear powerplants. These articles are authored by persons whose qualifications run the entire gamut from unsuitable to highly qualified. The concerns expressed vary from well-intended to—in some cases—totally malicious.

Surely it is a difficult task for the layman, exposed to such divergent opinion, to assess whether his health and safety are "in good hands" or whether it is imperiled by a Federal nuclear licensing agency and an industry which in effect are driving recklessly down the highway at breakneck speed with a bottle in one hand and the other arm around a girl.

It is refreshing therefore to come across such a fine article as "Making the Case for Nuclear Power" written by Mr. Simon E. Rippon, editor of Nuclear Engineering International, in the September 1974 issue of that magazine. Mr. Rippon with unequalled clarity discusses the issues at controversy with respect to the construction and operation of civilian nuclear power here and abroad and offers some views deserving of consideration by both critics and proponents of the nuclear industry.

I include at the conclusion of these remarks Mr. Rippon's article. I commend it to all Members of this body:

MAKING THE CASE FOR NUCLEAR POWER

It is unlikely that the nuclear industry will ever satisfy the more extreme critics of the peaceful uses of nuclear energy with their barrage of questions directed at ever changing targets. But it is important that all those working on the development and exploitation of nuclear energy should be able to explain quietly and carefully to concerned members of the public just what the nuclear issues are and why we think the industry answers are satisfactory

(By Simon Rippon)

The primary motivation for the majority of those working on the development of nuclear energy for peaceful applications is the provision of abundant cheap energy for the good of mankind. Unfortunately this laudable ideal has been sadly tarnished by the onslaught of the critics of nuclear power. They have exploited to the full the current public suspicion of high technology and of large scale industrial activity. Anybody mentioning in conversation that he works in the nuclear industry is now likely to find himself immediately on the defensive when a few years ago he would have been greeted with fascinated questioning. Thus the first task today is to establish that you have not sold your soul to the devil and that you genuinely believe in the ideal abundant cheap energy for a good of mankind. One should also acknowledge that the nuclear industry offers a very challenging and inter-

esting job and that the financial rewards are commensurate with—but certainly not in excess of—one's academic qualifications. It is also important to establish the fact that the big industrial concerns have not entered the business for quick profits—indeed most of the companies that have entered the nuclear business around the world have been shaken to their foundations by losses on early projects and few can see dramatic profits in the future. For the most part the position of industry is that the long term direction of energy supply is going to be increasingly in the direction of nuclear power and therefore for the wellbeing of their company they must establish a foothold in this sector of the business in spite of the heavy initial costs.

While establishing the sincerity and integrity of those working in the nuclear industry, it is important not to fall into the trap of attacking the sincerity of the critics. They too believe that their actions are in the best interests of mankind and in many cases they are prepared to accept a relatively modest life style as a demonstration of their sincerity. Admittedly, some of the more prominent anti-nuclear speakers can demand an honorarium or generous expenses for their appearances, and an anti-nuclear writer can certainly earn more than a proponent of nuclear power. But the only people making a lot of money as a result of the nuclear controversy are the lawyers—on both sides.

DO WE NEED SO MUCH ENERGY?

The question of whether we need abundant cheap energy is the one with which the nuclear critics have made most impression on the general public. In the advanced industrial countries, and in particular in America, people are very aware of the fact that the habits of mankind have become scandalously wasteful. If asked in an opinion poll whether they would accept a simpler life style in the interests of less pollution, a very substantial majority of the public would probably say "yes." At times of national emergency the public have even demonstrated that in response to massive propaganda campaigns they are capable of making savings in their use of energy for limited periods.

In arguing the case for nuclear power it would be very wrong to challenge this very real public acceptance of the concept of a simpler life style but it is worth pointing out, with regret, that it is not a wholly practical solution. When asked at a press conference what was his solution to the energy crisis, Ralph Nader suggested that Americans could willingly accept a 40 percent reduction in energy consumption. This seems distinctly optimistic in the light of the events of the last nine months. In the U.K., with a miners' strike during the winter oil crisis, domestic consumers responded to an extensive advertising campaign with an initial saving of about 20 percent, but as the emergency continued there were signs of the Dunkirk spirit waning. The inability to sustain personal economy has also been seen with the worldwide return of motoring habits to their former depressing extravagance since the oil crisis. Even if Americans, who consume a third of the world's energy were to achieve the spectacular 40 percent reduction, the rest of the world with a per capita consumption of energy which is less than one fifth of the U.S. figure could hardly be expected to accept a significant reduction in energy demand until the gap between the haves and the have-nots has been closed a little bit more. And raising the average standard of living of the rest of the world with some 3500 million people is going to take more than 40% of America's energy.

Forecasting true energy requirements in different parts of the world is a notoriously difficult task and even the most knowledgeable experts produce widely differing projections. This state of confusion makes it very difficult to answer those who say "do

we really need so much energy". The most important points to get over are the general trend of growth in energy requirements and the relative contribution of different primary energy sources. It is then reasonable to argue that even with major programmes of energy conservation it is not going to be possible to limit the momentum of the growth trend overnight and any new alternative sources of energy are unlikely to make any rapid impact on the general pattern of primary energy consumption.

The colourful diagram on the front cover of this issue is an attempt to present the world energy flow situation, with a common scale for different types of energy, as it might be expected to develop over the next ten years. This is a simplified version of a series of diagrams devised by the staff of the U.S. Joint Committee on Atomic Energy in an excellent report on "Understanding the National energy dilemma" prepared in 1973. The version on our front cover has been adapted to incorporate the whole world using the best averages that we could derive from the many published figures of national and regional energy requirements. An attempt has also been made to apply some reduction in overall growth rate that seems probable as a result of a general slowing down of economic development and at the same time some readjustment of the relative contribution of the different primary energy sources has been made as a likely outcome of world oil prices. We would claim no great accuracy for this diagram—we must even admit to some artistic licence in adapting it as a front cover design—but it gives a feel for likely trends and provides some pointers to the way in which we should strive to modify the pattern of energy usage later in the century.

The percentage increase in the nuclear energy contribution in the next ten years is larger than any other sector and represents something like 400,000 MW(e) of installed generating capacity—a requirement that will strain the resources of the world's nuclear industry to the absolute limit. But bearing in mind the fact that a common energy scale has been used throughout the diagram, it is apparent that growth in demand for oil is going to be larger than the nuclear contribution while coal and gas will only be slightly less. Thus, it looks as if all the main sources of primary energy are going to be stretched to the limits of their potential growth over the next ten years in meeting a growth in end use which is a good deal less than the traditional ten year doubling normally associated with a reasonable evolution of standard of living in advanced countries. If conservation measures do start to bite in the next ten years most sectors of the energy industry will probably breathe a sigh of relief.

Before leaving our front cover diagram it is worth mentioning some of the conclusions that can be drawn from it with regard to the directions in which we should be making efforts to improve the long term situation. Clearly there is a desperate need to try to reduce the amount of wasted energy and in the case of electricity production this means higher thermal efficiencies and diversion of some of the waste heat into domestic and industrial uses. It would also be nice to see flow of nuclear energy directly into the industrial sector without going through the electricity production stage. One might even see a small nuclear contribution to the transportation sector in the form of nuclear ships. The sizable increase in the contribution of gas over the next ten years reflects mainly the influence of oil prices in Western Europe, but taking a lesson from America, it should be recognized that the limited natural gas resources can only be considered as a stop gap solution. In the longer term this will have to be replaced and the best prospect would seem to be a large increase in gasification of coal with nuclear energy.

chestra. Anniston, down the road from here has a Shakespeare Festival every summer. In Atlanta and New Orleans, small professional theaters are surviving without Government support.

There is hardly a city in the South with a population of more than 50,000 that does not entice traveling professional theater groups at least once or twice a year, communities that do not have their own symphony and opera companies hire them elsewhere and pack the high school gymnasiums when they arrive.

