mendations involving such matters as staffing, training, computer systems management, et cetera. The subcommittee will not discuss those recommendations involving legislative change, since these recommendations are under consideration by the Ways and Means Public Assistance Subcommittee.

This hearing is the fourth in a series being held at the request of Chairman ULLMAN and Acting Chairman CORMAN of the Public Assistance Subcommittee. The hearing will be designed to help measure the progress of the Social Security Administration in improving the operation of the SSI program.

DESTRUCTION OF FILES OF ILLEGAL SURVEILLANCE AND OTHER ILLEGAL ACTIVITIES: ANNOUNCEMENT OF HEARING

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 20 minutes.

Ms. ABZUG. Mr. Speaker, the Government Information and Individual Rights Subcommittee, which I chair, has been studying the maintenance, dissemination and ultimate disposition of files created as a result of such programs as CHAOS, COINTELPRO, IRS Special Service Staff, FBI and CIA mail openings, and NSA interception of wire communications. In addition, we have legislative and oversight jurisdiction over the Privacy Act of 1974.

In that connection, I have introduced H.R. 12039, which would require that individuals who were the subjects of such programs be informed of the existence of files on them and afforded the opportunity to require that such files be turned over to them or destroyed. H.R. 12039 is an expanded version of H.R. 169, which I introduced in January 1975.

By letter dated February 24, 1976, I also requested that the CIA, the FBI, the IRS, the NSA and other agencies having such material not destroy it on their own. To begin with, it is the subjects of the programs, not the agencies which unlawfully conducted them, who should have the right to determine the disposition of files collected unlawfully. In addition, it is important that the material, which undoubtedly includes considerable evidence of illegal activities by the agencies, not be destroyed before committees such as mine conclude teir inquiries into these programs.

Today I received two letters from Attorney General Levi, one striking a positive note, the other quite disappointing. In the first, Mr. Levi informed me that, on the request of syndicated columnist Joseph Kraft, he has asked the National Archives to destroy the content of the electronic surveillance conducted against Mr. Kraft in 1969 on the ground that the continued maintenance of the informatin violates the Privacy Act of 1974. Specifically, Mr. Levi ruled that the keeping of the information violates the requirements that Federal agencies may only maintain records on individuals that are relevant, timely, accurate, and complete, and which do not describe how an individual expresses rights guaranteed by the first amendment.

The existence of the Kraft wiretap was made known by Watergate investigators, but there are many thousands of Americans who are not even aware that their Government opened their mail, tapped their phones, or otherwise had them under surveillance for doing nothing more than exercising their constitutional rights. These people have a right to be informed of the existence of the files on them so that they may exercise their rights to have the files amended or destroyed, and H.R. 12039 would go beyond Mr. Levi's position by requiring that they be so notified and informed of their rights.

Mr. Levi's second letter relates to the destruction of files generally. Now that the Pike committee has completed its work, albeit without its report having been made public, and the Senate committee chaired by Senator CHURCH is about to conclude its investigation, the Congress is presented with the question of whether the moratorium which has been in effect on destruction of documents by the intelligence agencies should be extended.

In January 1975, Senators MANSFIELD and SCOTT requested that various agencies and departments not destroy or otherwise dispose of documents which might have a bearing on the work of the Senate and House Intelligence Committees.

The agreement reached by the Senate leadership with the various agencies will expire shortly, and I believe that Congress should address the question of the ultimate disposition of some of the sensitive files and records held by these agencies. I recently sent a letter to the Departments of State, Justice, Treasury, and Defense, and to the Central Intelligence Agency, requesting that the moratorium on destruction of files and records be extended until Congress has had an opportunity to act on legislation dealing with this matter. The text of a sample of the letter I sent and the responses of the agencies are appended following my remarks.

The replies I received to my letters to the agencies generally state that they have complied with their agreement, that they will "discuss the matter further" with the congressional leadership, and that any destruction will be done in accordance with Presidential order or as otherwise provided by law. The Treasury Department assures me that it has preserved the files and records relating to its Special Service staff and the secret Service has presreved its files and records relating to the assassination of John K. Kennedy. I assume, in the absence of evidence to the contrary, that every other agency has kept the files which comprise the subject of H.R. 12039.

