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## Senate

### PRESERVING OUR NATIONAL PARK SYSTEM

Mr. MONDALE. Mr. President, the National Park System is currently facing rapid deterioration due to a lack of adequate manpower and budget. The situation was recently detailed in a series of six articles written by Al McConagha of the Minneapolis Tribune staff.

The park system has lost \$21 million in effective operations buying power since 1972. To point out the effects of this decreased funding, let me reiterate some of Mr. McConagha's examples of the problems in certain areas.

**Safety:** Inadequate road maintenance has caused bus accidents in Alaska's Mt. McKinley National Park.

**Policing:** To cope with the rising instances of vandalism and violations of regulations at the C. & O. National Historic Park, an estimated 20 rangers are needed. They make do now with only eight.

**Sanitation:** One thousand tourists and Park Service employees became ill last summer when untreated sewage contaminated drinking water at Carter Lake National Park in Oregon.

**Natural resources:** The low money ceiling prevented the purchase of a tract of land where erosion from logging threatens the largest tree in the world and other trees in the Redwood National Park in California.

**Historic structures:** Buildings at Ellis Island are in such disrepair that nets have been put up to protect visitors from falling debris.

**Visitor service:** Rocky Mountain park officials last year denied interpretive guidance to over 4,000 students from regional schools because of personnel shortages.

Congress has been making some effort to preserve our Park System. We recently added personnel levels and mandatory acquisition dates as part of legislative when new parks are established. We also added 533 new permanent positions for the Park Service into the 1976 appropriations bill, 400 of which the administration seems ready to accept.

However, we must continue to do more. We must maintain our parks, which provide so much enjoyment for thousands of Americans. In this bicentennial year, especially, many families will be traveling around the country visiting our national parks and historical monuments. We must preserve these areas so that future generations can enjoy their splendor.

I ask unanimous consent that the series of articles by Al McConagha be printed in the Record.

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

[From the Minneapolis Tribune,  
Jan. 18, 1976]

#### HOW NEGLECT IS TARNISHING A U.S. TREASURE (First of six articles) (By Al McConagha)

WASHINGTON, D.C.—The national park system, as America enters its Bicentennial year, is deteriorating because the White House for years has deprived it of adequate manpower and money.

In several instances the parks, recreation areas, monuments and historical sites that form this system are unsafe, unpoliced and unsanitary because of restrictive administrative budgetary policies.

Some natural resources chosen for preservation as part of the nation's heritage are being debased. Irreplaceable historic structures are falling down. Archeological treasures are being lost.

Visitor services—that great range of park activity from guided nature appreciation to

lavatory cleanup—last year were at the lowest point since the reopening of the areas after World War II.

"Nearly all parks are operating at below established standards to varying degrees," Gary Everhardt, National Park Service director, acknowledged recently to a House appropriations subcommittee.

"More parks, increased visitation—and the management of both with fewer permanent personnel and dollars—have created serious gaps in performing optimum management programs at most parks," he said.

Evidence points to the White House Office of Management and Budget (OMB) as the most responsible agency. Determined to cut back government spending, this budgetary policeman underfinanced the system.

Anthony Wayne Smith, National Parks and Conservation Association president, said a recent analysis of the system reveals a "grave situation" and rapid deterioration of an invaluable national asset.

Smith said the OMB has "garroted" the National Park Service, which administers the system, by giving it too few personnel and too little money to carry out its expanding responsibilities.

"Serious mismanagement" has occurred and "an invaluable natural resource is being destroyed by deliberate neglect," Smith told a House subcommittee probing the issue.

Rep. William S. Moorhead, chairman of that House investigation of the park system, said the situation is "alarming" and talked of OMB's imposition of "unrealistic" employment and fund ceilings.

"It has reached the point where existing parks are threatened with deterioration and new parks are manned—if at all—by skeleton crews," the Pennsylvania Democrat continued.

Stewart M. Brandborg, executive director of the Wilderness Society, called the situation in the parks "deplorable" and added that "OMB is basically at the center of much of this difficulty."

"This arm of the White House consistently cuts back . . . so the park service is forced to submit a request much less than adequate to carry out the mandate given to it by Congress," Brandborg said.

Spencer Smith, former chairman of the board of the National Parks and Conservation Association, observed, "There's no question about deterioration. The situation is abysmal."

"The problem is that the parks are highly perishable, more fragile than most people realize," he added. "Unless something is done soon, they are doomed as we have known them."

Robert Cahn, former member of the President's Council on Environmental Quality

and a student of park affairs, said, "The parks have been going downhill for a number of years. Nobody realizes the extent."

Although Congress authorized 8,496 full-time employees for the National Park Service in fiscal 1976, the administration held the number of permanent employees in the system to 7,118.

The Office of Management and Budget did increase the park service's operating budget—but not faster than the value of the dollar declined. The system has lost \$21 million in effective operations buying power since 1972.

Present indications are that OMB will permit some increase in operating funds in the 1977 budget and will allow, in response to congressional and other pressures, a 5-percent permanent personnel increase this year.

While any improvement in manpower and operating funds is welcomed by the park service, most observers believe these changes are not enough. In the words of one top administrative source, to "make it well."

Much of the deterioration caused by the ceilings is documented by a survey of park systems superintendents conducted by the National Parks and Conservation Association, an independent, nonprofit, watchdog group.

Further evidence of the decay within the parks was provided recently by four park superintendents in a hearing called by the Moorhead subcommittee probing the impact of budgetary restrictions on the system.

From the above sources, from interviews with park service personnel and friends of the parks, from telephone conversations with superintendents, these examples of decline emerge:

#### SAFETY

Inadequate road maintenance causes bus accidents in Alaska's Mount McKinley National Park. Visitors are placed on buses because the road's neglected state makes it too hazardous for automobiles.

A lack of funds to repair back-country trails makes them unsafe in Shenandoah National Park in Virginia. New Found Gap road in the Great Smoky Mountains National Park, in North Carolina and Tennessee, is believed to be dangerous when wet.

The bridge over the Tuolumne River in Yosemite National Park in California is unsafe. Officials fear the bridge from Chinco-teague to Virginia's Assateague Island National Seashore will be knocked out by a storm.

"Almost anywhere in the system where there are bridges, you run a good chance of finding substandard ones," said a park service employee. "Every major park has at least one."

#### POLICING

There are too few rangers in Great Smoky Mountains National Park to prevent "significant" taking of black bears by poachers. Poaching is believed to be even more widespread in Shenandoah National Park.

Drinking parties of teen-age youths regularly disrupt the little-patrolled Blue Ridge Parkway in Virginia. Result: destruction of areas, littering, disfiguring of signs and pavement.

Against rising vandalism and violations of regulations, the superintendent of the Chesapeake and Ohio Canal National Historical Park in Maryland, the District of Columbia and West Virginia, estimates he needs 20 rangers. Because of manpower ceilings, he makes do with eight.

At North Carolina's Kings Mountain National Military Park, none of the personnel has the required 400 hours of training for

law enforcement. Visitation for last year is estimated at nearly 600,000.

#### SANITATION

Although management of the incident is clouded, the "near catastrophe" at Crater Lake National park in Oregon was caused largely by the failure to overhaul sewerage and water systems because of a lack of money.

As it was, up to 1,000 tourists and park service employees became ill last summer when untreated sewage contaminated drinking water. It was the first time a national park had closed because of unsanitary conditions.

Some toilet facilities in the Shenandoah park are polluting mountain streams. These are being operated under temporary permits in violation of Environmental Protection Agency and Public Health Service standards.

Outhouses, a sanitary method the service regards as substandard, are being used at North Dakota's Theodore Roosevelt National Memorial Park, Hawaii Volcanoes National Park and other areas.

The public health coordinator for Warren County in New Jersey inspected the Delaware Water Gap National Recreation Area in June 1975. He later made this observation:

"The area is being littered with human wastes, garbage and rubbish, and if man's activities continue unrestrained and uncontrolled, pollution of the land, of the waters, and of the wildlife by his wastes, his garbage and his rubbish will result in a living slum unfit for habitation."

#### NATURAL RESOURCES

Manpower has been in such short supply that many cave parks—such as Mammoth in Kentucky or Lehman Caves National Monument in Nevada—have been unable to prevent vandalism to geologic formations.

A court has found the service derelict in protecting the largest tree in the world. Money ceilings prevented the purchase of a tract where erosion from logging threatens this and other trees in Redwood National Park in California.

Manpower is inadequate to prevent the use of off-road vehicles in California's Joshua Tree National Monument. This intrusion leaves tracks that cannot be erased by nature for a century or more.

The fact that there are too few men to police the passage of industrial vehicles through Alaska's Mount McKinley National Park to a nearby logging operation has led to partial destruction of some of the mountain side.

At Katmai National Monument in Alaska, only one ranger protects the thinning ranks of the Alaska brown bear from heavy poaching. The area covers 2.7 million acres. He has no airplane.

#### HISTORIC STRUCTURES

Major chunks of El Morro's massive masonry fortifications, the oldest within the territorial limits of the United States, are in danger of being washed away at the San Juan Historic Site in Puerto Rico.

Hamilton Grange National Memorial in New York—the home of Alexander Hamilton, a hero of the American Revolution and first treasurer of the United States—is ready to collapse and there is no money for repair.

Buildings at Ellis Island, added to the Statue of Liberty National Monument in 1965, are in such disrepair that nets have been put up to protect passersby from falling debris.

Buildings are seriously deteriorating, among other places, at Hopewell Village National Historic Site in Pennsylvania.

#### ARCHEOLOGY

Insufficient manpower prevents suitable policing of relic hunters at military sites such as Petersburg National Battlefield in

Virginia. Artifacts worth thousands of dollars have been taken from the system.

Money is insufficient for the repair of Indian stone work dating back 1,000 years at Mesa Verde National Park in Colorado and Canyon de Chelly National Monument in New Mexico.

#### VISITOR SERVICE

Roger J. Contor, superintendent of Rocky Mountain National Park in Colorado, says funds are 40 percent below the level needed to keep resources and services up to accepted standards.

Rocky Mountain park officials last year denied interpretive guidance to 4,180 students from regional schools using that park's environmental studies areas. Reason: personnel shortages.

At Andersonville (Ga.) National Historic Site, only 25 percent of the services sought by the park service's published standards is being offered because of manpower and operational-funding limitations.

At Buffalo (Ark.) National River the service closed some campgrounds to save on trash pickups. The park was fully operating before it was turned over to the federal government by the state of Arkansas.

Some park system visitors received an unexpected bonus last season, however. In at least three units there were not enough employees to fully man the fee collection stations.

[From the Minneapolis Tribune,  
Jan. 19, 1976]

#### PARK SYSTEM NEGLECTED WHILE DEMAND FOR ITS SERVICES RISES

[Second in a series]

(By Al McConagha)

WASHINGTON, D.C.—“Year after year of operation at less than adequate levels of resources protection and maintenance has an accumulative effect that soon approaches disastrous proportions,” Boyd Evison, superintendent, Great Smoky Mountains National Park.

National Park deterioration under the Ford administration is often not a matter of leveled mountains or closed gates but of a gradual erosion of resources and services.

This is the result of quiet neglect. Its unobtrusiveness frustrates friends of the parks fighting against a decline caused by the lowest proportional provision of money and manpower since World War II.

In fact, the show-must-go-on professionalism of the national Park Service tends to relegate difficulties created by the money-personnel squeeze to the least visible aspects of park experience.

“I can personally assure you that it is my policy to keep our parks open and operating and not to use closure as a tactic to dramatize our problems,” said Gary Everhardt, National Park Service director.

Nonetheless the agency's permanent staff increased less than 3 percent in the past four years. During that time 23 more units were added to the system and visitation rose 23 percent.

Moreover, the Ford and Nixon administrations reduced the service's effective buying power (for operations costs) by \$21 million since 1972, according to agency figures.

To state the problem prosaically, the price of a service as essential as toilet paper rose 93 percent in five years. The demand for it also dramatically increased. But the ability to buy it dropped.

In terms of dealing with people, the park service had one permanent employee for each 27,000 visitors in 1960. Now there is one for each 44,000. During that time the number

of units grew by a third.

Superintendent Boyd Evison recently described to a House subcommittee probing funding and manpower in the parks how these policies have affected Great Smoky

Mountains National Park. His unit is the most visited of all national parks and its experience appears to be fairly typical of problems faced by major established areas as a result of White House budgetary ceilings.

In the past five years visitation at Great Smoky park has grown some 12 percent. In that period the number of permanent employees on the park's payroll declined from 121 to 107. During those five years the park's allocation was increased by \$1.3 million. But most of that amount—\$756,900—went for Civil Service pay raises ordered by Congress.