IMPROVING AN IMAGE

But nowhere have the arts, performing and otherwise, shown more growth in the last few years than in Birmingham. Part of the growth is attributed to the leadership's desire to clean up the city's image after the civil rights turmoil of the early nineteen-sixties. But a large part seems to spring from a simple yearning for broadened experience.

A sampling of what Birmingham offered in the first two weeks of October included the ballet 'Coppella' by the dance troupe of the University of Alabama here; Beethoven's Ninth Symphony by the Birmingham Symphony Orchestra and the Birmingham Civic Chorus in the new 3,000-seat Birmingham Concert Hall; a free concert of Schoenberg, Willaert and Mendelsohn by a chamber group from the orchestra in the new 800-seat theater; the musical "Don't Bother Me, I Can't Cope," brought from Broadway; a concert by Dionne Warwick; a dance program by the city's Black Fire Company; the 11th annual Bluff Park Arts and Crafts Show, and the publication of "Jericho, the South Be-held," a \$60 book of art and poetry by two Southerners Hubert Shuptrine and James Dickey.

Van Cliburn played Tchaikovsky's First Piano Concerto at the concert hall's opening Oct. 3.

Most of this cultural binge was designed to celebrate the opening of the two most prestigious sections of the city's new civic center, the concert hall and the theater. An exhibition hall already was in use. The foundation will be laid soon for the coliseum. The entire center, covering 23 acres, will cost about \$60-million.

ENERGETIC LEADER

The civic center was conceived by a group of city leaders during the troubled mid-sixties as an antidote to Birmingham's reputation as a pit of racial violence. To guide its construction through the anticipated maze of financial and political problems, the leaders selected Mr. Lacy, a lawyer and lobbyist for the Alabama Gas Company, as chairman of the center commission.

Mr. Lacy knew about bonds and high finance. He also knew how to pass legislation at the state capital in Montgomery. He set to work in 1965.

Spending up to 40 per cent of his time on this volunteer project, Mr. Lacy obtained Federal urban renewal money to clear the 23 acres of tired old businesses and alarm houses. He conducted a national architectural competition and helped pick the winner, George Qualls of the Philadelphia firm of Geddes, Brecher, Qualls and Cunningham, from among 276 entrants.

Mr. Lacy also negotiated with 11 railroads to move their tracks. And he masterminded a state law to pay for the center with a new tax on tobacco and Birmingham hotels. When that proved inadequate, he finagled part of the revenue from a new half-cent sales tax in Jefferson County to pay off the center's bonds.

"POSITIVE PUBLICITY"

"It began as a means of getting positive publicity after all the bad publicity the city had had," Mr. Lacy said in an interview the other day. "Our young people were leaving and not coming back. We decided we had to do something."

Along the way, the center became more

than a public relations gimmick. Mr. Lacy and many others now speak of the sprawling, sand-colored buildings with deep pride. But most of their talk is about the people, plays, music and art that will inhabit the buildings.

The chief tenant will be the Birmingham Symphony. When Amerigo Marino, the conductor, hurled his arm toward the floor and the orchestra began playing "The Star Spangled Banner" on the opening night early this month, the new concert hall rippled with electricity. And it was not just patriotism. The audience seemed to sense that it had an orchestra worthy of the splendid new hall.

"I remember in 1946 going all over town to raise \$17,000 for the symphony's maintenance fund," Mrs. David Roberts 8d, now chairman of the Alabama State Council on the Arts and Humanities, said recently. "I think the whole budget that year was \$55,000. They played in an old rundown auditorium at Phillips High School."

Mr. Marino now has a budget of more than \$500,000. He also has an orchestra of 80 musicians, compared with 50 when he came here from Glendale, Calif., 10 years ago. The orchestra plays a 30-week season and takes its music to 20 other Alabama communities.

Many things undoubtedly account for the changed attitudes that have made the arts boom here, but two institutions get much of the credit: the University of Alabama in Birmingham and Cecil Roberts.

The university was established here in 1966 after having been a branch of the main university at Tuscaloosa for many years. It has attracted new blood from elsewhere and has fertilized the arts through such agencies as town and gown theater and chorus and ballet companies.

Mrs. Roberts moved to New York from England in 1926. She married a young coal mine owner during World War II, and moved here to his home town in 1945. She immediately set about straightening out this dirty, tough industrial city. She has worked with almost every civic and cultural group here, from town and gown theater to the state branch of the American Federation of Labor and Congress of Industrial Organizations, for which she is cultural adviser.

LED INTEGRATION MOVIE

She desegregated public theater in Birmingham at the height of the racial tensions by walking down the aisle of an auditorium on the arm of Dr. John Nixon, the Local president of the National Association for the Advancement of Colored People. Despite that Gov. George C. Wallace recognized a fellow force of nature and appointed her as chairman of the State Arts Council a few years ago.

The mixture resulting from all this is heady. Oliver Roosevelt dance critic of The Birmingham News, ended his review of a performance by the Birmingham Civic Ballet by saying, "During our ballet intermission, we could look out the mural windows and see the audience lining up for the Dionne Warwick show a couple of hundred feet away. That's kind of uptown, now, isn't it?"

Mrs. Roberts considers the new concert hall and theater "the carnation in the button hole" for Birmingham.

"I frankly think we have more good things going than Atlanta," she said.

CITIZENSHIP AWARD

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. HANRAHAN. Mr. Speaker, Mr. William Borhauer, who resides in Illinois' Third Congressional District, was re-

cently awarded the "Citizenship Award" by the Mount Greenwood Civic Association. Many residents of Mount Greenwood had been complaining about the many nuisances in the neighborhood. Mr. Borhauer worked with the police on these problems, and many of the nuisances are now lessened. This award was given to Mr. Borhauer in appreciation by the residents of Mount Greenwood.

CONGRESS URGED TO OVERRIDE VETO OF H.R. 12471, FREEDOM OF INFORMATION ACT AMENDMENTS—II

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the President's ill-advised veto of H.R. 12471, making urgently needed improvements in the Freedom of Information Act, has evoked widespread attention from newspapers throughout the Nation. Dozens of incisive, thought-provoking editorials have appeared during the past month urging that Congress act promptly to override the veto so that the American public's belief in "open government" might be restored.

So that our colleagues may know of this overwhelming expression of sentiment supporting action by Congress to override the veto of H.R. 12471, I include at this point in the RECORD another sample of these articles and editorials:

[From the Washington Post, Oct. 21, 1974]

A REGRETTABLE VETO

President Ford's assurances of openness in government were dealt a serious blow by his decision Thursday night to veto the amendments to the Freedom of Information Act. Those amendments, intended to make it easier for citizens and the press to learn what is going on within government, could have played an important role in bringing about that promised openness. Congress was willing; the amendments passed both houses by substantial margins. But Ford chose instead to accept the counsel of the bureaucracy that these changes in the law somehow menaced the operation of government.

The section that caused the President to bring down the weight of his veto power provides that documents that are stamped "secret" must be proved to contain valid secrets if a citizen or a reporter seeks to inspect them. An orderly mechanism was provided for seeing this purpose through. The legislation required that, when a dispute arose over such a document, a federal district court judge would inspect the document in private and determine whether it was in the public interest for the document to be released.

There were other provisions of the act, all of them of paramount importance in the effort to make the government more accountable to those it seeks to serve. The new legislation would have reduced the number of days within which an agency would be required to say whether it intended to provide the public with a previously withheld document. The FBI and other investigative agencies would no longer have been able to withhold material unless they could justify doing so on the grounds that a current investigation or a defendant's rights would be compromised. And, perhaps most important of all from the bureaucrat's vantagepoint, if an official withheld a document and the court decided the document should not have been

Maraziti (R-NJ). The National Organization For Women had publicized the anti-choice activities of these men across the nation. "We believe that the American public stood shoulder to shoulder with feminists on this issue. In times like these, how could any voter support the negation of the civil right to privacy and the institution of compulsory pregnancy and mandatory motherhood by these men? Voters rejected it just as feminists do," stated Ann Scott.