Mr. Levi's second letter states that he will "shortly authorize the resumption" of the FBI's "routine destruction program." Mr. Levi also says that no "intelligence files" are to be destroyed. I do not question his good faith, but I suspect that we may have some differences as to what constitute "intelligence files," and that we may also differ on the extent to which the files which he does propose to destroy contain evidence vital to the investigatory efforts of the Government Information and Individual Rights Subcommittee and other committees of the Congress.

In light of these developments, the Government Information and Individual Rights Subcommittee will hold hearings on H.R. 12039, H.R. 169, and other matters relating to the disposition of the records of the agency activities in question, beginning on April 13, 1976. The hearing will be in room 2247 of the Rayburn Building and will begin at 10 a.m.

My letter and the agency response are appended:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., March 29, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Subcommittee on Government Information and Individual Rights, Committee on Government Operations, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRWOMAN ABZUG: In light of your interest in the preservation of certain records of this Department, I thought it advisable to notify you of my request to the Archivist to dispose of certain materials relating to an electronic surveillance of Joseph Kraft in 1969.

Mr. Kraft has requested destruction of these records pursuant to subsection (d) of the Privacy Act of 1974, 5 U.S.C. 552a(d). I have determined that the records in question may not properly be maintained by this Department pursuant to that Act and must therefore be destroyed or, if of historical interest, transferred to the Archivist. As the attached form 115, submitted to the Archives, notes, I am proposing that we destroy only the documents containing or summarizing the actual content of the surveillance not the documents which relate to the initiation or termination of it. Much of the material has already been furnished to the Senate Select Committee and information concerning the incident is contained in the files. Thus, the historic fact of the occurrence of the surveillance will be preserved, not only in the files of this Department but also in the files of the Senate Select Committee.

In my view destruction of the files at this time fulfills my obligations under the Privacy Act and yet remains consistent with your earlier request.

Sincerely,

EDWARD H. LEVI,
Attorney General.

REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See Instructions on reverse)

(Leave blank.)
Job No.: NC 1–65–76–2.
Date received: March 8, 1976.
Notification to agency: In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.
Date: Archivist of the United States.
To: General Services Administration, National Archives and Records Service, Washington, D.C. 20408.
1. From (agency or establishment): Department of Justice.
2. Major subdivision: Federal Bureau of Investigation.
3. Minor subdivision: Files and Communications Division.
4. Name of person with whom to confer: Mary C. Lawton.
5. Tel. ext.: 2059.
6. Certificate of agency representative: I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of ——— page(s) are not now needed for

numbering system. But, you have made progress beyond my imagination. Keep up the good work. Get it done! We need it! You have the support of those who really know the value of the project.

Mr. Speaker, I am greatly pleased today to recognize my distinguished fellow Floridian, Dr. Michael A. DeCarlo, and the profound and lasting contribution he has made. For more than 10 years, I have followed with great personal interest the professional accomplishments and growth in national stature of this singularly talented man. He possesses that rare blend of leadership, dedication, and devotion to educational excellence that makes him an inspiration to all but the most diehard reactionaries.

I commend the pioneering achievements of Dr. DeCarlo to the attention of my colleagues, the U.S. Office of Education, other Federal and State educational leaders, and private foundations. I also urge full support for him during the crucial final stages of project development and implementation. It is far too important—and of too much ultimate benefit to education throughout the United States—to possibly founder now on the rocks of narrowness or self-interest.

PANAMA CANAL: THE SIGNIFICANCE OF ANGOLA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, in the growing number of articles now being published on the Panama Canal question, already a major Presidential election issue, I have noted that the people of our country are far ahead of their Government in evaluating the challenge on the isthmus in a realistic manner.

An example of such writings is a recent guest editorial in the San Diego Examiner by Vice Adm. L. S. Sabin, a distinguished naval officer who has long been a student of geopolitical matters, including the Panama Canal.

In this article, he includes a discussion of the possible future use of Cuban troops in the Caribbean, describes the recent action of our Joint Chiefs of Staff in acquiescing with the State Department's drive for surrender of U.S. sovereignty over the Canal Zone as "unbelievable," stresses the dangers in Soviet control over South Atlantic and Caribbean sea lanes and calls for a revival of the Monroe Doctrine to counter the Brezhnev doctrine.

In order that the Congress and executive branch of our Government may have the benefit of his views derived from experience as well as study, I quote the indicated article as part of my remarks:

MILITARY—THE SIGNIFICANCE OF ANGOLA

(By Vice Adm. L. S. Sabin, U.S. Navy, retired)

"He who fails to remember history", wrote George Santayana; "will be compelled to repeat it."