After paying for supplies on an inflated market, he said, \$126,000 was left “to cover such items as increased travel, rent, communication and other service costs—and we didn't have enough to do it right in 1971.”

As are other superintendents, Evison is trying to meet his problems by increasing temporary and seasonal employees and by contracting for such work as trash collection and road striping. Still, he needs up to \$500,000 for the nagging but apparently not immediate problem of bringing the park's 35 water systems built in the 1930s up to state and federal standards.

Evison also needs \$2 to \$3 million for historic structures “that we are legally obligated to preserve.” He added these “are not being preserved and the cost of halting their decay skyrockets with each added year of neglect.”

Evison said he was concerned about his roads: more visitation means greater need of road repair, more intensive cleanup of roadside litter, more need of traffic management and control.

“As road surfaces deteriorate with the lack of adequate attention, accident rates rise,” he told the subcommittee. “More and more ranger time is devoted to traffic control and accident investigation.”

Aware of the demands placed on rangers by traffic and related problems, Evison went on, sophisticated poachers step up their activity and help themselves to game in the park.

One of his most serious problems in protecting the natural resource he supervises is the European wild boar. These immigrant pigs are tearing up the park and he had no money to start research aimed at their control.

At the same time visitors pouring into the parks “are more and more people from every stratum of American life, young people whose life styles sometimes clash with those of the traditional family groups.”

“More urbanities (are coming) bringing with them many of the problems of the cities, frequently bewildered by the special demands of getting along in a park, in a tent or a trail,” Evison said. “The rangers who face these increased demands are not cops. They are conservation officers. And they are expected to help the public understand and enjoy the unique resources of the park.”

“But the person who handled a traffic fatality yesterday evening, sat through half the night at a poacher's bait station and heard the morning's complaints about a pot or beer party in the campgrounds is not your ideal ambassador of goodwill this afternoon.”

Back-country use has nearly doubled in five years in the Smokies. But proper management of these areas requires more man hours per user than management of roadways, Evison said.

“Estimates two years ago indicated the need for an investment of more than \$2 million just to catch up with the trail erosion problems generated by years of shoe-stringing operation,” Evison said.

Understaffing and underfunding, he added, also lead to operational methods that influence the kind of human experience that the Great Smokies make available for visitors. For instance, trucks are used as the most efficient means of maintaining trails

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There will be no paper towels or electricity lavatories, he said. And no parks funds will be used for interpretation during April, May, September and October even though the 3 million visits are expected.

On a final note, he told the subcommittee: “Any decline in the quality of visitor services and resource management (which includes maintenance) has an insidious effect extending far beyond what is immediately visible.

Evison argued that the park service influences the public far more by its show of concern for the park than it does through a proliferation of “conservation messages.”

“Rotting historic structures, rampant exotics (wild boars), rutted trails and littered roadside tell the public that America doesn't care enough to husband its most distinctive and historic resources,” he said.

“Why then should recipients of such messages treat those resources with care?” Evison asked. “Neglect begets neglect. The results are costly. The costs are not only in terms of dollars or manpower.”

“Perhaps the most serious costs are in terms of resources irretrievably impaired and of experiences lost forever.”

[From the Minneapolis Tribune, Jan. 20, 1976]

#### FUNDS LACK CLOSES DULUTH PARK OFFICE

[Third in a series]

(By Al McConagha)

WASHINGTON, D.C.—On June 30, 1974, responsibility for national park system land acquisition in the Minnesota area shifted from an office in Duluth, Minn., which is close to the scene, to one in Omaha, Neb., which is not.

The Duluth post was closed because of the White House money and manpower squeeze that has resulted in the deterioration of the national park system, according to National Park Service sources.

That office had been in charge of purchasing land for the St. Croix national riverway, Apostle Islands National Lakeshore in Wisconsin and Voyageurs National Park in northern Minnesota.

Angered at the slamming of the door on his acquisition office, Eugene Lyttle, Duluth, retired from the park service. In a recent telephone interview, he observed, “The crux of the matter was funding.” But Lyttle also believes politics was a factor. He claims land buying would be more efficient from Chicago or Minnesota locations but powerful Nebraska Republicans prevent movement of an office already in Omaha.

In any case, the Duluth experience demonstrates that underfunding and undermanning of the national park system have adverse impact beyond impairment of visitor services, facilities and natural resources.

Restrictive White House Office of Management and Budget (OMB) ceilings on personnel and operating funds over the past five years have slowed the development of the 60 new areas added to the system between 1965 and 1975.

Rep. William Moorhead, D-Pa., chairman of a House park probe, said, “It has reached the point where existing parks are threatened with deterioration and new parks are manned, if at all, by skeleton crews.

A little relief is on its way. The administration seems ready to accept 400 of the 533 new permanent positions written by Congress into the 1976 appropriations bill. Operating funds also may go up slightly in fiscal 1977. Most observers, however, do not expect this to cure the problem. “It may get us off the critical list,” said one park service employee. “But we are still not in good shape.”

Under pressure of OMB personnel ceilings, the park service has taken permanent personnel from increasingly undermanned established parks and placed them in the new units rapidly being authorized by Congress. After authorization of Golden Gate and Gateway National Recreation Areas in 1972, for instance, the 122 permanent employees who staffed these units were diverted from elsewhere in the system.

At the same time other units were not getting more full-time employees. The system's permanent personnel ceiling has remained around 7,100 since 1971 despite congressional authorization of up to 8,500 positions.

Unit development also was retarded. The park service's two construction accounts show that inflation has absorbed increases and that effective purchasing power dropped \$22 million in three years. This contributed to \$2.7-billion construction backlog, the service says it has accumulated. The major portion of this unfinished work list deals with rehabilitation of existing structures.

Although some projects once envisaged in this accumulation of pending construction have since lost favor, the backlog also includes basic visitor-use and natural-resource-protection facilities in new areas.

Indiana Dunes National Lakeshore, for instance, has virtually no facility development after a decade. “A park in name only,” observes a top administrator in the Interior Department, which includes the park service.

Guadalupe Mountains National Park in Texas was authorized in 1966. It still awaits



facility development. Four permanent employees (with seasonal help) cope with an 80,000-acre unit visited last year by 50,000 persons.

There has been no construction at Pictured Rocks National Lakeshore on Michigan's upper peninsula, Sleeping Bear Dunes on Michigan's lower peninsula, Apostle Islands or Voyageurs.

Cowpens National Battlefield in South Carolina was established in 1929. In 1972 Congress "changed the boundaries" of this important Revolutionary War battle ground to 843 acres. Cowpens' entire staff, however, is a part-time caretaker and, despite its apparent Bicentennial connection, the unit is not operating because of insufficient personnel and development funds. Nathaniel Reed, assistant interior secretary in charge of parks, said in an interview that Congress must bear some responsibility for not providing adequate resources for the system. In the 1960s Congress "found it was fun" to authorize new parks in abundance but it was not as forthcoming with appropriations to staff and develop them, the assistant secretary said.

Reed said as much to Congress last spring when he was being asked about funding and manpower levels. He added that legislation for new parks could include "mandatory" provisions for more personnel. In effect, Congress responded and appropriation legislation now specifies staffing for some individual parks and, most recently, designated in the bill an additional 395 permanent employees for the entire system.

Irritated at the slowness with which the service was buying land for the new parks, Congress also demanded acquisition completed by a certain date. In so doing it inadvertently helped close the Duluth office.

In this case Congress required acquisition be completed within six years for three new areas—Big Cypress in Florida, Big Thicket in Texas and Cuyahoga Valley in Ohio.

Congress had authorized money to pay for 273 permanent park service land acquisition employees. But under pressure from OMB, the service felt obliged to hold the figure to 140. Desperate, the park service contracted with Army Corps of Engineers to buy the land for Big Thicket and Cuyahoga. It assigned the task of acquiring land for Big Cypress to itself.

The Big Cypress acquisition is unusually complicated because of the large number (39,299) of landholders involved. The service estimated it needs 100 persons working 10 years to complete this purchase. At the moment 26 of the agency's 140 full-time land buyers are at work on Big Cypress, and the service is trying to fill out the effort with 48 temporary employees.

All of this activity has stretched severely its land acquisition program. To gather personnel for the Big Cypress undertaking, four offices were closed elsewhere. One of these was Duluth.

In terms of the over-all system, however, these pressures simply add to the land acquisition backlog, now set at \$572.6 million. Purchases authorized by Congress are incomplete in at least 30 units.

Slowness in land buying creates obvious problems. Property values shoot up in areas earmarked for purchase such as Big Cypress. Logging continues to threaten lands to be included in Big Thicket.

These acquisitions are purchased with money from the Land and Water Conservation Fund. It was created by Congress in 1965 and the legislation now calls for \$300 million each year to be deposited in the fund.

OMB, intent on holding down federal spending, had recommended to President Ford that the request to Congress for the 1977 fiscal year should include no money from the fund for these land purchases.

Thomas Kleppe, the new secretary of interior, objected to this proposal. He took his case to the White House, arguing, among other things, that Congress would never agree to this position. According to administration sources, the president, prompted at least partly by affectionate memory of his experience as a park ranger ruled in favor of some expenditure from the fund. Precisely how much Congress will be asked to appropriate will be made public later this week. It is expected, however, to be about \$70 million, somewhat less than for the 1976 fiscal year.

The fund comes from federal taxes on motor boat fuel, revenues realized on the sale of surplus federal property and federal income from the sale of offshore oil and gas leases.

Forty percent of the fund goes for federal conservation acquisitions by the park service, forest service or related agencies. Sixty percent is used in matching grants for states to encourage purchase of recreational areas.

Congress can appropriate the whole \$300-million annual deposit in the fund or less than that amount. Unspent money remains in the fund. The residue is now \$247 million and can be spent in the future.

[From the Minneapolis Tribune,  
Jan. 21, 1976]

#### EXPANSION OF PARK SERVICE IS OPPOSED (By Al McConagha)

WASHINGTON, D.C.—The budgetary pinch that squeezes the national park system into decline contributes also to White House opposition to congressional demands for more

federal park and recreation areas. (Quiet: Funding raise planned for Voyageurs.)

The administration argues that it is time to solidify that system's recent expansion and resists, with a few exceptions, attempts to further enlarge the responsibilities of the National Park Service. Moreover, the once dramatically proclaimed campaign to create urban parks for the system—a concept that received enthusiastic White House endorsement as recently as 1972—is now moribund.

Certainly the system has grown. In 1955 there were 188 units with a visitation of 54 million. This year visitation of 252 million is expected at the system's 286 natural, recreational and historical areas.

"The basic work in the lower 48 states has been done," Nathaniel Reed, assistant secretary of interior in charge of parks and wildlife, observed in a recent interview.

Reed, 42, former chairman of the Florida Department of Air and Water Pollution Control, took office in 1971 and has the greatest top-level continuity of experience with the parks since that time.

Reed advocates an indirect, grants-only federal approach to the establishment of urban parks. He acknowledges this need for open space but insists that how to obtain it is the central issue.

Areas now offered for consideration do not have the "national significance" that characterizes the system and is important to maintaining its nationwide public support, he said. Reed argues, as well, that National Park Service resources are already strained and that local or state administration of urban parks is the best means of adapting to the interests of these communities.

He opposes such areas receiving active congressional support for addition to the system as Santa Monica Mountains in California, Chattahoochee River in Georgia and a portion of the Potomac River.

Asked whether he would urge presidential veto of these areas if approved by Congress, Reed smiled and said he had done so with the Cuyahoga National and Historical Park in 1974. This valley between Cleveland and Akron in Ohio was generally regarded as an "urban" park. Although Interior Department officials advised a veto, President Ford signed the bill instead.

Reed's point is that the system's urban parks, particularly Gateway in New York, have been too successful in making recreational resources out of underdeveloped and underfunded properties.

"Every mayor in the country sees what the National Park Service can do with its money, supervisory manpower and charm and says, 'That's exactly what I want, c'mon in here,'" Reed said.

Reed does indicate a willingness to consider proposals for a tall-grass prairie area in the Midwest, Congaree Swamp in South Carolina, Sawtooth Mountains in Idaho and White Clouds Mountain in Oregon. But he contends that the major park skeleton "is established and that after the recent expansion of the system, the government needs time to catch our breath" while considering additions in Alaska.

Current proposals for creating new national parks and monuments in Alaska were presented by the Interior Department in response to the Alaska Native Claims Settlement Act of 1971.

The administration has sent to Congress a recommendation that about 9 percent of Alaska's land area (32 million acres) be turned over to the park service. This would double the system's total acreage.

Conservation groups are attacking the program, however, as surrendering areas in need of park protection to the "multiple-use" administrative policies of the U.S. Forest Service.