On the other hand, all of the smaller but courageous band of Representatives who opposed the legislation of Hogan, Froehlich and Roncallo against legal abortion and the provision of same to women who could otherwise not afford it, were returned to Congress. This group includes Representatives Abzug, Chisholm, Schroeder, Brown, Dellums, du Pont, Edwards, and Fraser. "We hope that this year's election returns will give more men in Congress the courage to stand up to the compulsory pregnancy crowd and say, 'What you propose is wrong—it is a violation of the civil rights of women and men in this country, and we will not support you,'" continued Ms. Scott.

A spokesperson for N.O.W. also pointed to some significant victories in the U.S. Senate races. Ms. Jan Liebman pointed to the victory of Senator Birch Bayh (D-Ind.). "At the 'Lifers' rally in Indiana, Mayor Lugar declared he would support and work for passage of the Buckley compulsory pregnancy amendment. Senator Bayh, the courageous chairman of the Senate Subcommittee on Constitutional amendments refused to make such a commitment. The voters of Indiana supported this man's clear stance and integrity."

Ms. Liebman continued, "Those members who did not waffle or try to play coy games with the Right-To-Life won. Those members who obfuscated and obscured their position on the Right-To-Choose motherhood did not fare as well. We believe this is because the public wants to support members who demonstrate integrity and leadership, especially with regard to matters as private and personal as the decision of whether or not to bear or beget a child. No one, whether conservative or liberal would be happy to see HEW bureaucrats with their briefcases descending on women and their families to force them to bear children for the state. We cannot support the Federal government stripping poor women of the right-to-choose by closing the door on abortion services to them. This is just not the American way."

Among others claimed as victories for N.O.W.'s Right-To-Choose program were Senators Glenn, Cranston, Culver, Hart, Javits, Stone, Magnuson, and Packwood. "No U.S. Senator who supported N.O.W. in our efforts to preserve our civil right to privacy and choice was defeated."

BISHOP ROY C. NICHOLS: A
COMMUNITY LEADER

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. MURTHA. Mr. Speaker, it would be quite enough to say of a man that he is the spiritual and administrative leader of 1,050 churches with 272,000 members in the Western Pennsylvania Conference of the United Methodist Church.

But add to that, if you will please, these accomplishments for one man in a

lifetime: Organizing pastor of South Berkeley Community Church in California, one of the first interracial churches in the Nation; stimulating community activity in Harlem with a community center; forum chairman of the 1970 White House Conference on Children; pastor of "The Christian Answer" and other radio and TV shows.

It seems like a great deal for three or four men to do in a lifetime. But all that and more has been done by Bishop Roy C. Nichols. And add to that list that Bishop Nichols succeeded in having a successful family life with three wonderful children.

It is certainly fitting that Bishop Nichols be honored by the community of Johnstown for his outstanding work. It is a pleasure for me to add my personal congratulations, and I know I extend to him all the best wishes of the U.S. House of Representatives.

NIX CALLS FOR THE RESIGNATION OF GENERAL BROWN

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. NIX. Mr. Speaker, I was shocked to learn last week of the anti-Semitic remarks made by Gen. George Brown, Chairman of the Joint Chiefs of Staff, in a talk at Duke University last month.

General Brown has quite properly apologized for his crude remarks on the "Jewish influence" in this country. He insists that he is not anti-Semitic and says that his remarks were "unfortunate and ill-considered." Nevertheless, his crude and reckless statements, coming as they do from the highest ranking officer in our Armed Forces, lead me to believe that he is unfit to continue serving in that role.

His comment that "Jewish money" controls the banks and newspapers in this country is a mindless and vulgar ethnic slur. His apparent belief that American Jews should be held responsible for the extortion of the oil cartel echoes the propaganda line of the Arab terrorist organizations.

General Brown has insulted Congress by implying that congressional sympathy for Israel is dictated by a foreign lobby. His apparent dislike of U.S. policy in the Middle East has raised a serious question of his ability to conform to policies set by his civilian superiors. And finally, his reckless indiscretion has set a terrible example for men and women in military uniform.

I must conclude, Mr. Speaker, that the only decent and proper course for General Brown is to submit his resignation as Chairman of the Joint Chiefs of Staff. If he does not do so voluntarily, I believe President Ford should demand his resignation. In these troubled times we cannot have a man as our highest military officer who is given to such outbursts of intemperance and bigotry.

BIRMINGHAM, ALA. REVIVES THE PERFORMING ARTS

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. BUCHANAN. Mr. Speaker, I have come to the floor many times over the last 10 years to report to our colleagues on the tremendous strides being made in the city of Birmingham, Ala., which it is my privilege to represent in the Congress, by the people there.

Often these accomplishments go unnoted by those outside our city and State and so I am particularly pleased when those in other parts of the Nation are provided the opportunity to share this recognition of the growth of our city.

This morning's New York Times records yet another of our major accomplishments—the beginning of a new era for culture and the arts in the Birmingham area. The recent opening of the concert hall and theater in our multimillion dollar civic center complex is the culmination of many years of hard work and cooperation by many citizens from all walks of life in the Jefferson County area.

This cooperation reflects the spirit and dedication which pervades virtually every aspect of Birmingham life today.

I have been telling my colleagues for 10 years that Birmingham is a city which I am proud to represent and I am delighted that there are others who likewise appreciate what our city has come to mean to Alabama, the Southeast, and the Nation.

I include herewith the text of the New York Times article for the edification of our colleagues:

BIRMINGHAM LEADS SOUTH ART REVIVAL (By Roy Reed)

BIRMINGHAM, ALA.—Any sane gambler would have known instantly where to put his money if he had been asked to bet on which this city would build first, a sports coliseum or a music hall and theater.

"Birmingham, football capital of the South," the street banners say, and the frenzy does not stop there. Any sport that promises bodily collision and partisan fervor draws spectacularly here. The coliseum would have won hands down.

So how does it happen that Birmingham has just dedicated a new multimillion-dollar concert hall and theater complex while the grand sports coliseum is still nothing but a set of blueprints and a hole in the ground?

Alex Lacy, a political wizard who led the city elders in making that choice, explained it this way:

GROWTH STOCK

"We knew there would be plenty of pressure from the public to build the coliseum, and raising money for that would be no problem. But if we waited until last to build the concert hall and the theater, the pressure from the public would be less and we might have had to reduce the cost or cut them out all together."

Through a combination of stealth and hard work, the arts have become the hottest growth stock in Dixie. Everywhere in this region, from cities to crossroads villages, the hunger is growing for artistic expression, especially for the performing arts.

Arkansas has a respectable symphony or-

THE HOUSE COPS OUT

HON. WILLIAM A. STEIGER
 OF WISCONSIN
 IN THE HOUSE OF REPRESENTATIVES
 Monday, November 18, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, many columns and editorials from around the country in recent weeks have nightly criticized the House for its rejection of the work of the select committee. Two of the best were in Business Week on October 19 and the Washington Star-News on October 16 and I am placing them at this point for the enlightenment of all RECORD readers:

THE HOUSE COPS OUT

Once again, the House of Representatives has marched into the 20th Century with a bill to reform its archaic committee system. And once again, the committee chairmen have rallied to defend their privileges and send the rank and file into retreat.

The bill, carefully constructed by a bipartisan special committee, would have made sense out of the chaotic jumble of conflicting jurisdictions. In four major areas—transportation, health, energy, and environment—it would have consolidated responsibility in single committees. And it would have stripped the overloaded Ways and Means Committee of issues such as foreign trade and health insurance that are not directly related to revenue-raising.

The measure that the House finally adopted is a sadly shrunken version of the original. It makes some minor changes in jurisdiction, but it leaves most of the old overlaps untouched. Ways and Means will remain a bottleneck. It not only will keep responsibility for taxes, Social Security, foreign trade, and welfare, but its Democratic contingent also will continue to control all new committee assignments.