For more than half a century our people have failed to heed the lessons of history as they watched the relentless advance of world Communism. They are now being compelled to repeat that history as the Hammer of Communism continues to pound people of other nations into submission and the Red sickle slashes away their liberty. Angola is the most recent example of Communist expansion, except in this case the Soviet Union used an expeditionary force of 10,000 Cuban troops to bear the brunt of the fighting.

President Ford requested from the Congress authority to counter the Soviet Union's take-over of Angola. He was rebuffed. With a vision no farther than their long noses, a majority of Congress turned down the President in their smug satisfaction that they had averted another Vietnam. Angola has been hauled inside the ever growing sphere of Communist domination. The United States of America, along with the Free World, is now paying the price of appeasement in another of a long series of political retreats in the face of the Communist menace.

Why is a little country ten degrees below the equator, on the west coast of Africa, with a population of only a few million people and an area of less than a half million square miles so important to Soviet designs that they not only would bring it under Communist control but that they would underwrite the overseas transit of an expeditionary military force of between ten thousand and twelve thousand Cuban satellite troops? The answer to the Soviet involvement lies in the strategic position of Angola. The answer to the use of Cuban satellite troops lies probably in the opportunity to combat-train a military force for possible use in another area.

Angola is touched on the north by the Belgian Congo. To the east is northern Rhodesia; on the south is Southwest Africa and to the west rolls the South Atlantic Ocean. The establishment of military bases in Angola will enable the Russians to project its armed mobility into any part of southern Africa it chooses and at any time it chooses. Of far greater importance, however, is control of the shipping lanes along the west coast of Africa, between the Indian and South Atlantic oceans and between Southern Africa and the western hemisphere. Not one shipload of strategic cargo, not one oiler filled with petroleum or its by-products will traverse those shipping lanes without the acquiescence of the Soviet Navy:—and their Navy is now adequate to meet the challenge. By the subjugation of Angola, the Soviet Union has accomplished a major step in its quest for a dominant global strategic advantage.

Columnist Isaac Don Levine believes that Soviet use of Cuban troops is linked to their possible use later within the western hemisphere. In an article in the San Diego Union on February 4, 1976, Mr. Levine stated that Angola is being used as a testing ground for Cuba's 10,000 man expeditionary force. Citing the Brezhnev Doctrine which proclaims the right of the Soviet Union to wage war in any part of this planet where anti-Communist activities appear, he said that it hangs like a cloud over the Caribbean as Cuban troops are being trained for further use inside the perimeter of the United States.

If Mr. Levine is correct in his assessment—and this observer believes he is—the focal point of trouble will probably be in Panama now under the dictatorship of the Leftist Torrijos. Negotiations for a new Panama Canal treaty are now being held by which the United States would surrender its sovereignty over the Canal Zone and its operational control of the canal. An all-out drive has been launched by our State Department, with Administration approval and with, of all things, the unbelievable acquiescence of the Chairman of the Joint Chiefs, General George Brown! Such a surrender of U.S. legal rights would ultimately bring that vital strategic seaway across the Isthmus of Panama which connects the Atlantic and Pacific oceans under Communist control; and history has shown that no amount of safeguards written into the treaty will prevent this. With Red Cuba already flanking the Windward passage through which travels eighty percent of the Caribbean shipping, vital cargoes of strategic materials destined to or from the United States will or will not arrive at their destinations as the Communists choose. This situation along with Communist control of the sea lanes in the South Atlantic and Indian oceans will deal the United States a catastrophic strategic blow.

In keeping with recent examples of government perfidy has been the use of political blackmail by the proponents of the treaty for surrender of our Canal Zone sovereignty in order to pressurize support for the new treaty. We are being told that if we don't knuckle under, the Canal Zone will become a scene of violence. In short the United States is being asked to give away one of our most important strategic areas or suffer the consequences of violence. Instead of pursuing that course, our government should be making a determined effort to revive our Monroe Doctrine as a counter to the Brezhnev Doctrine within our own hemisphere.

Now, after refusing to lift a finger in support of the President's request to counter the Soviet action in Angola, the Congress is being pressured to adopt a similar pusillanimous attitude towards a Communist take-over of the Panama Canal. Where is it all going to end? With a Communist dominated world?