The National Parks and Conservation Association contends, moreover, that the Alaskan proposals do not excuse the National Park Service from making appropriate additions elsewhere in the nation.

This group has some mixed emotions on the matter of new entries. Its president, Anthony Wayne Smith, has wondered if more urban parks would not be funded and administered at the expense of the great scenic areas. But the association's professional staff lambasted the administration for closing the door on the system for economic reasons rather than evaluating the issue in terms of its conservation significance.

A staff report charged that the Office of Management and Budget, the White House's budgetary arm, makes these decisions without any capability for weighing various needs for public recreation and wilderness preservation.

George B. Hartzog, Jr., who resigned as director of the service in 1972, is unrepentant for the expansion that occurred during his nine-year stewardship and thinks there are still "gaps" in the system.

"You know, I think it depends on what the people of the United States want their national park system to be," Hartzog, now a Washington lawyer, observed recently. "If it is going to be the storehouse of the natural and cultural and social memories of our society, then it needs to be expanded," he said. "That's just how simple I think it is."

At what point the administration decided

against expansion of the system is unclear. A national park system plan was published in 1972, "much," Hartzog said, "to the chagrin of the administration." It attempted to define a system that would be balanced and complete and to go on to identify the kind of natural environments missing from the existing collection.

The plan indicated, for instance, that while the system had ample western canyon land, it did not have the kind of landscapes of which the Minnesota river valley might be an example.

The administration has now informed Congress that this plan is without official standing beyond stating desirable themes that should be considered by government at all levels. The National Parks and Conservation Association also has unearthed a May 3, 1973, memorandum circulated to ranking park service officials requesting a deadline for "rounding out" the system.

But the pressure to expand the system remains. It has become an important matter of dispute between some members of Congress and the administration. In this controversy the employees of the National Park Service are divided. One can hear a variety of views from these professionals concerning the course that the system should take.

Meanwhile conservationists continue to make pointed comments about the change in spirit that has occurred in the management of the system since the days of its pioneer administrators.

It is not like it was, they say, when Stephen Mather, first park service director, personally lit the TNT charge that blew up a Great Northern Railway sawmill that was trespassing in Glacier park.

"With each detonation Mather's mood lightened," according to his biographer, Robert Shankland. By the fifth, as people inquired into his motives, he said, "Celebrating my daughter's 19th birthday."

[From the Minneapolis Tribune, Jan. 22, 1976]

#### PARK SERVICE CUT IN WASHINGTON DESPITE EXPECTED 17 MILLION VISITORS

[Fifth in a series]

(By Al McConagha)

WASHINGTON, D.C.—Millions of visitors will arrive in the nation's capital this summer to find the national parks system celebrating the Bicentennial with reduced programs and curtailed services. (Doubled funds asked for N.D. diversion unit; 5-percent budget rise asked for park service.)

National Capital Parks, that division of the National Park Service responsible for the monumental areas of Washington as well as neighboring park lands, is cutting back its plans for 1976.

At the direction of the Office of Management and Budget, the budgetary agent of the White House, retrenchment is going forward despite the expected arrival of 17.2 million visitors.

"We have reduced most of our park-operating programs by 9 percent during the Bicentennial year—a year when needs are increasing," Manus J. Fish, director of National Capital Parks, told Congress.

Even though about \$70 million has been spent on Bicentennial facilities over a three-year period, there is insufficient money to operate them according to previously agreed plans, he added.

There is also too little money to develop areas recently added to his responsibility, such as the Clara Barton home or several addition to the C&O Canal National Historical Park, Fish said.

As a result, even the pilgrim to this center of American government on the nation's 200th birthday may feel the pinch in manpower and operating funds that has resulted in the general deterioration of the national parks system.

This neglect has led, in some cases, to unsanitary and unsafe conditions. There has been a failure to adequately protect natural resources and historic structures. Services to the public have declined.

A recent last-minute addition of 400 people to the permanent park service staff (a 5-percent increase) has eased some of the worst Bicentennial problems outside of Washington.

The park service once thought, for instance, that it would be unable to open the newly reconstructed Philadelphia house in which the Declaration of Independence was written. But this can now be operated.

Fish will get 29 additional full-time staff members to help temporary employees man the visitor center being built in Washington as the informational focal point of the Bicentennial.

He is now considering what programs can be dropped to meet the squeeze while keeping the bicentennial traffic moving, tourists informed and litter cleaned up.

The recent boost in manpower will help "some" and the reduction of services will not be as extensive as had been feared as recently as a couple months ago, he said recently.

"But there will still need to be an economical operation, that's for sure, and it is the other areas of his command that can be expected to be sacrificed to service the Bicentennial hordes."

This means that visitor centers in such outlying areas as the Manassas (Bull Run) and Antietam battlefields will have shorter hours and the grass will get mowed less frequently.

He expects to reduce lavatory cleanup, reduce grounds maintenance and garbage collection, and reduce or eliminate attention to historic structures.

Fish also is studying an end to ranger

efforts to snare poachers in the neighboring parks and a general decrease in security for historic resources, natural features and park facilities.

Fish said his organization would avoid closing areas or facilities, but would reduce the hours of operation, the number of days open and the length of the season. Temporary employees will be hired late and terminated early. Support of the performing-arts programs in the parks and other areas will be reexamined.

"Although basic programs will continue at a reduced scope, it will be many years before the park service can reemploy the high-quality personnel we now have and that will be inevitably lost," he said.

Fish added that the demands placed on employees as a result of personnel shortages have affected the morale of the work force and this is likely to be reinforced by freezes on hiring.

Former Interior Secretary Rogers Morton had promised that the C&D Canal National Historical Park, 22 miles of which is in metropolitan Washington, would be repaid in time for the Bicentennial.

William Fallor, superintendent of the park, told Congress recently, however, that at the present level of funding the famous tow path will never be brought up to accepted standards.

Sanitation in Fallor's domain is particularly primitive. Pit privies are still in use and water comes from wells. As the wells go bad with pollution, they are put out of service by removal of the pump handles.

The C&O park, which is part of National Capital Parks, also faces rising vandalism and regulation violations. Fallor told Congress he needs 20 rangers to police his area. He has eight.

The 200 structures of "great potential historic value" on the park grounds are receiving little or no attention because of lack of funds and are becoming safety hazards, Fallor said.

Although a land-acquisition program that will quadruple the area's acreage will be completed this year, the park has received no more funds or personnel to manage it.

Permanent personnel is generally short in the National Capital Parks jurisdiction. In 1975 the number of full-time employees was held by White House ceilings to 8 percent less than those authorized by Congress.

Fish told Congress that the National Capital Parks initially submitted budget justification for a \$26 million increase this year. This was reduced by the interior department to \$6 million.

About half of this \$6 million was proposed for special Bicentennial events and the National Visitors Center. The balance was for pay increases, operation of new facilities and C&O canal land purchases.

The Office of Management and Budget then trimmed this by more than half to \$2.7 million. This involved \$400,000 for operation of the visitor center, \$1 million for special events and \$800,000 for new facilities.

[From the Minneapolis Tribune,  
Jan. 23, 1976]

#### DETERIORATING NATIONAL PARKS HAVE HISTORY OF CONTROVERSY

("My experience was that budget people . . . when they look at national priorities, put the land last."—Stewart Udall, former interior secretary.)

(By Al McConagha)

WASHINGTON, D.C.—The Bicentennial could have been the year of glory for the national park system rather than the moment of dawning awareness that it is declining because of neglect.

As treasurer of the nation's scenic riches and custodian of its historic estate, the park system more than any other governmental

agency embodies the experience of America's past 200 years and beyond.

A system of public parks is, in fact, uniquely American. Before the geyser-pocked plateaus over the Yellowstone River were set aside for the nation 102 years ago, such preserves were for the ruling clique.

"The national parks are the magnificent invention of the American people," Nathaniel Reed, the assistant interior secretary who runs them, observed recently.

George B. Herzog, Jr., who resigned as director of the National Park Service in 1972, added, "This is the one idea we contributed to world culture."

"We established parks for common people," Hartzog went on. "They no longer were the provinces of kings and feudal lords but they belonged to guys like you and me."

By the time of World War II, growth of the system had congealed about a core of great scenic areas such as Yellowstone in Idaho, Montana and Wyoming; Glacier in

Montana; Yosemite in California; Grand Canyon in Arizona; Sequoia in California; and Great Smoky Mountains in North Carolina and Tennessee.

In the period after the war, former director Conrad Wirth broadened the system's support in Congress and obtained the funds needed to modernize the parks' facilities with a program called Mission 66.

Then, in 1961, Cape Cod National Seashore in Massachusetts was authorized. This was the beginning of the enormous expansion of acres and areas that the system was to sustain during the next 15 years.

Cape Cod was particularly well-suited to initiate this growth. It was nationally known, it was threatened by New England's burgeoning population and its preservation had the active support of the late President Kennedy.

This also was the first time Congress accepted the principle of federal purchase of private holdings for establishment of parks. Previously, areas were derived from philanthropic donation or federally owned tracts.

The decision to use condemnation to create parks eliminated the chief obstacle to setting aside many areas long awaiting such action. Voyageurs Park in Minnesota was one of these.

Congress enthusiastically entered into the system's extension but was more reticent about providing money for land acquisition. It also was apathetic about its oversight responsibilities during much of this period.

In the past three years the Nixon and Ford administrations have called for a halt to the expansion of parks and have begun talking about consolidating recent growth.

As it has throughout its lifetime, the system continues to be endangered by vested interests seeking to exploit the natural resources the parks were designed to protect.

Current concerns are characterized by dispute over bauxite mining in Death Valley National Monument in California and Nevada, logging near Redwood National Park in California and cattle grazing in Grand Teton National Park in Wyoming.

Heated debate likewise persists over appropriate use of parks by people in the face of staggering visitation increases. Each generation has its own views about what visitors should do in—and to—these areas.

The current version of this argument centers on the desirability of golf courses (Yosemite), nude bathing (Cape Cod), hang gliding (Shenandoah) or airports in Virginia (Grand Teton).

The National Park Service also has encountered intense criticism for its relationship to concessionaires who have tried to influence park development to increase profit-taking.

To a great extent, these concessions are operated by wholly owned subsidiaries of major corporations that are believed by some

to have more political clout than the National Park Service.

The major concessionaire at Yosemite, for instance, is a subsidiary of the conglomerate Music Corp. of America. It attempted to alter a park master plan over the objections of local park officials. The revision sought by the concessionaire would have given it an opportunity to improve its business within the park and would have dropped efforts to relocate its lodging units.

The General Accounting Office, the investigative arm of Congress, reported deficient park service regulation of concession operations at Yosemite and inadequate monitoring of its prices and other matters. After public disclosure of this activity in 1974, the Interior Department ordered the park service to start again on its plan and the service is trying to improve its concessions program.

Against such an extended history of controversy, it is not surprising that not everyone agrees that lack of permanent manpower and operating monies are the greatest problems faced by the entire system.

Michael Frome, author and critic laureate of park system management, for instance, contends that the problem of the parks is not money but insufficient commitment by the service to preserving them.

Jack Hughes, of Olympic National Park in Washington, who is head of a professional ranger organization, argues that the service is inefficient and would improve with the elimination of middle management employees.

But the weight of evidence gathered by a recent congressional probe seems to favor the position by Anthony Wayne Smith, president of the National Parks and Conservation Association.

Smith accuses the White House of permitting the degradation of the system through denial of adequate personnel and operating money in the name of national economy.

His citizens group has found the parks badly run-down. Devils Tower National Monument in Wyoming, for instance, reports that its maintenance is 70 percent of national park system standards.

Cowpens (S.C.) National Battlefield site, established in 1929, is not operating for lack of funds and employees. Its supervisor says that law enforcement is nonexistent and "vandalism rampant."

Likewise, funds still are insufficient to replace unsanitary privies at 10-year-old Big-horn Canyon National Recreation Area in Montana and Wyoming, where several historic structures are deteriorating without repair.

So many cases of this sort can be cited that it is difficult to avoid the conclusion that over the past few years the parks lost out in the White House budgetary process and declined in several respects.

To be sure, budget decisions are not easy. Office of Management and Budget officials, who declined to be interviewed, have the unenviable duty of weighing unlimited contending claims on limited federal spending.

But the money needed to bring the national park system up to speed, as Anthony Wayne Smith told a congressional subcommittee, imposes no great burden on the federal treasury.

The \$37,800 paid a consumer adviser at the State Department would hire three experienced park rangers. Three-quarters of the permanent park service staff is equal to the crew of a nuclear aircraft carrier.