As a result, the House will come into its next session with the same old confused, inefficient procedures. Responsibility for key issues, such as environmental protection, will be divided. Health problems will be split several ways. And Ways and Means, which labored interminably for two years on tax reform without getting a bill to the floor, will continue to have too much power and too little time.

There is nothing in the rule book, however, that says that the new Congress has to abide by the mistakes of the old. It is significant that the junior members, who have a minimum stake in the Congressional seniority system, supported the reforms. In the Congress that will convene next January, there will be many more juniors—perhaps one out of every seven or eight House members. The reformers should try again in 1975.

Congress has complained for years that the executive branch was pushing it aside. If Congress wants to recapture power, it must be able to act effectively. With its present committee system, it cannot.

RETREAT FROM REFORM

House members marched up reform hill the other day and ran back down as fast as their legs would carry them.

The result is that when the new Congress convenes next year, the House still will operate under its old hodge-podge, oligarchic committee system. Committee chairmen and senior members will be able to settle into their accustomed niches that have grown comfortable over the years and have provided many of them with the influence and perquisites of power. The attendant cozy relationships that have been built up among committee members and the lobbyists who ply the committee rooms

withheld, the official might be required by the Civil Service Commission to give an account of his actions.

All of these provisions were in the spirit of the kind of relationship between government and the public that Mr. Ford assured the Congress he wanted when he made his first appearance before a joint session only days after taking office. Now he has vetoed a piece of legislation that sought to overhaul a well-intentioned law that has languished ineffectively for nearly a decade. In so doing, the President has put it up to both houses of Congress to muster the votes to make the Freedom of Information Act a more effective servant of the public's right to know.

[From the Milwaukee Journal, Oct. 21, 1974]
 MEDIA FIGHT INFORMATION BILL VETO

WASHINGTON, D.C.—News media lobbyists have started a grassroots campaign among editors in large and small towns across the nation in hopes of making sure Congress overrides President Ford's veto of changes in the Freedom of Information Act after the November elections.

The campaign began within hours after Ford vetoed the revisions, which were designed to make it easier for public access to government documents.

"There are going to be a lot of lame duck congressmen coming back here who are looking for jobs in the Ford administration," said Sam Archibald, a leader of the lobbying effort.

The campaign is designed to secure pre-election pledges from incumbents that they will vote to override the veto.

Archibald, a journalism professor at the University of Colorado, lobbied for the act to be strengthened during the House-Senate conference which worked out the compromise both bodies accepted.

The Senate approved the changes by voice vote Oct. 1. Only Sen. Roman Hruska (R-Neb.) spoke against it. A week later, the House voted 349 to 2 in favor of the revisions.

Bill Mullin, general counsel of the National Newspaper Association, which represents 6,000 daily and weekly newspapers, said his organization had sent letters to all its members, urging them to get commitments from all incumbent congressmen.

A similar drive was made by the American Society of Newspaper Editors.

[From the Utica (N.Y.) Press,
 Oct. 30, 1974]

MORE SECRECY?

One might think that after Watergate, government officials would be falling all over each other to assure full disclosure to the public. But no, on the contrary, President Ford has vetoed proposed amendments to the Freedom of Information Act.

Apparently, Watergate was not enough to convince the White House staff that the public will not stand for unnecessary secrecy, which can be a simple means of covering up wrongdoing.

But, unless Congress overrides the veto, the bureaucrats are going to go on classifying documents that the public should have every right to see.

If you don't want your right abridged—in other words, if you don't want the seeds of another Watergate to flourish—demand that Congress strike down this veto.

[From the Chattanooga Times, Oct. 23, 1974]
 A BLOW TO OPENNESS

President Ford's veto of legislation containing 17 amendments to the 1966 Freedom of Information Act is depressing news, coming as it does in the wake of two national tragedies—Watergate and the Vietnam war—which might have been ended

sooner had not the leaders involved been able to hide their actions in secrecy.

The FOI Act required the federal government and its agencies to make available to citizens, upon request, all documents and records. There were exceptions—national security or foreign policy information, internal personnel practices, trade secrets, personal information, law enforcement investigatory information, and the like.

But difficulties soon developed. Citizens complained about bureaucratic delay, the cost of bringing suit to force disclosure and excessive charges levied by agencies for finding and providing the requested information. Then, in 1973, the Supreme Court ruled that Congress had not given the courts the power to go behind a "classified" stamp on information sought by a citizen under the law. In short, classification meant exemption.

The amendments to the law sought to clarify the matter, especially the Court's decision. One amendment gave federal courts the power to obtain improperly withheld documents and examine them privately to determine if they had been properly exempted.

It was to this point that Mr. Ford explicitly referred in his veto message, objecting to the courts' being permitted to make what amounts to "the initial classification decision in sensitive and complex areas where they have no expertise."

This is nonsense. Such a sentiment presupposes that federal judges lack sufficient common sense or integrity to enable them to rule against the release of national security information.

This means that citizens will continue to have difficulty obtaining information improperly withheld because some bureaucrat who has made a mistake has hidden it behind a "classified" label.

Mr. Ford has promised his own proposals for broadening the FOI legislation. But can we be sure that he will come forth with anything other than that which seeks to protect, first of all, the interests of the federal agencies who would be affected by the bill? The best answer appears to be: Not likely.

[From the Denver (Col.) Post, Oct. 20, 1974]
 FORD VETO OF NEWS BILL RAPED

CHICAGO.—The society of professional journalists, Sigma Delta Chi (SDX), has criticized President Ford for vetoing legislation to broaden the Freedom Information Act.

In a Statement Friday, Ralph Otwell, national president of the 27,000-member Sigma Delta Chi, said, "For a President who is publicly committed to a more open and honest administration to oppose significant reforms in freedom-of-information legislation is both startling and disappointing."

Both houses of Congress overwhelmingly approved 17 amendments to the 1966 act. One significant reform would require judicial review of defense information and foreign policy before such information could be withheld. Federal agencies connected with foreign and domestic intelligence, including the National Security Agency, have opposed the changes.

With his veto Thursday, Ford said he would offer his own legislation soon.

"Both the Vietnam war and Watergate dramatically demonstrated that fuller access to information and earlier enlightenment of the public would have spared the nation prolonged confusion and torment, but President Ford's veto suggests that his administration is pursuing a discredited policy of cover-up-as-usual," said Otwell, who also is managing editor of the Chicago Sun-Times.

He said the organization would try to spearhead a congressional override of the veto.

looking for favors will remain essentially undisturbed.

For six days the House debated reform and in the end it scrapped a bold proposal drafted after a two-year study and a million-dollar expense by a bipartisan committee headed by Representative Richard Bolling of Missouri. Bolling would have abolished two committees, created two new ones, and split another. He would have re-juggled the work of committees into more logical groupings. He would have prohibited members from serving on more than one major committee so that junior House members would have a better share of the work.

The House would have none of it. Why? Mainly because of self-interest. It would have upset too many powerful chairmen, such as Wilbur Mills, whose Ways and Means Committee would have been shorn of more of its jurisdiction. Too many members—108 to be precise—would have had to give up at least one of their committee assignments. Influential organizations, such as the AFL-CIO, were opposed to major features of the reform plan.

As they raced back down reform hill, House members did pause long enough to adopt something they called "reform"—an anemic program that bears next to no resemblance to the Bolling proposal. They gave the Speaker a little more leeway in assigning work to committees; they're going to get organized a little earlier in the legislative year; they're going to make Mills organize four subcommittees instead of doing all the Ways and Means Committee's business in one room before all members; they're going to give the Republican minority more committee staff personnel.

They provided for a continuing study of committee jurisdictions and work loads with a view to possible changes sometime in the future. Swell! Perhaps they can spend another two years and another million dollars so they'll have something to reject at the next debate over reform.

Bolling, while disappointed, preferred to look on the bright side. He called it a "start." Well maybe, but just barely.

TRIBUTE TO CHESTER NESLEY, JR.