In 1938 the great Churchill grimly warned his countrymen of the imminent danger facing England with only a precarious chance of survival. Then he added: "There may even be a worse case. You may have to fight when there is no hope of victory because it is better to perish than to live as slaves." This is precisely the situation which the United States and the free world face today. We are negotiating from a position of military weakness. The Soviets hold the blue chips. Unable to insist, we can only ask. The Soviets not only can insist, they can demand—and they do. They tested us in Angola and found us wanting. We were compelled to repeat history.

Only by a resurgence of our national courage with a determined will to preserve our precious liberty at all costs can we hope to survive as a free nation.

(NOTE.—Adm. Sabin has contributed numerous articles and lectures on global problems. Prior to retiring to LaJolla, he was the Chief of Staff to the Supreme Allied Commander, Atlantic NATO. His many sea commands included Commander, Amphibious Forces, Atlantic Fleet.)

WAYS AND MEANS OVERSIGHT SUBCOMMITTEE ANNOUNCES HEARING ON SUPPLEMENTAL SECURITY INCOME PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, the Ways and Means Oversight Subcommittee is currently scheduling a hearing on the Social Security Administration's supplemental security income program for the aged, blind, and disabled. The hearing is planned for Thursday, April 8, in the main Ways and Means Committee room, from 1 to 3 p.m. The scheduling may be changed if required by the agenda of the full committee.

The hearing will concentrate on the reaction of the Social Security Administration management to the administrative recommendations contained in the SSI study group report, released January 26, 1976. The subcommittee is primarily concerned about the recom-

the business of this agency or will not be needed after the retention periods specified.

[X] A. Request for immediate disposal.

[ ] B. Request for disposal after a specified period of time or request for permanent retention.

C. Date: 3/8/76.

D. Signature of agency representative:

E. Title: Attorney General.

7. Item no.: 1.

8. Description of item (with inclusive dates or retention periods): Contents of sealed file which include 115 documents, 48 of which are original (some are classified Top Secret) and 67 duplicates. The contents were ordered removed from the general files of the Federal Bureau of Investigation by the Attorney General and sealed. The material relates to conversations overhead during a 1969 electronic surveillance.

The sealed file consists of transcripts of conversations and memoranda describing, summarizing and transmitting product of electronic surveillance. Documentation of the initiation, implementation and termination of electronic surveilalnce project is included in files that will be retained in the FBI in its approved Records Control Schedule. Continued maintenance of the records covered by this disposal request conflicts with the provisions of the Privacy Act of 1974, 5 U.S.C. 552a(e)(1), (5) and (7).

9. Sample or job no.

10. Action taken.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., March 29, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Subcommittee on Government Information and Individual Rights, Committee on Government Operations, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRWOMAN ABZUG: You have asked me to have the Federal Bureau of Investigation refrain from destroying any material that might be useful to a future Congressional oversight committee. As you know, the Bureau has, since the Senate leadership requested a moratorium on destruction of files January 27, 1975, refrained from destroying any materials. It has done so in abundance of good faith, but the logistical burden of this policy has been very great. The Bureau, with the concurrence (enclosed) of Senators Hugh Scott and Mike Mansfield who made the 1975 request, intends to renew its routine destruction programs described in the attached memorandum.

You will notice that no intelligence files are sought to be destroyed. I believe the resumption of the routine destruction program—which is also consistent with Archival requirements—will in no way impede the responsibilities of Congressional oversight committees and will result in a considerable savings of money. I intend shortly to authorize the resumption of the destruction program.

Sincerely,

EDWARD H. LEVI,
Attorney General.

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., March 30, 1976.

HON. EDWARD H. LEVI,
Attorney General of the United States, U.S. Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Thank you for your letter of March 29, 1976 in which you inform me of your request that the Archivist dispose of the content of the electronic surveillance conducted in 1969 on the columnist, Joseph Kraft.

I am gratified that you have taken this action, and want you to know that I agree with your interpretation of Sections (e) (1), (5) and (7) of the Privacy Act. This decision, as far as I know, is the first interpreting these vital provisions of the Act.

On February 24, 1976, I introduced a bill, H.R. 12039, to provide that the subjects of several programs, including COINTELPRO, be informed of the fact that they were subjected to surveillance and giving them the opportunity of having the file on them destroyed. The programs or operations covered by my bill include mail openings, illegal entries, warrantless wiretaps, monitoring of international communications, and the programs known as CHAOS and the Special Service Staff of Internal Revenue, as well as COINTELPRO. I had previously, on January 14, 1975, introduced H.R. 169 to amend the Privacy Act to provide for expunging of certain files.