Indeed, the difference between what the park service seeks in manpower and operating resources and what it receives is less than the amount the United States is reported to have put into Angola.

For the ordinary middle-class American, who by all testimony bears the heaviest burden of the nation's taxes, the benefits of

most federal programs are as remote and intangible as this investment in Angola.

One of the few federal assets he gets to use, however, is the national parks. And they, as we have seen, uniquely reflect America's belief that ordinary citizens deserve them.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 94<sup>th</sup> CONGRESS, SECOND SESSION

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## Senate

### FREEDOM OF INFORMATION

Mr. MONDALE. Mr. President, the results of a study concerning the important issue of free flow of information and ideas in other nations was recently brought to my attention by Mr. A. E. P. "Ed" Wall, president of NC News Service.

From his evaluation of surveys, letters, and personal conversations with foreign journalists, undertaken at the request of the International Federation of Catholic Press Agencies, Mr. Wall outlines factors inhibiting the dissemination of news, information, and ideas.

While this is only the first, in a number of surveys on this issue, it is already obvious from these preliminary findings that the freedom we have to express information in this country is not a standard that is emulated by a large number of nations. Mr. Wall's own survey reveals the inability of individuals in other nations to even respond to a survey without fear of reprisal.

The implications of press censorship and of the chilling effect of government suppression of the truth are deeply disturbing for democracies in every part of the world. In this context, I hope that the results of Ed Wall's survey will be given very serious consideration by my colleagues.

I ask unanimous consent that the survey I have referred to be printed in the RECORD.

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

MEMORANDUM ON FREEDOM OF INFORMATION  
(By A. E. P. Wall)

During the past four months I have received many letters, and I have had several personal conversations with editors, in connection with a survey of Catholic journalists on the broad question of freedom of information.

When the Council of the International Federation of Catholic Press Agencies (FIAC) met in Rome in April, I was directed to conduct such a survey. In mid-July I mailed a memorandum to journalists in many parts of the world. The mailing was not confined to FIAC members. In fact, it was an extremely broad mailing, although it went primarily to Catholic journalists identified with either Catholic or secular periodicals or wire services.

Responses by mail were received from 37 individuals in 32 countries. More than half of the responses were sent to me at my home, which is in the state of Maryland, in handwritten envelopes. In addition to responses by mail, I had an opportunity to talk personally with some Catholic journalists who were visiting Washington. I spoke with others in

the course of my own travels, which have taken me to several countries this year.

Not all responses were critical or unfavorable. Some journalists wrote to say that they had no major problems concerning the free flow of news or the publication of news.

As far as I know, this is the first FIAC international survey on the subject of press freedom. It is a somewhat tentative first step. Further surveys—with further reports—are indicated for the future. I hope that as we establish confidence in our procedures we will be given permission to release more detailed and explicit information. Virtually all of the material supplied in the course of this survey came to me in some degree of confidentiality.

This first survey seemed to bring responses from areas in which conditions are most difficult, and from areas in which the whole question of free expression is not a common subject for public discussion. That may explain a dearth of comments from Catholic journalists in the United States, a country that has some freedom of information problems but one in which those problems are widely discussed in public.

Individual journalists wrote or otherwise contacted me from the following countries:

Argentina, Australia, Austria, Belgium, Brazil, Denmark, England, France, Germany, Holland, India, Ireland, Israel, Italy, Japan, Korea, Mexico, Pakistan, Peru, Poland, Portugal, Spain, Sri Lanka, Sweden, Switzerland, Taiwan, Tanzania, United States, Uruguay, Zambia.

Catholic journalists in two other countries supplied information to me, but asked that I not even name their countries because they felt they might be identified and subjected to reprisals.

Impressions formed by travellers in some other countries, such as the Soviet Union—where of course there is no Catholic press—were included in some of the comments.

#### PROTECTING CONFIDENTIAL SOURCES

Perhaps the greatest problem in preparing this brief report is protecting the sources of much of the information. Most of the journalists who wrote included a request that nothing be disclosed that might jeopardize their own positions or that might create tensions for religious orders which they are identified.

It is well known that some national governments hold the local Church in general, or local priests and bishops in particular responsible for what is said about those governments in the Catholic press (or in Catholic broadcasts) in other countries. This often has an inhibiting effect, which probably is the effect desired by the threatening government.

Considerable anxiety was expressed by both clerical and lay journalists whose work takes them into particular countries, or who live in those countries, or who attempt in one way or another to obtain news from those countries.

It seemed to me as I read the letters and memoranda, many of which are quite detailed and lengthy, that there are perhaps

three general categories of countries under discussion.

Category 1 includes countries in which journalists feel under severe pressure, directly or indirectly, from government agencies. Such pressure may be personal, or it may affect members of a journalist's family, or it may be applied via the periodical with which the journalist is identified.

Category 2 includes countries in which

journalists feel under pressure, at least much of the time, but with less danger or injury or imprisonment.

Category 3 includes countries in which journalists feel that they are sometimes manipulated, caught up by forces they cannot resist but with no serious personal danger.

I would group countries covered in reports to me as follows (and I emphasize that the complaints do not necessarily come from journalists currently living or working in those countries).

Category 1 (most severe problems): Brazil, Chile, Cuba, South Korea, Lithuania, Nigeria, Rhodesia, Union of Soviet Socialist Republics.

Category 2 (intermediately severe problems): Ecuador, Nicaragua, Panama, Paraguay, Peru, Poland, Spain, Uruguay.

Category 3 (indirect or moderate problems): Bolivia, India.

Viet Nam and North Korea appear to be in a special category, because information is lacking. There is not a free flow of information across the borders, and that's about all we know for certain.

I do not suggest that the foregoing list is complete. That is, there could be other countries that should be included in one category or another on the basis of censorship and intimidation. It is possible that some journalists operate under such severe repression that they were not able to respond to my memorandum. The fact that a particular country is not included in the list does not mean that it has been studied and cleared; it means for the purposes of this report only that there were no responses concerning it.

#### INTERFERENCE TAKES A VARIETY OF FORMS

Respondents to the survey included:

- 1—Editors and staff members of Catholic daily newspapers.
- 2—Editors and staff members of Catholic weekly newspapers.
- 3—Catholics employed as editors or staff members of secular newspapers.
- 4—Editors, staff members and correspondents of Catholic news agencies.

They reported that interference came primarily from governments. It was reported, however, that in some instances officials of government were believed to act in an interfering way not because they were carrying out policies of their governments but because they were using their official position to advance a personal religious, social or racial point of view. For example, it was reported that in parts of Brazil the work of Catholic

journalists is hindered by anti-Catholic members of a fraternal order; and it was reported that in parts of Africa the work of Catholic journalists is hindered by anti-Christian attitudes that are not specifically anti-Catholic.

There were further reports from Africa that the Soviet Union and its agents are applying funds and talents to influence the cinema as well as newspapers and magazines. Nobody can seriously equate Soviet participation in communication efforts with support for a free flow of information.

On the contrary, Africa respondents expressed concern that the Soviet influence will grow because it is better financed than religious journalism and because it is supported, at least indirectly, by economic, military and other enticements that may be offered by a major power seeking to broaden its influence. The Soviet-backed enterprises perceive Catholic journalism as a threat.

From Africa also came reports of "enormous" financial commitments by Chinese and North Korean communication specialists. Among other activities, they were reported to conduct professionally appealing but ideologically deceptive seminars for communication personnel and to do this without charge.

Another African reported that even some

Christian periodicals try to avoid difficulties by providing excessive support for their governments, causing more and more intellectuals to turn away from such publications.

At the same time, an African editor reported that in his view some of his professional associates "imagine things" in the area of censorship, engaging in a subtle form of self-censorship beyond anything the government might require.

Journalists reported in some instances that their economic survival depended upon government subsidies, government advertising, government licenses and the application of tax regulations. The actual and potential threat to independent actions by the press under such circumstances is clear. Although the informants in each case requested anonymity, I propose to keep in contact with them on a continuing basis and to make the forum of the International Federation of Catholic Press Agencies (FIAC) available to them in the future.

#### A BASIS FOR HIGH EXPECTATIONS

There may be individual exceptions, but nearly all of the Catholic journalists I have met, throughout the world and those who responded to the FIAC inquiry are convinced that a free flow of information is essential to furthering and guarding human rights.

Although I cannot speak for all of them, it is my observation that most of them are opposed to government ownership of the press. They are opposed to censorship in time of peace. They are opposed to threats of economic reprisals against the press and threats of economic or physical reprisals against journalists and members of their families.

In the course of my travels I have met under conditions of elaborate confidentiality with Catholic journalists, who have told me of their fear of reprisals if they disregard the wishes of government officials. One journalist, with whom I met secretly in his homeland, told me that if the fact of our meeting were to become known his wife and children would be in danger. In one country that does not permit a free press, my luggage was passed cheerfully through without pause at the customs line at the airport; it later was "inspected" in my absence in my hotel room, and I might not have known about it if a small transistor radio receiver that I take with me on all of my travels had not been taken apart and improperly reassembled.

Catholic journalists have developed high expectations, at least in part on the basis of the "Pastoral Instruction for the Application of the Decree of the Second Vatican Ecumenical Council on the Means of Social Communication." (This Pastoral Instruction was approved in full by Pope Paul VI before it was issued by the Pontifical Commission for the Means of Social Communication.)

It is available in English in the form of a 54-page booklet offered by the Publications

Office of the United States Catholic Conference in Washington, D.C.

The Pastoral Instruction speaks of the need that rights of privacy are maintained, of the need to exercise careful judgment in the reporting of violence and brutality and above all of the need for adhering to truth. Let me extract the following statements from portions of the Pastoral Instruction beginning with paragraph 33 and extending through paragraph 47:

"If public opinion is to be formed in a proper manner, it is necessary that, right from the start, the public be given free access to both the sources and the channels of information and be allowed freely to express its own views."

"Modern man cannot do without information that is full, consistent, accurate and true."

"With the right to be informed goes the duty to seek information. Information does not simply occur; it has to be sought."

"Society, at all levels, requires information

If it is to choose the right course. The community requires well-informed citizens. The right to information is not merely the prerogative of the individual, it is essential to the public interest."

"Those whose job it is to give the news have a most difficult and responsible role to play. They face formidable obstacles and these obstacles will sometimes include persons interested in concealing the truth. This is especially the case for reporters who give close-up impressions of the news and who, in order to do this, often travel to the four corners of the earth to witness events as they actually happen. At times they risk their lives and indeed a number of them have been killed in this line of duty. The safety of such correspondents should be ensured in every possible way because of the service they render to man's right to know about what is happening. This is particularly true in the case of wars—which involve and concern the whole human race. So the Church utterly condemns the use of violence against newsmen or against anyone in any way involved in the passing on of news. For these persons vindicate and practice the right of finding out what is happening and of passing on this information to others."

"This right to information is inseparable from freedom of communication."

#### FURTHER INQUIRIES ARE REQUIRED

Members of the FIAC Council, who commissioned this report, will understand that it is a professional and not a religious survey. For the benefit of others, it might be worthwhile to mention that this is precisely a professional journalistic report of FIAC and it does not presume to reflect views of the Holy See except in the form of direct quotations from the Pastoral Instruction on Social Communications. This report has not been submitted in advance to anyone; it is a FIAC report, faithfully presenting views expressed in response to an invitation to Catholic journalists throughout the world.

Various questions remain to be explored, and in that respect this first FIAC report on freedom of information may be regarded as preliminary. Further surveys will be conducted. Information for consideration in the next report may be sent to me at my office address: 1312 Massachusetts Avenue, N.W., Room 410, Washington, D.C. 20005, U.S.A.

Or it may be sent to me at my home address: 10200 Battleridge Place, Gaithersburg, Md. 20760, U.S.A.

The next section of the survey will consider, but will not be limited to, the following matters.

Direct censorship of the news or of opinions by governments.

Direct or indirect pressures on the media in the form of subsidies granted or withheld, advertising granted or withheld, import licenses granted or withheld, interference with postal service, subtle personal intimidation.

Editorial policies of secular news media or actions by their staff members that tend to ignore important news generated by religious groups, or to distort the meaning of such news.

Actions, or inaction, by individual religious or secular authorities that disregard the principles established in the Pastoral Instruction on Social Communication.

In cases of urgency, efforts should be made to draw immediate attention to the problem. Catholic news agencies may be helpful in disseminating information about urgent problems. Reports of problems calling for immediate attention may be sent to me by cable (CATHNEWS), telephone (202-659-6724) or telex from overseas (248393). The U.S. domestic telex number is 89-2589.