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. PATTEN. Mr. Speaker, on October 14, I attended a wonderful affair in honor of a great man, Chester Nesley, Jr., was given a testimonial dinner by his many friends and associates, and I like to consider myself among them. Chet, as he is better known to those close to him, has given unselfishly of his time and energies to the betterment of his fellow man.

Aside from being an accomplished musician, he has been active in the first aid squad, the fire department and his church; all of the above is accomplished in his spare time. Most of his life, Chet has worked as an ironworker in Local 373 of Perth Amboy and holds the office of treasurer in that local. During the past decade he has established himself as an outstanding labor leader in the field of music. For the past 12 years he has held the post of secretary-business manager of Local 373, American Federation of Musicians, and continues to serve with dedication and integrity in this office. He is known statewide and nationally for his

many contributions toward achieving status and recognition for all musicians.

Whatever the task and no matter how difficult, Chester Nesley always comes through because he has those outstanding qualities only a few of us are gifted with.

He has compassion for his fellow man, a keen understanding of people and their problems, a deep sense of loyalty to his job, and integrity. We are indeed fortunate to have Chet Nesley as a friend.

SCIENCE AND ITS PUBLIC: THE CHANGING RELATIONSHIP

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. TEAGUE. Mr. Speaker, in the summer issue of *Daedalus*, the Journal of the American Academy of Arts and Sciences, Emilio Q. Daddario, a former Member of Congress and presently director of the Office of Technology Assessment, discusses the importance of science policy in relationship to national decisionmaking and public programs. Mr. Daddario writes that the growing and changing role of science and technology in the affairs of the American society calls for more, not less, attention to planning and support of science research and development.

Since July of last year, the Committee on Science and Astronautics has been holding hearings on this matter, "Federal Policy, Plans, and Organization for Science and Technology." The testimony to date strongly supports the major point made by Mr. Daddario in the following article. I hope my fellow Members of the Congress will agree on the central role of science and technology in solving major problems in our society.

The article follows:

SCIENCE POLICY: RELATIONSHIPS ARE THE KEY (By Emilio Q. Daddario)

Appearing before a Congressional committee in 1970, A Hunter Dupree, professor of history at Brown University, showed that he was a prophet as well as a historian when he said, "The present organization charts that I have seen put the structure for science and technology, which has been now for two decades building, nowhere near the interior circle where the President must make priority decisions."¹

Lee DuBridge, then the Director of the Office of Science and Technology in the Executive Office of the President, as well as his Science Adviser, replied to that assertion when he appeared as the next witness.

"I was a little amused to note that apparently Dr. Dupree in his testimony . . . said that the Office of Science and Technology had been wiped off the organization charts. I don't know what organization charts he is looking at, because that was certainly news to me! I think it must be news to the President, too, since he gave a special reception in honor of the President's Science Advisory Committee the other evening. I don't think he realized we were off the organization Charts."²

Dupree knew, of course, what the organization charts looked like, but his observations were a way of saying that the Office

¹Footnotes at end of article.

of Science and Technology did not really have the ear of the President and that it was not effectively involved in top-level decision making. Neither then nor now can White House receptions and ceremonies make up for this deficiency. That all of the White House structure for science and technology was liquidated in January, 1973 is not in itself important. For some time up to its dismantling it had been unable to carry out the legal responsibilities assigned to it by President John F. Kennedy in 1962.

It is no longer seriously questioned that the federal government must assume the primary responsibility for supporting science and its applications to public programs. Indeed, the network of agencies throughout the federal bureaucracy which deal with one aspect or another of science and technology is astonishingly complex. Yet during the past few years these agencies have frequently pursued their separate tasks with little coordination, suggesting that policy making has been the handmaiden of expediency. The question, then, is whether science and technology are seriously and effectively considered in the highest councils of government.

For there does need to be a specific place in government for the coordination, sponsorship, and advocacy of government science and technology, and a group of scientists at that focal point on whom the President can depend and whom the scientific community respects. If the lower levels of the federal bureaucracy are to be responsive to the science policy of the President, then there must be an organizational structure which will coordinate their efforts. Equally important, there must be evidence that there is a coherent science policy, which, in turn, implies the need for a broad understanding of the multiple tasks that need to be done, as well as for sufficient outlays of government funds in their support.

These, then, are the basic ingredients around which a constructive science policy can be formed. Unfortunately, however, science policy making seems to have become synonymous with justifying programs already underway, or with improvising others on the spur of the moment to meet one expedient or another. One need only review the makings of the federal research and development budget for fiscal year 1973 to perceive that expediency, not judicious cerebration, lay behind it. In times of tight budgets and inflationary surges, science has always suffered, but lately even the most trivial budget issues have not been too small to prevail over science.

Although the budget for Fiscal Year 1975 includes substantial increases in dollar amounts for science and technology, we must not lose sight of the facts that these increases are tied to the energy crisis and must be measured against the inflationary spiral. When additional support is so precisely related to special problems, it is almost always accompanied by supporting language which reminds us that we work best under the harshest of conditions. It is indeed true that many good things have resulted whenever we have forced science and technology to meet a crisis of one type or another. In FY 1974, for example, it is estimated that the National Science Foundation will obligate \$400 million for basic research, and \$89 million for applied research. For FY 1975, the estimates jump to \$570 million and \$144 million, respectively, with \$113.5 million of the basic research increase allocated for research in the energy field. Such quick adjustments make us wonder, however, if we should so often depend on ad hoc relationships and haphazard funding to give sustenance and life to our scientific research. Somehow we must make it a matter of policy to work out a course of action within which the key is continuity and predictability of support in keeping with recognized national goals and objectives. Unfortunately, we must still con-

municate clearly, locate information, solve problems and make judgments by finding their own value systems.

Dr. Lindaman foresees colleges functioning more as resource centers for an in-depth, all-involving kind of learning. It will not be just a place to spend 4 years of one's life, but a place to go to, off and on throughout life, to plug into the resources when they are needed. And Whitworth has been changing over, gearing itself to meet these anticipated changes.

I think we should all be grateful to Whitworth College for having had the foresight to build for the future, not only for the future of the institution, but for the future of America.

RESOLUTION OF NATIONAL REPUBLICAN HERITAGE GROUPS COUNCIL

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, under leave to extend my remarks, I am pleased to offer for inclusion in the Record, the resolution that was adopted by the National Republican Heritage Groups (Nationalities) Council, at their annual convention in Boston, Mass., September 1974. Mr. Leon T. Delvannis of Arlington, Va., is the first vice-chairman of this organization.

RESOLUTION OF NATIONAL REPUBLICAN HERITAGE GROUPS (NATIONALITIES) COUNCIL

Whereas, Turkey has committed an act of armed aggression against Cyprus, and

Whereas, Turkey has illegally utilized American arms and defense material to kill or wound thousands of Greek Cypriots and force over 200,000 of them from their homes, and

Whereas, the U.S. Foreign Assistance Act and the Foreign Military Sales Act require as a matter of law that all military assistance cease immediately when the recipient country has violated provisions of the Act, and

Whereas, the government of Turkey committed genocide against the Armenian community in Turkey in 1915, massacring over 1½ million Armenians, the first genocide of this century, and

Whereas, Turkey has historically committed genocide and acts of barbarism against the Ukrainians, the Greek Orthodox, and the Kurds in Turkey, particularly during the years 1915-1922, and continues to persecute minorities in Turkey, and

Whereas, Turkey has unilaterally breached its agreement with the United States to ban opium poppy production and has resumed the growing of the opium poppy production, which represents the source of the heroin reaching the U.S.; and

Whereas, Greece was an ally of the United States in two World Wars and continues to be the key to the Eastern Mediterranean, and

Whereas, we should do everything possible to support and to strengthen representative government in Greece, and

Whereas, the political strategic relationships between the United States and Greece are of overriding importance to both countries and to the free world, and

Whereas, the United States gave full support to Greece after World War II in her fight against Communist aggression: Therefore be it

Resolved, That (1) all military, economic, or other assistance of whatever nature and form from the United States Government to the Government of Turkey be suspended immediately, and

(2) that the United States continue to provide military and economic support to Greece on an accelerated basis; and

(3) that the United States provide humanitarian support for all Cypriot refugees and economic support to the Government of Cyprus.