I intend to hold hearings on H.R. 169, H.R. 12039 and related matters involving records of these activiles on April 13, 1976. If possible, we would appreciate having your testimony at that time. I would, of course, also appreciate having your support for the bills.

Sincerely,

BELLA S. ABZUG,
Chairwoman.

OFFICE OF THE MAJORITY LEADER,
Washington, D.C., March 24, 1976.

Hon. CLARENCE M. KELLEY,
Director, Federal Bureau of Investigation, Washington, D.C.

DEAR MR. DIRECTOR: You will recall that we wrote to you on January 27, 1975, requesting "that you not destroy, remove from your possession or control or otherwise dispose of documents . . ." which might be pertinent to the investigation which was provided for by S. Res. 21. We are now advised by Senator Church, as Chairman, that this moratorium is broader than necessary at this time.

Accordingly, we rescind our request of January 27, 1975, to the end that you may resume the Bureau's routine records disposal program. Our understanding is that the files involved in that program do not relate to security and intelligence matters.

With appreciation for your cooperation, we are

Sincerely yours,

MIKE MANSFIELD,
Majority Leader.
HUGH SCOTT,
Republican Leader.

MARCH 4, 1976.

The ATTORNEY GENERAL,
DIRECTOR, FBI,
U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES:

Enclosed for your approval and forwarding to the committee is a letterhead memorandum outlining the FBI's recommendation for the reinstitution of the Bureau's normal file destruction program. A copy of this letterhead memorandum is enclosed for your records. This letterhead memorandum is in response to Chairman Frank Church's request that the FBI obtain the concurrence of you in the reinstitution of this program. The request of Chairman Church was contained in his letter to me dated February 20, 1976. A copy of this letter is enclosed as well as a copy of my letter to Chairman Church dated January 27, 1975.

All of the FBI's file destruction programs are approved by the National Archives and Records Service as well as furnished to the Assistant Attorney General for Administration. The problems presented by the continuing retention of the materials are such that I ask that this matter be handled as expeditiously as possible.

MARCH 4, 1976.

U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

Reference is made to the letter of Chairman Frank Church to Honorable Clarence M. Kelley, Director, Federal Bureau of Investigation, dated February 20, 1976, which requested the Attorney General's concurrence in the FBI's reinstitution of the destruction of certain FBI documents and files.

By letter to the Director of the FBI dated January 27, 1975, from Senate Majority Leader Mike Mansfield and Minority Leader Hugh Scott, the FBI was advised of the U.S. Senate's intended investigation and study of intelligence activities by the FBI and other Government agencies. The scope of this investigation and study was described in Senate Resolution 21 of the 94th Congress.

The aforementioned letter specifically requested the FBI not to destroy or otherwise dispose of any records or documents which might have a bearing on the subjects under investigation or relating to the matters specified in Section 2 of Senate Resolution 21. That Section of the Resolution described the Senate's extensive interest in the domestic intelligence as well as foreign counterintelligence activities of Executive Branch agencies including the FBI.

In accommodation of that request, Director Kelley immediately issued instructions to all offices and divisions of the FBI establishing a moratorium on the destruction of all records of whatever description. In retrospect, the FBI now feels that the moratorium need not have been as all-encompassing as that, but this was done to assure that there could be no question of its intention to comply fully with the request with regard to the preservation of relevant records in which the Senate might develop an interest.

It is now more than one year since the inception of the moratorium on the FBI's regular records destruction program. For your information, the FBI's regular destruction program, as approved by the National Archives and Records Service and the Department of Justice, is designed to prevent retention of masses of records well beyond the period during which they may serve a useful purpose. Further, our records destruction program, as approved by the National Archivist, permits the destruction of those records which are deemed to no longer possess evidentiary, intelligence, or historical value. The moratorium, which was not expected to last as long as it has, has created substantial administrative burdens not only at FBI Headquarters but throughout the 59 field offices. The suspension of sound records management and file destruction practices in many areas is causing very substantial space and storage problems.

The FBI now proposes that that portion of its records destruction programs which do not pertain to or concern classifications of files which would fall within the general description of "security files" be reinstituted. Those files which would not be affected by the reinstitution of the file destruction program would include all files on domestic intelligence matters, extremist matters, racial matters as well as foreign counterintelligence matters. The files which the FBI proposes to resume routine destruction of in accordance with its established records retention plan include the following: files relating to criminal investigations, suitability or applicant-type investigations, correspondence files, and files of an administrative nature generally.