A determined Catholic press, unified in its expectation that it will serve humanity in harmony with the Pastoral Instruction on Social Communication, must be continuously

vigilant to new threats against freedom while it works to overcome apathy concerning the suppression of freedom of information in many countries of the world.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 94<sup>th</sup> CONGRESS, SECOND SESSION

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## Senate

By Mr. MONDALE (for himself, Mr. HUGH SCOTT, Mr. GLENN, Mr. WILLIAMS, Mr. HUMPHREY, Mr. McGOVERN, Mr. METCALF, Mr. CURTIS, Mr. MOSS, Mr. RIBICOFF, Mr. PHILIP A. HART, Mr. GRIFFIN, Mr. CASE, Mr. MANSFIELD, Mr. HARTKE, Mr. EAGLETON, Mr. STAFFORD, Mr. ABUREZEK, Mr. TAFT, Mr. FORD, Mr. PELL, Mr. CLARK, Mr. CULVER, Mr. HRUSKA, Mr. WEICKER, and Mr. MUSKIE):

S. 2950. A bill relating to the construction and operation of a natural gas pipeline from the North Slope of Alaska

across Canada to domestic markets, and for other purposes. Referred jointly to the Committee on Commerce and the Committee on Interior and Insular Affairs, by unanimous consent.

ALASKAN NATURAL GAS PIPELINE AUTHORIZATION ACT OF 1976

Mr. MONDALE. Mr. President, I am pleased to introduce today, on behalf of myself, Senators HUGH SCOTT, METCALF, GLENN, WILLIAMS, CURTIS, MOSS, HUMPHREY, RIBICOFF, McGOVERN, PHILIP A. HART, GRIFFIN, STAFFORD, CASE, ABUREZEK, MANSFIELD, TAFT, HARTKE, FORD, EAGLETON, PELL, CULVER, HRUSKA, CLARK, WEICKER and MUSKIE, a bill relating to the construction and operation of a natural gas pipeline from the North Slope of Alaska across Canada to domestic markets in the United States.

Briefly, this bill would direct Federal agencies promptly to issue necessary governmental authorizations to the Arctic gas project, to construct the Alaskan and various "lower 48" portions of the system. With similar approvals from the Government of Canada, the project will transport northern Alaska gas to the "lower 48," and deliver Mackenzie Delta gas to markets in Canada.

Under this proposal, the Federal Power Commission would be directed to issue necessary authorizations within 60 days of enactment, while the Secretary of the Interior would similarly be directed to issue a right-of-way permit over Federal lands. Finally, the period and grounds for judicial review would be limited, using the same approach adopted in the Trans-Alaska (Oil) Pipeline Act.

Over the past year, there has been intensive debate in the Congress about what our national policy should be with respect to natural gas pricing and distribution; however, on three major points, there has been almost no disagreement.

First, natural gas is our premium energy source. We pay the least environmental price to produce it from wells, transport it through buried pipelines and make use of its clean-burning characteristics.

Second, more natural gas is needed. This gas is required not only for environmental reasons, but also so that we can reduce the economic and strategic costs associated with America's reliance on imported oil.

Third, northern Alaska contains the largest proven, and most readily available, source of natural gas in the United States. After only limited exploration, more than 24 trillion cubic feet of natural gas have been proven in the Prudhoe Bay field alone. This represents more than 10 percent of our Nation's known gas reserves. Potential reserves in northern Alaska are estimated at 100 to 200 trillion cubic feet, which could be enough to double America's present gas supply.

Given the desirability and need for North Slope gas, it is our duty to find the fastest, most environmentally sound,

inexpensive, reliable and energy-efficient method of transporting northern Alaskan gas to consumers in all regions of the United States.

After intensive study, I believe that the transportation method which meets each of these standards is a conventional

buried natural gas pipeline which would run from northern Alaska directly to markets in the Northwest, West, Midwest, and East. This same pipeline could carry Canadian gas from the Mackenzie Delta to consuming provinces in Canada.

First, consider the benefits to the United States of a joint United States-Canadian pipeline if Canada decides to participate with us in a cooperative project. The pipeline would be the quickest and least expensive way for both Canada and the United States to obtain access to their natural gas in the Arctic. If both countries grant approval to such a pipeline system this year, gas could be flowing to markets in both countries by 1981. In 1974 dollars, it is estimated that U.S. consumers would pay several hundred million dollars less annually in transportation charges, than the cost of the alternative LNG tanker method. A major factor responsible for the savings is the higher volume of gas that can be carried in a joint United States-Canada pipeline, reducing the unit transportation costs.

Next, the conventional pipeline uses far less gas to power the transportation system. Estimates reveal that the liquefaction-LNG tanker method would consume over 78 percent more energy in transportation than the pipeline. The savings of gas would provide enough additional daily energy to supply the residential needs of any one of 38 States in America.

When many of our States are desperately short of natural gas, we should pay special attention to the way in which gas from northern Alaska is distributed. The pipeline we are proposing today would bring gas directly to consuming regions throughout the Nation. It would serve the Pacific northwest, the west coast, the Midwest and East through pipelines to major delivery centers. The LNG tanker alternative, on the other hand, would rely on a vast system of displacement that has yet to be shown legally possible or technically feasible except at great cost. Under this system, gas from the Southwest would be diverted to areas that lack access to Prudhoe Bay Gas. The cost of the displacement method must be measured not only in the new pipelines that would have to be built immediately, but also the construction that will inevitably be required as supplies from Texas and New Mexico dwindle. These costs have not yet been fully evaluated, but I believe it would be a very poor bet for any major consuming region to rely entirely on displacement for its future gas supplies.

The pipeline approach also provides greater reliability and security of supply than the liquefaction tanker method. The buried gas pipeline involves conventional engineering and technology, the reliability of which has been proven over many years. The LNG tanker system involves construction of a highly complicated liquefaction plant to be located on the southern Alaskan coast in one of the world's most sensitive earthquake zones. This plant would be several times the size of any that has yet been built, stretching the technology beyond present limits. The ocean-going LNG tankers

will be much larger than any now in operation and would be exposed to the hazards of navigating in difficult international waters. These tankers would have to be unloaded on the southern California coast, raising serious environmental and safety problems. The liquid would then have to be converted back to gas. It is this process of converting gas to liquid, hauling it by tanker and reconverting it back to gas that creates less efficient use of gas.

In my judgment, there are also serious doubts about the reliability of such a system. Should America depend, for 10 percent or more of the gas we need, upon a system that could be disrupted for several months or more by a major failure in the plant, by an earthquake, or by a breakdown in the system for bringing the gas on shore?

There is virtually no risk of significant interruption of gas flows through an underground pipeline. But those with a special interest in the LNG option have raised the bogus issue of Canada's reliability in a cooperative Canada.

The Government and people of Canada must, of course, reach their own decision about whether they would like to join in a cooperative pipeline project. Canada has its own procedures for reaching a decision on pipeline permits and an application for approval of the Canadian Arctic gas pipeline, as well as a competing application are now under consideration by the National Energy Board and by the Department of Indian Affairs and Northern Development. The bill we are introducing today is in no way intended to prejudice what the Canadians will do.

Nonetheless, should the Canadians decide that they would like to cooperate with us, it is absurd to charge that they would then impose discriminatory taxes or otherwise unfairly treat American gas that is destined for the United States.

To underscore this point, I would add that a new treaty was just initialed on January 29, 1976, by officials of our State Department and of the Canadian Ministry of External Affairs. This treaty should soon be submitted to the Senate for ratification. It contains provisions by which both nations would agree never to interrupt the transit of the other's oil and gas across their respective sovereign territories; would agree never to tax the oil and gas of the other Nation while in transit, and; would agree never to discriminate against such international transit systems in taxation or regulation of those systems.

The treaty would bind the Federal Governments of both countries. Once it has been ratified, the existing laws of both Canada and the United States would prevent either States or Provinces from discriminating in taxation or from regulating such an international pipeline system.

While Canada has given no official indication of what final action will be taken on the pipeline applications, I believe there are a number of compelling reasons why she would want to participate in a joint project with the United States. A report last July of the National Energy Board highlighted Canada's need to obtain access to its own frontier gas reserves, particularly in the Mackenzie Delta. Proven and probable reserves in this region are now estimated at 6 trillion cubic feet, well below the level regarded by experts as necessary to make feasible a Canada-only pipeline.

Without the added Delta reserves, the NEB estimates that by 1985 Canadian demand will exceed Canadian supply by

roughly 1 trillion cubic feet. That is almost the exact level of exports of natural gas from the Canadian provinces to the United States, exports which contribute \$2.6 billion to Canada's balance of payments and provide a major energy source for the Northwest and upper Midwest in the United States. Thus, it is likely that Canada will further curtail exports to the U.S., unless a way can be found to develop the frontier gas reserves.

Obviously, both Canada and the United States must reach independent decisions on the basis of what is best for their own people. Accordingly, the Alaskan Natural Gas Pipeline Act which we are introducing today would provide a vehicle by which the Government of the United States would express its finding that a cooperative Trans-Canada pipeline is in the best interests of the United States. This bill would merely say to Canada: If, at the conclusion of your proceedings you decide such a project is in your national interest, we are ready to proceed with its construction.

I'd like to take a minute to discuss the environmental aspects of this bill. I realize that the Sierra Club, the Friends of the Earth and other environmental organizations are deeply concerned about the consequences of this pipeline for wildlife in northern Alaska and also about preserving the integrity of the National Environmental Policy Act—NEPA. I have a great deal of personal respect for those organizations, and I certainly do not take their concerns lightly.

The bill we are introducing today is not attempting to abandon NEPA. Unlike the sponsors of the rival Alaska LNG system, the gas companies that propose to build the pipeline have applied to the Secretary of the Interior for right-of-way permits. Several months ago, the Department of Interior issued a draft Environmental Impact Statement—EIS—on these permits, public hearings were held, and the comments of interested parties have been considered at length. The final EIS will be issued shortly, well in advance of any date the Congress could act on this bill.

In future congressional deliberations on this issue, it is my hope that it will be possible for me personally, and for the Senate as a whole, to work closely with concerned environmental groups to insure that any serious environmental problems are not overlooked. I have attempted to review as carefully as possible the environmental questions that have been raised thus far. There is obviously no perfect solution. Undoubtedly, construction of the pipeline will have an effect on the Arctic National Wildlife Range. But the use of a chilled, buried pipeline, use of temporary ice road and limitations on construction to the winter

season when animals are not present, can help to minimize these effects.

A much longer route has been suggested by way of Fairbanks. This route would disturb more terrain, cross a more complex and delicate mountainous environment and cut through areas with high animal population density. Beyond these effects, this route could add \$2.5 billion to the cost of the project, lessen the Canadian interest in a joint venture, and make financing impossible.

The LNG tanker alternative, in my judgment, is much more alarming from an environmental point of view. It will disturb new areas in Alaska's interior where more wildlife is found than in the far north. A liquefaction plant would be constructed in a major fault zone at great risk to both the environment and the security of America's energy supply. Worse yet, a large fleet of LNG tankers will be added to the already heavy traffic of oil vessels serving the Alaska pipeline. As a representative of a Midwest State that is desperate to gain access to Alaskan oil, I have found no community actively seeking the opportunity to have those tankers dock near its beaches. Environmentalists in the State of California have told me that the last thing they want is a major docking facility to handle these highly explosive tankers.

I have considered these arguments as I have considered the costs to the Nation's consumers of delay in approval of this pipeline system. Applications have been pending before the Federal Power Commission—FPC—since March of 1974. Unfortunately, delay is unavoidable if proceedings before the Federal Power Commission, with the inevitable litigation

that would follow are permitted to work their slow way through to completion. The costs of that delay would fall on the American consumer, a cost of 8 to 10 percent more each year. To these costs must be added the national cost of continuing to buy OPEC oil to meet the energy demands which gas from Alaska would satisfy—over \$2 billion per year.

The Commission recently told a committee of the House that they might be able to complete their proceedings before the end of this year. However, experts who are experienced with FPC hearings doubt that schedule can be met. Their doubt is supported by the history of major contested applications since World War II. In a letter dated November 12, 1974, former Chairman Nassikas advised Senator Jackson that the average time in the FPC for certification proceedings for such applications has been 3½ years. To the FPC time must be added the time for court appeals. That same letter advised that the average time for court appeals has been about 1 year. With respect to this project, appeal time might extend to 2 or 3 years.

With respect to delay, it is also important to note that the pipeline project contemplated in this act can be put in place at least a year earlier than the alternative liquefaction-LNG tanker system. It will be built by a group of United States and Canadian companies. These transmission companies would be the same firms that would have to reorganize to build the liquefaction-LNG tanker system if that method were forced upon them. We are not confronted by a major dispute between competing private interests. The same private companies will inevitably be involved in construction of either alternative. However, the vast majority of these companies have reached a judgment regarding the system that makes the most sense from an economic and technical point of view.