PRESIDENT'S VETO OF H.R. 12471, FREEDOM OF INFORMATION ACT AMENDMENTS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I am shocked and dismayed by the President's unfortunate and ill-advised action today in vetoing H.R. 12471, the bill making a series of strengthening amendments to the Freedom of Information Act of 1966.

This bipartisan legislation, overwhelmingly approved in both the House and Senate after more than 3 years of congressional study and careful consideration, would help restore the lagging confidence of the American public in their Federal Government by providing greater access to Government records. As we have dramatically witnessed during the Watergate revelations, unnecessary secrecy and the almost paranoiac desire to hide the business of government from the American people and their elected representatives brought about the most grave constitutional crisis in our country in more than 100 years.

President Ford's pledge to open Government made to the American people soon after he took the oath of office had indicated a recognition of the destructive effects of the Government secrecy mania which helped bring about his predecessor's resignation. Less than 2 months ago, President Ford expressed to me as chairman of the House-Senate conference his commitment to open Government and the Freedom of Information Act. In a letter dated August 20, 1974, he stated:

I share your concerns for improving the Freedom of Information Act and agree that now, after eight years in existence, the time is ripe to reassess this profound and worthwhile legislation. Certainly, no other recent legislation more closely encompasses my objectives for open Government than the philosophy underlying the Freedom of Information Act.

In that letter he raised certain questions about specific parts of H.R. 12471, then being considered by House-Senate conferees. We carefully studied his arguments and made certain changes in both the bill language and in the conference report to help allay his concerns. As I told the House when the conference version of the bill was finally acted upon and sent to the White House on October 7, "We have gone 'more than halfway' to accommodate his views."

But it appears that cooperation is not sufficient and only capitulation will suf-

fice, for again, as in the Watergate debacle, the national security umbrella is being used to cover the real reasons for bureaucratic opposition to the public's "right to know." H.R. 12471 would not bare our Nation's secrets, nor in any way jeopardize the security of legitimate national defense or foreign policy matters if the classification markings applied to them were done so properly in accordance with Executive Order 11852.

Mr. Speaker, 8 years ago when Congress passed the original Freedom of Information Act, President Johnson was urged to veto the measure by every single Federal agency. He courageously rejected the advice of the secrecy-minded executive bureaucracy and signed the bill into law. This year, the conference version of the 1974 amendments to the Freedom of Information Act—strengthening its operation and plugging loopholes used by the bureaucracy to hide information from the public—was passed by the House and Senate with only 2 dissenting votes. Predictably, the Federal bureaucracy again geared up its efforts to kill the measure. This time, all but a single Federal agency recommended a veto and unfortunately President Ford succumbed to the scare talk of the bureaucrats, who apparently have so much to hide from the public.

I call upon all Americans who value their freedom and their "right to know" what the massive Federal bureaucracy is doing in their name to contact their individual Senators and Congressmen and urge them to rally behind our effort to override this misguided veto of H.R. 12471 by President Ford. "open government" must not be sacrificed on the altar of bureaucratic secrecy. The hard lessons learned by the tragic Watergate experience must result in some positive achievement to prove to the American people that Congress, at least, is sensitive to the fundamental need for "open government" in our Nation.

MR. ALGIA GARY: A MAN OF THE PEOPLE

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. MURTHA. Mr. Speaker, we can never forget in government that the prime task of government officials rests with the people.

That was brought home to me again in looking over the background of Mr. Algia Gary, who will be honored shortly in Johnstown for his outstanding community work.

Let me list for you just some of the work Mr. Gary has done with people: Currently, he is director of the Equal Opportunity Division of HUD advising on equal housing, employment and civil rights activities; formerly he served in the Pennsylvania Department of Labor handling recruitment of workers, employee-employer relations and other areas of racial relations; former supervisor of OIC helping to train individuals

various satellite nations of Eastern Europe with the basic right of self determination that her people so desperately seek. The people of Latvia continue to be subjected to brutal and dehumanizing treatment at the hands of their Soviet captors. The rights of free press, religion and speech, inherent to the success of free world nations, remain but elusive dreams for the brave people of Latvia.

In our quest to achieve a full détente with the Soviet Union let us not be overly hasty and abandon our commitment to seeking that all people of the world enjoy basic freedom. We must speak out and denounce continued domination of weaker nations by the Soviet Union. The concept of détente is an admirable one, but will be only cosmetic if it does not include a guarantee by the Soviets that they will release the stranglehold they continue to have over such nations as Latvia.

On this important day let us salute the rich cultural heritage of the Latvian people. Let us pay tribute to the contributions which the Latvian American has made to this Nation. And finally, let us pledge our continuing support of the quest of the brave people of Latvia as they struggle to repair a life of freedom and dignity which was so coarsely snatched away from them by the Soviet Union.

CONGRESS MUST NOW OVERRIDE VETO OF FREEDOM OF INFORMATION ACT AMENDMENTS

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. THOMPSON of New Jersey. Mr. Speaker, a recent editorial in the New Brunswick, N.J., Home News, makes an excellent case for Congress to override President Ford's untimely and unwise veto of H.R. 12471, the Freedom of Information Act amendments passed by the House on a 349 to 2 rollcall vote last month.

As the editorial points out:

There is nothing in the legislation vetoed by the President which should alarm any federal government bureaus and agencies—unless they have something to hide. It goes on to point out that the amendments would simply strengthen the provisions of the 1966 act by chopping down some of the bureaucratic barricades to the people's access to their own government.

Mr. Speaker, the best antidote for the Nixon administration's obsession for secrecy that brought on the Watergate mess and its own demise is a strong dose of Freedom of Information—embodied in the provisions of H.R. 12471. I hope that Congress will vote to override the Ford veto of this important measure and commend to our colleagues the full text of the Home News editorial:

CONGRESS MUST OVERRIDE VETO

President Ford's self-proclaimed "open administration" was just two months old when he sent up his veto of Congress's amendments to the Freedom of Information Act. He wants stronger Freedom of Information legislation, he assured Congress, but the measure he

vetoed last month wasn't quite what he had in mind.

Well, Congress has worked on the amendments to the 1966 Freedom of Information Act for nearly three years. It has already reviewed and accepted many of the suggestions for modifications made by President Ford. But it has refused to emasculate the legislation.

Now the time for compromise is over, and when the Congress returns, it should have as one of its first items of business: the overriding of the Ford veto.

There is nothing in the legislation vetoed by the President which should alarm any federal government bureaus and agencies—unless they have something to hide. The amendments would simply strengthen the provisions of the 1966 act by chopping down some of the bureaucratic barricades to the people's access to their own government.

An "open administration" is just a meaningless phrase so long as bureaucrats can delay and impede and frustrate the citizens' access to information they have a right to see. President Ford's veto of amendments to the Freedom of Information Act is a veto for secrecy. The Congress must override it and reaffirm the right of citizens to know.

NO RELIEF FOR SOVIET JEWS

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. PEYSER. Mr. Speaker, in spite of the grand statements from the Soviet Union about their intentions to cease harassment of Soviet Jews and to change their present emigration policies, their harassment has not stopped and there has been no easing in their restrictive emigration policies.

During the past recess, I learned about several other cases of harassment of Soviet Jews who desire to emigrate. One concerns a poor Jewish Soviet young man, Aleksandr Silnitsky of Krasnodar, Ukrainian Republic. Mr. Silnitsky's only crime was a simple request to leave the Soviet Union and for this, he has been harassed and tormented by the Soviet Secret Police.

Another case concerns a family, the Vinkovetsky's of Leningrad. Mr. and Mrs. Aron Vinkovetsky have twice had their visa applications denied on the basis that his work as a naval engineer dealt with secret matters. This is an absurd argument, as Mr. Vinkovetsky retired from his job more than 7 years ago—the maximum time for information to lose its secret character in the U.S.S.R.