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES,
Washington, D.C., February 20, 1976.

Hon. CLARENCE M. KELLEY,
Director, Federal Bureau of Investigation, Washington, D.C.

DEAR DIRECTOR KELLEY: I have considered your letter of January 12, 1976, regarding the request of the Majority Leader and the Minority Leader on January 27, 1975, that the FBI not destroy any records which might have a bearing on matters specified in Senate Resolution 21.

The Select Committee deeply appreciates your instructions issued immediately after the request establishing a moratorium on destruction of all FBI files of whatever description. We understand that this moratorium has been costly and has produced substantial administrative burdens.

Therefore, the Select Committee would raise no objection to the resumption of destruction of certain records which would have no relationship whatsoever to the matters specified in S. Res. 21. We are concerned, however, that resumption of routine destruction in accordance with your established Records Retention Plan may result in destroying materials which might be of use in connection with the work of a future Senate committee engaged in oversight of the FBI.

Consequently, we suggest that you confer with the Attorney General so as to ensure that he is satisfied that reinstitution of destruction under the Records Retention Plan is consistent with his policies regarding the availability of materials for future Congressional oversight, as well as for effective supervision of the FBI by the Attorney General.

I will be happy to recommend to the Majority Leader and Minority Leader that they endorse resumption of records destruction, upon receipt of notification that the Attorney General has approved such destruction after considering the concerns stated above.

Thank you again for your continued cooperation with the Select Committee.

Sincerely,

FRANK CHURCH.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., March 1, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Subcommittee on Government Information and Individual Rights, Committee on Government Operations, Rayburn House Office Building, Washington, D.C.

DEAR MADAM CHAIRWOMAN: I have your letter of February 24 which requests that the moratorium on destruction of files and records be extended "until such time as Congress has had an opportunity to act on legislation dealing with this matter."

I have referred your letter to various officials in the Department of Justice for a further analysis of the effects of such a general postponement. I realize that the postponement is related to investigations of the Pike and Senate Select Committees, but this constitutes a broad area. As soon as I have their analysis and recommendations, I will write to you again.

I do want to point out, however, that one matter of specfal interest to the Edwards Subcommittee of the House Judiciary Committee was the adoption of procedures for the destruction of some material, and I thought it was considerable progress when our guidelines committee adopted as a matter of principle that there should be some weeding out of files.

In addition, there are some instances where retention of material might be opposed by those who were the subject of the material.

As you know, the request that the Department refrain from destroying documents came from the Senate leadership, and no similar request was made by the House leadership.

Sincerely,

EDWARD H. LEVI,
Attorney General.

HOUSE OF REPRESENTATIVES, GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., February 24, 1976.

Mr. GEORGE BUSH,
Director, Central Intelligence Agency, Washington, D.C.

DEAR MR. BUSH: This Subcommittee has jurisdiction of government information policy, including the Privacy Act of 1974 and the Freedom of Information Act.

As you know, during the inquiries conducted by the House and Senate Select Committees on Intelligence, your agency agreed to refrain from destroying files and records relating to their investigations. The Pike Committee's tenure has expired and the Church Committee will report shortly.

We write now to request that the moratorium on destruction of files and records be extended until such time as Congress has had an opportunity to act on legislation dealing with this matter.

Please affirm to this Subcommittee, within 10 days, that it is your intention to honor the ban on destruction of data in accordance with our request.

Sincerely,

BELLA S. ABZUG,
Chairwoman.

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., March 4, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Government Information and Individual Rights Subcommittee, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MADAM CHAIRWOMAN: This responds to your letter of February 24, to the Secretary requesting that the Treasury Department continue to refrain from destroying files and records of interest to the House and Senate Select Committees on Intelligence until such time as Congress has had an opoprtunity to act on legislation in this area.

In January, 1975, the leadership of the Senate requested that we not destroy records or documents which might have a bearing on the subjects under investigation. The Treasury Department complied with that request with certain necessary execptions of which the Select Committee was made aware.

Those materials which have been excluded from operation of the destruction embargo include general tax related information of the Internal Revenue Service, investigative and protective intelligence files of the Secret Service, and criminal investigative files of other law enforcement units of the Treasury Department. The common bases for exempting these materials from the destruction embargo are that they are normally destroyed routinely in accordance with records disposal schedules and that continued maintenance of unnecessary files in these systems will interfere with the effective use of relevant law enforcement and tax information and will impose substantial records storage burdens.