It is clear that the national interest of the United States lies in fast approval by Congress of a pipeline system to carry Alaskan gas to markets all across this country. That is why we are introducing this bill today. While the Government and people of Canada will await the outcome of their own regulatory and governmental processes in deciding whether they would like to join in this cooperative project, and while this legislation makes clear that we have no intention of interfering in those processes, I am hopeful her Government will reach a favorable ruling. In the interim, Congress should make clear our readiness to proceed as quickly as possible when and if a favorable decision is reached at Ottawa.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis be printed at this point in the Record.

There being no objection, the bill and analysis were ordered to be printed in the Record, as follows:

S. 2959

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Alaskan Natural Gas Pipeline Authorization Act of 1976".

#### CONGRESSIONAL FINDINGS

Sec. 2. The Congress finds and declares that:

(1) A natural gas supply shortage exists in the United States.

(2) Such natural gas supply shortage, unless corrected, threatens the economic and environmental well-being of the Nation through higher levels of unemployment, diminished economic activity, increasingly adverse effects upon the Nation's international balance of payments, increased reliance upon energy produced in other countries, and greater utilization of less environmentally desirable alternatives to this clean-burning energy source.

(3) There exists in the northern areas of the State of Alaska large proven and potential reserves of natural gas which can reduce significantly the Nation's natural gas shortage if a transportation system for delivery of such natural gas to the United States markets is constructed and placed into operation.

(4) A natural gas pipeline system from northern Alaska, across Canada, to the lower 48 States is the most efficient and economical method available for the transportation of northern Alaskan natural gas to domestic markets. Compared to alternative methods proposed for transporting such natural gas, such pipeline system will distribute this essential source of energy more directly to consumers, provide the lowest cost of transpor-

tation of the natural gas, consume less natural gas in the transportation process, and provide similar benefits to Canada, all of which effects are in the national interest of the United States.

(5) Immediate construction of a natural gas pipeline system to transport natural gas

from northern Alaska across Canada to the contiguous United States is required by the national interest.

(6) A cooperative effort with the people and Government of Canada would advance the development of United States energy resources and could offer substantial return benefits to Canada; and the Congress clearly recognizes that it is the responsibility of the appropriate Canadian authorities to make their own determinations regarding Canada's interests in any cooperative project and this Act is in no way intended to interfere with the decision-making process of the Government of Canada.

(7) The procedures provided in the Natural Gas Act (15 U.S.C. 717 et. seq.) and the Mineral Leasing Act of 1920 (30 U.S.C. 185), if complied with fully, will not allow the authorization and construction of a transportation system for natural gas from northern Alaska as promptly as is required by the public convenience and necessity, the national interest, and the requirements of international cooperation.

(8) It is appropriate and necessary for the Congress, in the interest of furthering national energy policy, national economic and environmental well-being, and international relations, to authorize the expeditious construction of a transportation system for natural gas from northern Alaska.

#### DECLARATION OF PURPOSE

SEC. 3. The purpose of this Act is to insure that, in view of the extensive governmental and other studies already made of the Alaskan Natural Gas Pipeline, as defined herein, and the national interest in the earliest feasible delivery of natural gas from northern Alaska to domestic markets, the Alaskan Natural Gas Pipeline be constructed promptly, without further administrative or judicial delay or impediment. To accomplish this purpose, it is the intent of the Congress to exercise its constitutional powers to the fullest extent in the authorizations and directions herein made, and in limiting judicial review of this Act and of actions taken pursuant thereto.

#### DEFINITIONS

SEC. 4. As used in this Act:

(a) The term "Secretary" shall mean the Secretary of the Interior.

(b) The term "Commission" shall mean the Federal Power Commission.

(c) The term "Alaskan Natural Gas Pipeline" shall mean that natural gas pipeline system described in the applications filed with the Federal Power Commission which are listed hereinbelow. Identified by date of filing thereof and Federal Power Commission Docket Number assigned thereto, including any amendments thereto filed more than thirty days prior to the enactment of this Act, and shall include the facilities lying within the United States of the natural gas pipeline system across northern Alaska, to connect with a pipeline in Northern Canada, and from border points between the United States and Canada to market areas in the contiguous United States, described therein, shall include the therein proposed natural gas pipeline facilities at such border points, shall include the export from the United States, at a point on the border between the State of Alaska and Canada, of natural gas to be transported by such natural gas pipeline system, and the import of such natural gas into the United States at points on the border between Canada and the States of Idaho and Montana, which has been proposed in docketed proceedings before the Federal Power Commission which have been consolidated with the docketed proceedings listed hereinbelow more than thirty days prior to the enactment of this Act, shall include the facilities, transportation and sales proposed in applications, including amendments thereto filed more

than thirty days prior to the enactment of this Act, by purchasers of gas to be transported by such pipeline system for authorization to construct and operate facilities to transport, and to sell, such gas and the sale of such gas to such purchasers by the owners thereof, and shall include such other facilities and activities as shall be necessary for the transport and sale of the natural gas to be transported by such pipeline system.

(1) Application for Certificate of Public Convenience and Necessity filed March 21, 1974, in Docket No. CP74-239;

(2) Application for Certificate of Public Convenience and Necessity filed March 21, 1974, in Docket No. CP74-241;

(3) Application for Certificate of Public Convenience and Necessity filed May 14, 1974, in Docket No. CP74-290;

(4) Application for Certificate of Public Convenience and Necessity filed May 14, 1974, in Docket No. CP74-292.

#### CERTIFICATION AND RELATED ACTIONS

SEC. 5. The Congress hereby authorizes and directs the Commission, within sixty days after the date of enactment of this Act, to



issue to the Applicants involved in the Alaskan Natural Gas Pipeline, and their successors, to take all necessary actions to administer and enforce, all certificates, permits, and other authorizations necessary for or related to the construction, operation, maintenance and implementation of facilities and activities of and relating to the Alaskan Natural Gas Pipeline. The holders of such certificates, permits and other authorizations shall also have the powers of eminent domain provided by section 7(h) of the Natural Gas Act to holders of a Certificate of Public Convenience and Necessity issued pursuant to section 7(c) of such Act. Such provisions of the Natural Gas Act as may be inconsistent with this Act shall not apply with respect to the Alaskan Natural Gas Pipeline. In all other respects, including rate regulation, the provisions of the Natural Gas Act shall apply.

#### RIGHTS-OF-WAY

SEC. 6. The Congress hereby authorizes and directs the Secretary and other appropriate Federal officers and agencies not otherwise specified in section 5 herein, within sixty days after the date of the enactment of this Act, to issue and take all necessary actions to administer and enforce all rights-of-way, permits, leases and other authorizations necessary for or related to the construction, operation, and maintenance of the Alaskan Natural Gas Pipeline: *Provided, however,* That the rights-of-way, permits, leases, and other authorizations issued pursuant to this Act by the Secretary shall be subject to the provisions of section 28 of the Mineral Leasing Act of 1920, as amended, except subsections (h), (j), (k), (q), (s), (u), and (w) (2) thereof.

#### SUSPENSION OF ADMINISTRATIVE PROCEEDINGS

SEC. 7. (a) All authorizations issued by the Secretary, the Commission, and other Federal officers and agencies pursuant to this Act shall include the terms and conditions required by the provisions of law that would otherwise be applicable if this Act had not been enacted, and may include those terms and conditions, including those required for the protection of the environment, which are permitted by such provisions of law so long as such terms and conditions do not change the basic nature and route of the Alaskan Natural Gas Pipeline and are not inconsistent with the purposes of this Act. The Secretary, the Commission and such other Federal officers and agencies may waive any procedural requirements of law or regulation which they deem desirable to waive in order to accomplish the purposes of this Act, and may grant requests of any person which shall construct or operate any portion of the Alaskan Natural Gas Pipeline for modifications of the route or facilities thereof which

are not inconsistent with the purposes of this Act.

(b) The directions contained in section 5 and section 6 of this Act shall supersede the requirements and provisions of any law or regulation relating to or prerequisite to an administrative determination as to whether the authorizations for construction and operation of the Alaskan Natural Gas Pipeline shall be issued.

#### JUDICIAL REVIEW

SEC. 8. The actions of Federal officers or agencies taken pursuant to this Act, and the legal or factual sufficiency of any environmental statement prepared relative to the Alaska Natural Gas Pipeline pursuant to the National Environmental Protection Act (42 U.S.C. 4321, et. seq.) shall not be subject to judicial review under any law, except that claims alleging the invalidity of this Act may be brought within 60 days following its enactment, and claims alleging that any such action will deny rights under the Constitution of the United States, or that any such action is beyond the scope of authority conferred by this Act, may be filed within sixty days following the date of such action. A claim shall be barred unless a complaint is filed within the time specified. Any such complaint shall be filed in a United States district court, and such court shall have exclusive jurisdiction to determine such proceeding in accordance with the procedures hereinafter provided, and no other court of the United States, or any State, territory, or possession of the United States, or of the District of Columbia, shall have jurisdiction of any claim raised in such complaint, whether in a proceeding instituted prior to, on or after the date of enactment of this Act. Any such proceeding shall be assigned for hearing at the earliest possible date, shall take precedence over all other matters pending on the docket of the district court at that time, and shall be expedited in every way by such court. Such court shall not have jurisdiction to grant any injunctive relief against the issuance of any certificate, right-of-way permit, lease, or other authorization pursuant to this Act except in conjunction with a final judgment entered in a case involving a complaint filed pursuant to this section. Any review of an interlocutory or final judgment, decree, or order of such district court may be had only upon direct appeal to the Supreme Court of the United States.

#### INTERNATIONAL COOPERATION

SEC. 9. This Act recognizes that approval by the government of Canada, in addition to

that of the government of the United States, will be necessary in order to implement the Alaskan Natural Gas Pipeline. It is therefore a purpose of this Act to declare it to be in the national interest of the United States to cooperate with the government of Canada in authorizing the construction of the international pipeline system contemplated by this Act, in the event that the government of Canada determines that it should approve, on a compatible basis, the construction and operation of that portion of such international pipeline system located in Canada.

#### ANTITRUST LAWS

SEC. 10. The grant of a certificate, right-of-way, permit, lease, or other authorization pursuant to this Act shall grant no immunity from the operations of the Federal antitrust laws.

#### SEPARABILITY

SEC. 11. If any provision of this Act, or the application thereof, is held invalid, the remainder of this Act shall not be affected thereby.

#### SECTION-BY-SECTION ANALYSIS

##### ALASKAN NATURAL GAS PIPELINE AUTHORIZATION ACT OF 1975

The basic purpose and result of the Act is to direct federal agencies promptly to issue

necessary governmental authorizations to the Arctic Gas Project, to construct the Alaskan and various "lower 48" portions of the system. The Arctic Gas Project will transport northern Alaskan gas to the "lower 48," together with gas from the Canadian Arctic areas.

Section 1. This section sets forth Congressional findings concerning the need for natural gas from northern Alaska and the desirability of transporting it in a joint U.S.-Canadian pipeline.

Section 2. This section contains findings which stress the need for the gas and desirability of the proposed pipeline system. As stated, legislation is required because progress through the normal regulatory procedures has been and will be far too slow.

Section 3. This section declares the purpose of the Act and expresses the intent of Congress to utilize its full powers to achieve those purposes.

Section 4. This section defines the proposed pipeline system and related aspects and activities which require federal authorization and other terms.

Section 5. This section directs the Federal Power Commission to issue necessary authorizations within 60 days after the Act becomes law, but leaves the Natural Gas Act in effect to the extent not inconsistent with this Act.

Section 6. This section directs the Secretary of the Interior and other federal authorities similarly to issue a right-of-way permit over federal lands, and other necessary authorizations, subject to several provisions of the Mineral Leasing Act.

It should be noted that the Department of Interior plans to complete its final Environmental Impact Statement, relative to the Arctic Gas Project, in February, 1976. Thus, the procedures of the National Environmental Protection Act will be followed.

Section 7. This section directs the federal agencies to impose conditions required by law and allows those not inconsistent with this Act, including conditions providing for environmental protection. Applicants may also request amendments which are not inconsistent with the Act. The provisions of the Act supersede other provisions of law.

Section 8. This section shortens the period for, and grounds for, judicial review of the Act and the authorizations directed, using the basic language enacted as part of the Alyeska oil pipeline legislation.

Section 9. This section states that this Act shall grant no immunity from Federal antitrust laws.

Section 10. This section recognizes the sovereignty of Canada and the necessity for its approval, as well as that of the United States, of this international pipeline.

Section 11. This section is the standard severability clause.