Mr. Vinkovetsky's son and daughter-in-law, both geologists, have also applied for emigration visas twice and been twice denied. His son, Yakov Vinkovetsky has had his apartment searched by the KGB and both he and his wife have lost their jobs. He has been asked to supply the KGB with information about his friends who admire the writings of Iosif Brodsky and Aleksandr Solzhenitsyn and when he refused to comply, his application was turned down.

Mr. Speaker, I strongly urge the White House not to be deceived by any idle promises from the Soviet about changes which they intend to make in their policies toward Soviet Jews. Actions speak louder than words.

WHITWORTH COLLEGE BUILDS FOR THE FUTURE

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. FOLEY. Mr. Speaker, at a time when Americans are becoming increasingly concerned about whether colleges are properly preparing our Nation's youth for leadership roles in our society, I wish to take this opportunity to commend a Presbyterian Church-related college in Spokane, Wash. Whitworth College, a fully accredited 4-year liberal arts college, has concerned itself with the new challenges to young men and women and has made creative changes in curriculum and campus living that will enable its graduates to be effective in the world of the future—their future.

While colleges all around the country are suffering cutbacks in enrollment including many who have closed their doors permanently, Whitworth College continues to grow, its student enrollment up 39 percent in 3 years. Founded in 1890 by George Whitworth, a pioneer of the Northwest and a Presbyterian minister, the college now serves a student body of 1,400 men and women from 30 States and 12 other countries. Whitworth, a member of the Association of American Colleges, also offers evening and summer classes for 2,000 people.

According to Dr. Edward B. Lindaman, president of Whitworth, the school's unprecedented growth is beginning to reflect a move away from the "youth ghetto" campus concept toward a program that attracts men and women of all ages to the campus. Because of the college's laudatory tuition-free program for students over 65, there are currently 42 senior scholars enrolled. These older people, says Dr. Lindaman, have electrified the campus, stimulating the rest of the student body because of their experience, adding a valuable new dimension to classroom discussions. By the late 1970's, Dr. Lindaman believes 10 to 15 percent of the student body will be senior citizens, and another 10 to 20 percent will be women between the ages of 30 and 50.

For women, Whitworth has designed special daytime and evening mini courses, offered on campus and at various locations in the metropolitan area. One wheat farmer's wife drove 85 miles each way to attend classes. The college estimates more than 1,000 women will have taken part in the program by the end of the year.

Not the traditional Christian or church-related school, Whitworth, whose student body includes non-Christians and agnostics, has done away with compulsory chapel, preferring instead to develop enthusiasm for faith in an atmosphere of openness, diversity and shared responsibility. The school has become a new model for Christian colleges everywhere.

At a time when more and more young people are graduating from college with few areas of competency, Whitworth stresses competencies by providing the student with the environment and resources to develop the ability to com-

tinued. It is, therefore, most appropriate that we in the United States acknowledge the steadfast attempts to attain liberty on the part of Poland's people during the anniversary celebration of Poland's Independence Day.

TAX RELIEF FOR THE THRIFTY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. ASHBROOK. Mr. Speaker, the present inflationary spiral has led to a number of problems for every American. With the increasing cost of living, take-home pay buys less and less. This makes it exceedingly difficult for many to save money.

At the same time the deteriorating value of the dollar leads other people to wonder why they should save if their hard-earned dollars will only be worth less tomorrow. Inflation must be controlled. And to do this Federal spending must be cut and the budget brought into balance.

While this must be done there must be some relief for those being affected by rising costs. The bill that I have introduced to provide for a \$500 exclusion from gross income interest on savings of an individual taxpayer or a \$1,000 exclusion for a married couple will provide relief in, at least, two ways. I have long advocated what this bill will help accomplish.

First, there will be more incentive for saving as the interest earned—up to the \$500 limit for an individual—will not be taxed. Second, the banks and savings and loan institutions may not find such an outflow of funds thus giving them more money for mortgages and other loans. This will help drive down interest costs.

This bill by itself will not cure inflation. It will provide some relief. Through such legislation as this coupled with major cuts in Federal spending, inflation can be brought under control.

The text of my bill follows:

H.R. —

A bill to amend the Internal Revenue Code of 1954 to exclude from gross income \$500 of interest on savings in the case of an individual taxpayer

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 124 as section 125 and by inserting after section 123 the following new section:

"Sec. 124. Interest on savings.

"(a) EXCLUSION.—In the case of an individual, gross income does not include amounts received as individuals or interest on deposits or withdrawable accounts in a domestic savings and loan association, bank, credit union, or similar thrift institution.

"(b) LIMITATION.—The exclusion allowed under subsection (a) shall not exceed \$500 for any individual for any taxable year."

(b) The table of sections for such part III is amended by striking out the item relating to section 124 and inserting in lieu thereof the following:

"Sec. 124. Interest on savings.

"Sec. 125. Cross references to other Acts."

Sec. 2. The amendments made by the first section of this Act shall apply only with respect to taxable years ending after December 31, 1974.

FREEDOM OF INFORMATION/COLORADO UNIVERSITY ANALYSIS OF PRESIDENT FORD'S FREEDOM OF INFORMATION PROPOSALS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, one of the most knowledgeable experts in the freedom of information law and its operation is Samuel J. Archibald, who has been working with the Congress and the press for nearly 20 years to overcome excessive Government secrecy. He was instrumental in drafting the original law, and he directed the Library of Congress study of the administration of the law which resulted in the amendments embodied in H.R. 12471, recently passed by the Congress and, unfortunately, vetoed by President Ford.

As these amendments to the freedom of information law have moved through Congress, Sam Archibald has been working with organizations of editors and reporters to make the law a more effective possible tool to dig out Government information. His analyses of developments in the freedom of information field have been sent to selected groups of freedom of information leaders.

Mr. Speaker, Mr. Archibald is moving to the University of Colorado School of Journalism where, in addition to his teaching duties, he will continue his fight against Government secrecy with "Freedom of Information/Colorado University." His most recent analysis of the amendments which President Ford proposed to substitute for those the Congress passed in H.R. 12471 emphasizes the fact that the Ford proposals would make the freedom of information law less effective than it is at present. Rather than improving the law, the Ford proposals would weaken it.

Following is Mr. Archibald's analysis, as contained in his "Note to Editors":

FREEDOM OF INFORMATION/COLORADO UNIVERSITY

If President Gerald R. Ford is successful in ramming through Congress the amendments to the Freedom of Information Law he proposed after vetoing the improvements Congress had passed, the law will be in much worse shape than when the press and the Congress first started working to improve it in 1972.

The Ford amendments, developed by advisers in the Department of Justice whence the fight against the people's right to know has stemmed during the last five administrations, would—

Set a floor of \$100 to be charged whenever a citizen requested access to public records;

Establish a minimum time limit of 65 days which every agency would consume before answering a request for information;

Permit investigatory files in civil cases to be hidden from the public just as criminal investigation files now are withheld;

Limit court decisions on so called national

defense and foreign policy issues to deciding whether low level classification officers had properly followed agency regulations.

Each one of these issues was considered carefully as the House and Senate developed amendments to make the FOI Law a more effective tool to dig out government information. When Congress voted, by huge margins, to pass the FOI amendments, they formally rejected the proposals which Ford is now pushing.

The present law permits agencies to charge for searching and copying government records. The Ford amendments would permit these charges to be inflated by a \$100 fee for agency officials to decide whether they want to provide government records after they have located and copied them. The Congressional amendments would have limited the charges to the actual costs agencies incur in searching and copying records.

Although there is no limit in the present law on the amount of time an agency can take to answer a request for public records, the average time agencies took in the first four years under the law was 64 working days. Ford's 65 day time limit would establish, by law, a delay which is one day worse than the present average. It compares to the 40 days that the Congressional amendments would have permitted for decisions on public access to public records.