Mr. JOHNSTON subsequently said:

Mr. President, I ask unanimous consent that a bill introduced earlier by Senator MONDALE (for himself and others), entitled the Alaskan Natural Gas Pipeline Authorization Act of 1976, be referred jointly to the Committee on Commerce and the Committee on Interior and Insular Affairs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

# Senator Walter Mondale on Estate and Gift Tax Reform



United States  
of America

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#### ESTATE AND GIFT TAX REFORM

Mr. MONDALE. Mr. President, one of the most serious problems confronting America's farmers and small businessmen is the terribly unfair burden imposed by present estate and gift tax laws. As a result of these present conditions, thousands of small family farms and businesses are being sold because the heirs simply cannot afford the staggering costs that are involved. The present estate tax exemption of \$60,000 has remained unchanged since 1942. However, since that time, prices have increased by 224 percent. Today the cost of land and the equipment necessary to operate even a small family farm is at least \$300,000. The value of a small business has also increased in a similar fashion.

Mr. President, family farms and businesses are vitally important to American society. Small businessmen have been shown to pay an effective tax rate of twice that of their larger competitors. They are at the forefront in hiring additional employees during an economic upturn. The owners of family businesses and farms play significant roles in the civic affairs of their communities. This country simply cannot afford a situation in which antiquated tax policies inadvertently force these enterprises out of existence.

Last summer Senator HUMPHREY and I chaired hearings in our home State of Minnesota on this matter. The testimony we received revealed how serious this problem has become to the farmers and small businessmen of Minnesota. Often they have devoted the major parts of their lives and their resources to these endeavors, and one of their strongest desires is to transfer these businesses or farms to their heirs at their deaths. I believe it is essential that we make major changes in the estate and gift tax laws to permit these aspirations again to become possible.

Last fall I introduced a bill that would raise the level of the estate tax exemption immediately from its present \$60,000 to \$150,000. This increase would help to make up for the decline in its real value over the last 34 years. My bill would also permit family farms to be valued for estate tax purposes as farmland rather than for commercial development, when the intent of the heirs is to continue the farming operation. This provision prevents the imposition of an unbearable estate tax which forces sale of the farm. My bill would also return the interest rate on installment payments of the estate tax to 4 percent and create

more flexible terms for the extension of this repayment period.

I am also primary sponsor of similar legislation, the Small Business Estate and Gift Tax Reform Act. This bill was recently introduced by my colleague, Senator NELSON, chairman of the Senate Select Committee on Small Business, on which I am proud to serve. I commend the committee and its distinguished chairman for their role in promoting this most important initiative.

Mr. President, a recent article in the New York Times demonstrates the severity of this problem for farmers nationwide. It documents examples of the human tragedy which the present laws inadvertently create. It also reports projections that as many as 200,000 to 400,000 family farms may disappear yearly if today's trends are not reversed. From meetings I held last week with groups of farmers and small businessmen in Minnesota, I can attest that this legislation is foremost in their minds.

I am convinced that the time for enacting major changes in our estate and gift tax laws is at hand. I urge my colleagues to consider these matters and to act favorably on them during this session.

Mr. President, I ask unanimous consent that the New York Times article to which I have referred be printed in the RECORD.

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

#### DEATH TAXES COMPELLING HEIRS TO SELL FARM LAND (By Roy Reed)

SPRINGFIELD, NEBR.—Lloyd Royal, 59 years old, drives a 7-year-old Chevrolet with 110,000 miles on it. He lives in an ordinary farmhouse next to a barn lot. If anyone called him rich, he would laugh.

But if he died his wife, Doris, would have to pay \$32,000 to the Internal Revenue Service in Federal estate taxes. That's because their modest farm has quadrupled in value since they bought it, thanks to inflation and spiraling land prices. They have become "paper rich."

"There's an old saying that a farmer lives poor and dies rich," Mrs. Royal said this week. "If he died, I'd be in the job market and probably at the minimum wage, because the only thing I know anything about is farming."

Death taxes are making it increasingly difficult for farm families to keep their land. Children who inherit land usually pay even higher taxes than spouses. Just this week, a man near here had to sell his parents' 80-acre farm to pay the death taxes. He sold it to one of the largest landowners in the

area—a pattern that has become familiar in the farm country here and elsewhere.

Farmers in New Jersey and on Long Island have also told of hardships because of the tax structure—and many are seeking change.

The inflated land prices that have caused death taxes to become a problem are also keeping young people from entering farming. It now takes at least \$250,000 by many estimates to start farming after high equipment prices are added to high land prices.

From her kitchen table, Mrs. Royal has set out to change what she and many others regard as an absurdity in the tax law. She and a handful of friends have rounded up 70,000 petition signers in 42 states asking Congress to act on it.

This election year is apparently going to bring a new attack on the problems of death taxes and prohibitive start-up costs for farmers.

President Ford and several members of Congress have proposed legislation to make estate taxes more bearable for all small and middle-sized estates, including those of farmers. The proposals vary widely.

Senator George McGovern, the South Dakota Democrat, and 16 other Senators representing varied philosophies have introduced another bill to have the Federal Government buy land, lease it to young farmers, then sell it to them at a reduced price after seven years' labor.

The Young Farmers' Homestead Act, as the bill is called, has drawn favorable attention from such varied sources as the National Farmers Union and Progressive Farmer Magazine.

Progressive Farmer, a generally conservative publication, cited projections that 200,000 to 400,000 farms a year would disappear for the next 20 years if today's trend was not stopped.

"The legislation faces up squarely to what probably has to be done if not-rich but bright youngsters are really going to get into ranching or farming for themselves," it said in its January issue.

Estate taxes were no problem to farmers until a few years ago. Federal law exempts the first \$60,000 of an estate from the death tax. Most farms were worth nowhere near that when that law was written in 1942.

W. Fred Woods, an economist with the Agriculture Department, estimates that the average value of farm assets in the United States was only \$51,440 in 1960. By 1974 that had climbed to \$169,744.

Farm values have continued to rise. Land prices in eastern Nebraska are going up more than 20 percent a year, according to observers.

#### TYPICAL ESTATE: \$320,000

In 1960 the Royals paid \$72,000 for their 240 acres—a small farm by Nebraska standards. Today, the land alone would cost close to \$300,000. The Royals have become rich in the eyes of the Internal Revenue Service, even though they live little better than they did in 1960.

Gilbert Brody, president of the Wisconsin division of the National Farmers Union, says a farmer who earns \$10,000 to \$12,000 a year



typically leaves an estate valued at about \$320,000.

His widow pays a Federal estate tax of \$20,200 on that, in addition to smaller state inheritance taxes.

When she dies, the children pay \$83,190 in estate taxes, their share being larger because they do not receive the 50 percent marital deduction. According to Mr. Brody, the children probably will have to sell the farm to pay the death taxes.

President Ford has proposed delaying the payment of those taxes until five years after the death of the owner. Then the heirs could elect to pay the tax over 20 years, with the addition of 4 percent interest. Heirs may

now stretch the payment over 10 years, but at an interest rate of 7 percent.

Mr. Ford's 20-year proposal would apply only to the first \$300,000 of an estate. Descending benefits would be allowed up to \$600,000, after which the present 10-year stretch-out provisions would apply.

#### \$200,000 EXEMPTION PROPOSED

The Royals and their friends do not think much of the Ford proposal. They regard it simply as a postponement of an unjust debt.

"What on earth good is that when you don't have that kind of money in the first place?" a California woman said in a letter to Mrs. Royal.

At least 10 bills pending in the Senate would raise the \$60,000 exemption to \$200,000 on all estates, farmers' included.

Other bills would require the I.R.S. to assess farmland at its agricultural value and not at the "fair market value" it would bring if sold for some other use.

Land values here are being pushed up by the growth of Omaha, which is less than 25 miles from the Royals' farm. As the city pushes out, it absorbs farmland at dizzyingly inflated prices and converts it into housing developments and shopping centers.

Many argue that farmers would be less likely to sell to developers if their land was assessed at its value for farming and not for commercial or residential use.

Arthur H. West, president of the New Jersey Farm Bureau, said that Federal estate taxes, inflation and the system of appraising property had imposed unfair burdens on farmers. He added that many New Jersey farmers were actively supporting proposed legislation that would require that the assessment of a property be based on its value for farming.

Mr. Woods, the economist, warned in a recent interview in Washington that changes in the estate tax law should be made carefully if they are not to exacerbate the problem.

Assessing land at its value for farming or as open land instead of at fair market value could result in a low-tax device for the wealthy in passing their estates on to their heirs, he said.

"That would run up farmland prices and make it more difficult for producing farmers," he said.

#### LETTERS OF HARDSHIP

No one knows how many farmers have had to sell land to pay estate taxes, but there are indications that this is happening more often.

Thomas Pulaski, who used to own a 25-acre potato field near Riverhead on Long Island, says he sold his farm because of his tax bill. He drives a truck for a living.

Mr. Pulaski, who lives in Coram, L. I., said: "If I had decided to stay on my farm after my father's death, I'd have spent half my lifetime paying off loans through which my taxes would have been paid." He sold his property to a real-estate developer and made \$6,000 profit—after taxes.

Suffolk County, New York State's largest agricultural county because of its potato and cauliflower crops, is trying to encourage farmers to stay by means of a farmland preservation program. In a \$60-million project, the county is buying development rights—not the fee title—to the existing 57,000 acres of farmland. In effect, a farmer will get the market value of the property from the county and may keep the land. But he must agree

not to use the land for any purpose other than agriculture.

More than half of 258 farmers surveyed last month by the Wisconsin division of the National Farmers Union said they had known farm families that had had to sell all or part of their farms to pay estate taxes.

Many of those who have written to Mrs.

Royal have told of hardships caused by the tax. After her campaign was described by the Farm Journal last fall, the magazine received a letter from William Jones of Lakeport, Calif.

"Our orchard land has been in the family for over 100 years," he wrote, "and now because of this unfair tax in an inflationary period, the resources of the family (never more than provided a living for the family during the past 30 years) is now about to be confiscated by the Government for taxes."

Another Californian, William G. Cox of Capistrano Beach, wrote that his family had already lost its farm because of an exorbitant estate tax bill after his mother's death.

"The I.R.S. is killing the goose that lays the golden egg," Mr. Cox wrote. "The big corporations that are buying up the small farms will never pay another death tax on the land because a corporation never dies. Forming trusts and corporations within families seems to be the only way to go now."

Dixon G. Adams, a Springfield lawyer who is donating time to Mrs. Royal's campaign, estimates that 40 or 50 of Sarpy County's 600 farms have been incorporated in recent years to escape or lessen the impact of death taxes. But many farmers resent that alternative. They feel that incorporation would impose more bookkeeping and "red tape" and would diminish their independence. Mr. Adams agrees.

"I don't want to construct a scheme where a farmer has to have a lawyer and a C.P.A. riding on the tractor with him," he said. "We are doing it, though, because of necessity."

Many of the farm wives who write to Mrs. Royal complain of what they believe to be sex discrimination in the Federal tax law. These women dislike being treated in the same way as wives of city residents and millionaires.

Federal law allows a widow to deduct from her tax payment any financial contribution she has made to the family estate, but only if she can prove it with payroll check stubs or the like. Simply working shoulder to shoulder with her husband on the farm for 30 or 40 years is not enough for the I.R.S.

Resentment against that drew Mrs. Royal into her campaign. "I got started one day during the blizzard of 1975," she said. "I had been out in the snow all day helping get the cattle into the barn and then throwing hay to them and getting everything ready for the storm."

"I got back in the house after dark, worn out, and I said, 'Lloyd, do you realize that I haven't contributed a dime to this farm today, according to the I.R.S.?' If he'd have dropped dead the next day, I hadn't done anything at all the day before, as far as they were concerned at the I.R.S."

Mary Heath is a rancher in the sparse sand hills of northern Nebraska, where the grass is so thin that it takes 20 acres to sustain one cow, and where the winters are so grim that only the hardest can survive.

Her husband, Floyd, died a year and a half ago. She inherited a \$40,000 debt along with the ranch. Cattle prices have been depressed for three years.

Now she has had to borrow another \$5,000 from the bank to make the first payment on her estate tax. The tax, by her figuring, is \$28,000. She has been waiting for months to learn whether the Internal Revenue Service will settle for that.

"When the Government takes my place away from me, it takes my livelihood," she wrote to Mrs. Royal. "I don't know where I can get a job at my age [55] and I'm not old enough for Social Security. This is all the work I know how to do. I wouldn't even be able to get housework for I'm not much good at that, either. My work has been with cattle and hogs."

"I had worked alongside of him from the time we got this place. I don't consider this

place a gift. It makes me sick to think I'll lose everything my husband and I worked for. Unless times get better it could very well happen."