The present law, as the courts have interpreted it, permits government agencies to withhold files on criminal investigations even if the investigation has been completed and all court action stemming from it is finished. The Ford amendments would hide investigations of civil law violations under this same secrecy blanket. The Congressional amendments would have permitted the courts to disclose criminal investigation files after all legal action has been completed as long as confidential sources are not disclosed, personal privacy is not invaded and the lives of law officers are not endangered.

The Supreme Court has held that the present FOI Law does not permit judges to decide whether so-called national defense and foreign policy information has been properly classified, although the Court said Congress could change the law. The Ford amendments would permit the courts to decide only whether classification officers had followed their agency's regulations based on a Presidential directive. The Congressional amendments would have permitted judges to study classified documents in their chambers and reach independent judgments on whether the information should be kept secret.

SAMUEL J. ARCHIBALD.

CULTURAL LIFE IN LOS ANGELES COUNTY

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. BELL. Mr. Speaker, today I would like to draw to the attention of the House membership a significant event in the cultural life of the Beach Cities Area of Los Angeles County in the great State of California.

The Beach Cities Symphony Orchestra which has served the region for the past 25 years, under the inspired direction of Dr. Louis Palange for 20 of them, will present their gala "Silver Anniversary Concert" at El Camino College on Saturday, November 23, at 8:15 p.m. The American Revolution Bicentennial will be marked by the playing of Del Castillo's "Festival Overture" and the Piano

to find better employment; plus a whole host of civic activities aimed at community development.

Mr. Speaker, it is work by individuals such as this that insures a bright future for all the people of our Nation, and that rekindles our hopes that through individual initiative and desire that the human condition can be improved, and that we can learn to live in harmony and to help one another.

I know I speak for the entire U.S. House of Representatives in congratulating Mr. Gary for his outstanding work and wishing him great future success.

**ALEX MANOOGIAN, PATRIOT AND
BENEFACTOR**

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. DANIELSON. Mr. Speaker, I would like to call the attention of my colleagues to an outstanding American, Mr. Alex Manoogian, who, in addition to being a highly successful businessman, is an outstanding patriot, a devoted family man, and a benefactor to many worthy causes. Mr. Manoogian has dedicated a lifetime of effort toward the improvement of our Nation, as well as being a devoted supporter of those who share his Armenian heritage here in the United States, and all over the world.

To Americans of Armenian descent, Mr. Manoogian is best known for his able stewardship of the Armenian General Benevolent Association, and for his selfless dedication and large contributions to religious, cultural, educational, and relief purposes.

Mr. Manoogian has served as international president of the AGBU for 20 years, since 1953. After 17 years of Mr. Manoogian's leadership, during which time the association's capital was raised from \$8 million to \$20 million, along with a tremendous expansion in worldwide activities, the AGBU General Assembly voted unanimously to elect him as life president.

During those years, Mr. Manoogian personally contributed over \$1 million for charitable, cultural, and educational purposes. During the past 2 years alone, the Alex and Marie Manoogian Foundation has contributed over \$5 million for religious, cultural, educational, and relief purposes.

In 1968, the AGBU Alex Manoogian Cultural Fund was established by an initial contribution of \$1 million. Today that figure has been doubled. The cultural fund has supported the publication of many scholarly and literary works, and cultural activities. It has sponsored literary contests and provided relief assistance to needy Armenian intellectuals throughout the world.

The story of Alex Manoogian's life and rise to success is as impressive as his generosity. He was born in Turkey where he received his primary and secondary education in the local Armenian schools. He immigrated to the United

States in 1920, and lived and worked in Connecticut and Rhode Island while he completed his education. He eventually settled in Detroit, where he worked in a factory, and later founded his own business, which eventually grew to be the huge Masco Corp. In 1931 he married former Miss Marie Tatian and they were blessed with two children, Louise and Richard, and are now blessed with six grandchildren. Today, Alex Manoogian is chairman of the board of Masco, which has over 40 divisions in the United States and Europe.

Mr. Alex Manoogian is very dedicated to his adopted homeland, the United States. He has made substantial contributions to American hospitals, museums, libraries, universities, and other charitable and cultural organizations. He has also donated his mansion to the city of Detroit, intended for use as the mayor's official residence.

In spite of the fact that he has already made many significant contributions to his country and his people, Mr. Manoogian still believes that much remains to be done. I have made only a partial listing of Mr. Manoogian's outstanding accomplishments, a list that will no doubt grow longer with the passing of every month. Alex Manoogian's hard work and dedication serves as an inspiration to all.

In recognition of his outstanding work on behalf of his adopted country and on behalf of the preservation of his own culture, the Armenian community in Los Angeles will hold a dinner in his honor on Saturday, November 23, 1974. This is one of a number of dinners in honor of Mr. Manoogian which are being held this year in celebration of his 20th anniversary as president of the AGBU. I am sure that all will be pleased to know that Alex Manoogian is receiving the recognition he richly deserves for his lifetime of service.

AN ACT OF HEROISM

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 1974

Mr. PRICE of Illinois. Mr. Speaker, at a time when we hear and read about human indifference and cynicism it is especially encouraging to read of an 18-year-old young man like Stephen R. Smith, of Granite City, Ill.

Because of his acts of bravery and compassion for his fellow man, Stephen Smith has received awards from the Carnegie Hero Fund Commission.

The following is a brief account of Stephen's heroic efforts. In May 1973 while Stephen Smith was mowing grass on a part-time job at a motel he heard an explosion. Running around the motel building to where two electricians had been working on a 40-foot boom ladder, installing a huge sign that said "Eat," Stephen Smith saw "one guy fall to the ground" and the "other guy was on the ladder with his feet caught and his clothes on fire."

Grabbing a rag from the electricians'

truck, Stephen Smith climbed the ladder and for the next 45 minutes held on to William Carroll of Manchester, Mo., and beat the flames consuming Mr. Carroll's clothing. Because the boom ladder was swaying close to a 32,000-volt line, rescue workers were unable to bring the pair down for 45 minutes.

As a result of his heroic efforts Stephen Smith has received a bronze medal and \$500 from the Carnegie Hero Fund Commission of Pittsburgh.

Stephen Smith is a member at the Explorer Post 10-4, sponsored by the Madison, Ill., Police Department, and is assistant scoutmaster of troop 41 at Mitchell, near his home. Stephen is a freshman at Southern Illinois University—Edwardsville, where he plans to major in electronic engineering and is considering an Air Force career. He is the son of Mr. and Mrs. Bennie Smith of route 2, Granite City.

I am very proud of Stephen Smith and because of his heroism I wanted to share his story with my colleagues.

POLISH INDEPENDENCE DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 18, 1974

Mr. ANNUNZIO. Mr. Speaker, 56 years ago on November 11, 1918, the heroic people of Poland regained their independence and reasserted the nations right to live and develop freely after more than a century of enslavement.

Toward the end of the 18th century, Poland established a constitutional government only to be forcibly incorporated a short time later into the territories of three more powerful neighbor nations. Russia, Prussia, and Austria-Hungary treated Poland as a colonial territory and ignored the desires of the Polish people for self-determination and freedom, sometimes responding with brutal repression.

Poland declared its independence on November 11, 1918, and that declaration was recognized the following summer by the Treaty of Versailles. The noble principles of self-determination, proclaimed by Woodrow Wilson and embodied in the victor's charter, enabled the proud and courageous people of Poland once again to reassert their glorious cultural heritage in justice and freedom.

Poland, however, was not to enjoy its independence for long. The treacherous attack of Nazi Germany and Communist Russia in September 1939 plunged the world into a Second World War and Poland again became a battlefield. In the tragic aftermath of that war, Poland was again robbed of political and cultural freedom and the whole world was placed under a permanent threat as a result of the division into rival spheres of influence.

Mr. Speaker, although the years of renewed liberation and self-government were again short-lived for the courageous Polish people, their struggle to be free and develop their cultural heritage con-