UNITED STATES SENATE  
443 Russell Building  
Washington, D.C. 20510

Walter F. Mondale  
U.S.S.

If your newsletter was incorrectly addressed, please fill out the form below and return it with your present address label to my Washington office.

- ☐ My name was misspelled  
☐ My address was wrong

(Please write in corrections next to the mailing address.)

- ☐ I received more than one copy. (Please enclose the mailing address from all newsletters received.)



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 94<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 122

WASHINGTON, TUESDAY, FEBRUARY 24, 1976

No. 24

## Senate

### CHILD AND FAMILY HEALTH SERVICES

#### FALSE ALARM

(By Howard Fieger)

Every now and then a reader writes us in words of terror to warn that a Marxist plot is afoot in Congress to "nationalize" our children—take them away from the protection or control of their parents and destroy the American family, utterly and forever.

The volume of mail received here is not a patch on the sacks of it that have been hitting some congressional offices.

The writers are alarmed over what they've been informed is an insidious scheme to give youngsters the legal right to disobey their parents, and thus become pawns of Government—an all-powerful Big Brother to mold their training, conduct and beliefs.

Strange.

It is strange because there isn't a word of truth in it. No such legislation is before this Congress, or ever has been.

The specific bill that has so many people disturbed is "The Child and Family Services Act of 1975." Its authors are Sen. Walter Mondale (Dem.), of Minnesota, and Rep. John Brademas (Dem.) of Indiana. It is "S. 626" in the Senate, "H.R. 2966" in the House. Read it before you panic.

In its present form, the legislation is both innocent and impotent: innocent because it would do none of the things attributed to it; impotent because it isn't going anywhere.

Briefly stated, the proposal is to make federal funds available to help States and communities provide certain public services for children and their families.

These would include such things as prenatal care, food where needed, part or full-time day care for children of working mothers, tutoring at home where deemed useful, medical examination and treatment for certain handicapped children, and training for parents and about-to-be-parents.

There is nothing compulsory about the legislation now before the Congress. Even if the bill were enacted, anyone who felt like it could ignore each and all of its provisions.

Nothing in it says—or implies—that youngsters have a legal right to disobey their parents or guardians.

Nowhere does it forbid parental guidance advice or preference in religious training. The subject isn't mentioned.

In fact, it says in specific words:

"Nothing in this act shall be construed or applied in such manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents."

So why all the excitement? It is puzzling to Senator Mondale, one of the chief sponsors, who says the measure "is being subjected to one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service."

There is another practical thing to keep in mind about The Child and Family Service Act: It would cost a lot of money. Estimates are that an initial annual expense of 150 million dollars would grow to almost 2 billion by the third year of operation.

This present Congress is in no mood to add such a burden on taxpayers who already are making angry noises about waste and the high cost of Government. Since this is election year, the measure probably has less chance now than a year ago, when it was introduced—and that means practically none.

Also, remember the President is demanding that Congress do more to hold the line on spending. It is a keystone of his campaign to be against this bill, and any like it.

So everybody can stand at ease.

The bill doesn't provide all those wild things the letter-writers fear. It has no realistic chance of adoption. And even should it overcome its rating as one of the longest shots in history and somehow be enacted by Congress, it would be vetoed almost the minute it reached the White House.

The furor is a false alarm. Forget it.

published in the issue of U.S. News  
& World Report dated March 1, 1976





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 94<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 122

WASHINGTON, MONDAY, JANUARY 26, 1976

No. 6

Vol. 122

WASHINGTON, THURSDAY, FEBRUARY 19, 1976

No. 22

## CHILD AND FAMILY SERVICES

Mr. MONDALE. Mr. President, as many of my colleagues are aware, the Child and Family Services Act is being subjected to an outrageous and totally dishonest propaganda attack. Completely false allegations are being made that this legislation would somehow give children the legal right to disobey their parents; somehow prohibit parents from providing religious training to their children; somehow give the Government authority over child rearing; and somehow give children the right to complain about their parents and teachers "without fear of reprisal."

These charges are absolutely and completely false. There is not a shred of truth in any one of them. If there were, neither I nor any Member of Congress would be sponsoring this legislation.

Mr. President, today I would like to bring to the attention of my colleagues and the public a letter I received from Archbishop Roach of the Archdiocese of St. Paul and Minneapolis.

Speaking for the bishops of Minnesota, Archbishop Roach denounces this attack on the Child and Family Services Act and specifically endorses the bill's protection of the rights of parents.

I ask unanimous consent that this letter be printed in the Record, and I commend it to the attention of my colleagues and the public.

There being no objection, the letter was ordered to be printed in the Record, as follows:

ARCHDIOCESE OF ST. PAUL AND  
MINNEAPOLIS,

St. Paul, Minn., December 15, 1975.

Hon. WALTER F. MONDALE,  
U.S. Senate, Senate Office Building, Wash-  
ington, D.C.

DEAR SENATOR MONDALE: The Board of Directors of the Minnesota Catholic Conference met on December 10 and one of our items for discussion was an informational item concerning your Child and Family Services Bill.

The attacks on that bill are dishonest and we, as the Bishops of Minnesota, deplore them.

The bill would fill an urgent need and, at least as we read it, is very careful in providing proper protection for the rights of parents.

If this letter of support for your bill can be used to its advantage, we want to raise our voices in support of it.

Sincerely yours,

MOST REV. JOHN R. ROACH, D.D.,  
Archbishop of St. Paul and Minneapolis.

## CHILD AND FAMILY SERVICES

Mr. MONDALE. Mr. President, as most of my colleagues are aware, the widely circulated and dishonest flyer attempting to discredit the Child and Family Services Act continues to create considerable concern among many decent Americans.

I have, in the past, inserted a number of items in the CONGRESSIONAL RECORD in direct response to the vicious and inaccurate charges being made. These include a point-by-point rebuttal of these false allegations; the complete text of the bill and a section-by-section analysis; an interreligious statement signed by 16 Protestant, Catholic, and Jewish organizations denouncing the attack and specifically endorsing the bill as family strengthening; newspaper articles from several papers across the country tracing the spread of the flyer and presenting the true facts about the bill; and a letter I received from Archbishop Roach of St. Paul and Minneapolis, clearly stating that the bishops of Minnesota deplore this attack and specifically endorse the bill's protection of the rights of parents.

Mr. President, today, in order to further clarify the erroneous and totally inaccurate nature of this flyer, I would like to bring to the attention of my colleagues and the public news releases from the United Methodist and the American Lutheran Churches in Minneapolis, Minn.

I ask unanimous consent that a copy of these releases be printed in the Record at this point in my remarks, and I commend them to the attention of my colleagues and the public.

There being no objection, the releases were ordered to be printed in the Record, as follows:

[Press release from the Office of Communication, American Lutheran Church, Minneapolis, Minn.]

### DR. DAVID W. PREUS COMMENTS

MINNEAPOLIS.—Dr. David W. Preus, president of the American Lutheran Church, said here today that he found nothing alarming in Senator Walter Mondale's child care bill and suggested that persons expressing opinions on the measure should be fully informed concerning its provisions.

After studying the proposed bill, Dr. Preus said, "This is important legislation which deserves the most careful hearing; false and misleading information could handicap its consideration."

The bishop of the 2.4 million member denomination added, "Responsible citizenship calls for thorough examination of issues rather than impetuous support of anonymous accusations."

Dr. Preus' comments were prompted by unsupported attacks being widely circulated in Minnesota against the Mondale bill by unidentified persons and/or organizations.

[From the United Methodist Information News Service, Minneapolis, Minn.]

### METHODIST BISHOP SPEAKS FOR CHILD CARE BILL

Reacting to charges made against Senator Walter Mondale's Child Care Bill, Wayne K. Clymer, resident Bishop of the United Methodist Church in Minnesota, says "Vicious attacks upon this bill are ill informed and dishonest. There may be ways of amending and improving the bill, but as it now stands it is legislation needed for the health of many families in our country."

The Bishop commented that the reading of the Child and Family Services Act of 1975 (Senate 626) leads to the conclusion that it is "an enlightened approach to families in need. The intent of the legislation is to strengthen the resources for family life and to provide help for families in special need."

"This help," he added, "is for those who request the assistance and does not legislate for families who do not wish to receive assistance. Careful provision is made to protect the moral and religious training of the family and in no way removes children from the care of the parents."

Replying to a question regarding the unsigned mailings now being received by churches throughout the state, the Bishop responded, "I hope that the people of our churches will read this legislation before giving credence to attacks upon it. I would especially urge members to read Vol. 121, No. 173 of the Congressional Record, dated November 19, 1975."

Rather than opening the door to governmental interference within the family, Bishop Clymer finds that the bill "is very careful to provide for the protection of the human rights of all persons concerned."

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## United States Senate

COMMITTEE ON FINANCE

WASHINGTON, D.C. 20510

MICHAEL STERN, STAFF DIRECTOR  
DONALD V. MOOREHEAD, CHIEF MINORITY COUNSEL

March 24, 1976

Dear Friend:

Thank you for your interest in the Child and Family Services Act. I regret that because of the tremendous volume of mail I am receiving on this issue, this must be a form reply.

As you may know, this proposal has been subjected to one of the most vicious and inaccurate propaganda campaigns I have witnessed in my fifteen years of public service. This attack most commonly appears in the form of an unsigned flyer claiming that this bill includes child advocacy provisions which would somehow equip children with the legal right to disobey their parents in matters concerning religious instruction and family discipline.

There is not a shred of truth in any of these charges. If there were, I would lead the fight in opposition to this measure.

Contrary to the malicious allegations being circulated, nothing in this legislation would interfere with religious instruction, religious training or religious preference. Instead, this bill simply offers health and child care services -- on a totally voluntary basis -- to families who may need these basic services for their children, but often cannot afford them.

For these reasons, the legislation has been specifically endorsed as "family strengthening" by a wide range of civic and religious organizations. I am enclosing, for your information, a summary of the bill and statements of support by major religious leaders. I hope this material is helpful to you, and I would appreciate it very much if you would contact my office if you have any further questions.

Sincerely,

Walter F. Mondale

Enclosures

7236



CHILD AND FAMILY SERVICES ACT OF 1975

- Purpose            The purpose of the legislation is to make available -- on a totally voluntary basis -- health, education and child care services for American families which need and request them. It is designed to strengthen family life by meeting the needs of poor families whose children often cannot obtain decent care, and the needs of working parents who often cannot afford adequate assistance for their children.
- Provisions       The bill would:
- provide financial assistance for carrying out Child and Family Service programs such as child care programs which provide educational, health, nutritional and social services; before and after school summer programs; in-home and in-school services; education and consulting for parents; prenatal and other medical care for expectant mothers who cannot afford such services; diagnosis, identification and treatment of medical and dental problems, identification of handicaps and learning disabilities; training of professional personnel and improvement and upkeep of facilities and supplies; and to provide Child and Family Services to minority groups and the economically disadvantaged;
  - provide for sponsorship of such programs by states, localities, combinations of localities, or public and non-profit organizations;
  - require that a Child and Family Services Council -- half of whose members must be parents -- be created to approve the goals, policies, action and procedures of each program;
  - provide for establishment of an Office of Child and Family Services in the Department of Health, Education and Welfare, to administer the Act;
  - provide for a Child and Family Service Coordinating Council to assure maximum use of available resources for child and family services, and recommend priorities for research and development in the field.
- Standards       Assistance under the Act would be available only for programs which:
- offer services only to families which request them;
  - establish and maintain a parent policy committee composed of the parents to participate in the development and operation of the program;
  - keep the parents of children served by the program informed of program activities;
  - provide regular consultation with the parents of participating children regarding their children's development.

(over)

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Protections            The bill states that nothing in the Act shall infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to moral, mental, emotional, physical or other development of their children, nor shall the Act permit any invasion of privacy.

Authorizations        The bill authorizes the expenditures of \$150 million for training, planning and technical assistance for fiscal year 1976; \$200 million for these purposes plus \$500 million for programs in fiscal 1977; and \$1 billion in fiscal 1978 for programs. The bill provides for a 100% federal share in planning for FY 1976, 90% for 1977 and 1978; and 80% for subsequent years.

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The Child and Family Services Act of 1975 is based on the following findings by Congress:

1. The family is the primary and most fundamental influence on children.
2. Child and Family Service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services, with a view toward offering families the options they believe are the most appropriate for their particular needs.
3. Although there have been increased services for children of working mothers and single parents, such services have not been made available to families to the extent that parents consider necessary.
4. It is essential that the planning and operation of such programs be undertaken as a partnership of parents and community as well as private agencies and state and local government with appropriate supportive assistance from the federal government.





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