In no case have we destroyed files or records which we believed might be of interest to the inquiries of the Select Committees. Thus, for example, the Internal Revenue Service has preserved the files and records relating to its Special Services Staff and the Secret Service has preserved its files and records relating to the investigation by the Warren Commission of the assassination of President John F. Kennedy.

The Treasury Department will continue to preserve this type of files and records for the duration of the Senate Select Committee's tenure. Arrangements for the proper disposition of Treasury Department files and records held by either of the Select Committees will be discussed with the Senate and House leadership as appropriate, and the destruction of any information will be made in accordance with Presidential directives and as otherwise provided by law.

Should the Subcommittee have any questions, they may be directed to Mr. J. Robert McBrien, Office of the Secretary, our liaison with the Select Committees.

Sincerely,

RICHARD R. ALBRECHT,
General Counsel.

DEPARTMENT OF STATE,
Washington, D.C., March 19, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Subcommittee on Government Information and Individual Rights, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MADAME CHAIRWOMAN: Secretary Kissinger has asked me to respond to your letter of February 24, 1976 in which you requested that Department of State files relating to the House and Senate Select Committee on Inelligence not be destroyed.

In a letter to the Secretary dated January 27, 1975 Senators Scott and Mansfield requested that the Department not destroy or otherwise dispose of records or documents which might have a bearing on the investigation conducted by the Senate Select Committee. We have complied with their request and, at the appropriate time, intend to discuss the matter further with them.

It is our position that the maintenance of files and records, and their destruction shall be governed by the appropriate laws and regulations.

Sincerely,

ROBERT J. MCCLOSKEY,
Assistant Secretary for Congressional Relations.

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., March 8, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Subcommittee on Government Information and Individual Rights, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MADAME CHAIRWOMAN: This is in response to your letter of 24 February 1976 regarding the disposition of CIA records which are the subject of inquiry by the Senate and House Select Committees on Intelligence.

The moratorium on the destruction of Agency documents as requested by Majority Leader, Mike Mansfield, and Minority Leader, Hugh Scott, by letter dated 27 January 1975 is still in effect and will be the subject of discussion by the Agency with them.

Destruction of Agency material will be in accordance with Presidential directives and as permitted by law.

Sincerely,

GEORGE BUSH,
Director.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., March 5, 1976.

Hon. BELLA S. ABZUG,
Chairwoman, Subcommittee on Government Information and Individual Rights, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MS. CHAIRWOMAN: Secretary Rumsfeld has asked me to reply to your letters to the Secretary and the Director, National Security Agency regarding the moratorium

on destruction of files and records relating to the investigations of the Senate and House Select Committees on Intelligence.

The moratorium requested by Senators Mansfield and Scott remains in effect and the Department of Defense continues to accede to that request. Moreover, arrangements have been made with Representative Pike to ensure that the material that was made available to the House Select Committee on Intelligence will be preserved intact. We also anticipate arrangements to that effect will be worked out with the Senate Select Committee on Intelligence.

Sincerely,

ROBERT ELLSWORTH.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. DODD) is recognized for 5 minutes.

Mr. DODD. Mr. Speaker, I rise in support of H.R. 12406, the Federal Election Campaign Act Amendments of 1976. In recent years the American public has become justifiably disheartened and disillusioned with the political process and in dealing with this legislation they are looking to the Congress to pass a bill which will guarantee fair and just administration of Federal campaign laws and insure an open election process.

For this reason I support the efforts of the House to reconstitute the FEC and plan to vote in favor of final passage.

However, the rule under which we are considering this bill today will not permit me to offer an amendment I had planned to submit and I, therefore, would like to take this opportunity to explain my amendment which would add two independent commissioners to the six partisan FEC commissioners already provided for in this bill.

Let us remember that the purpose of this bill is to insure the integrity of the electoral system. By adding two independent members, unaffiliated with any organized political party, we would insure that all elements of the American electorate will be represented on this Commission. As the Commission is presently constituted, only representatives of organized political parties can be members of the Commission. According to recent studies this means that the 41 percent of the American electorate who identify themselves first as Independents and are unaffiliated with any organized party have no representation at all.

There has been a significant trend in the last 20 years with the number of voters identifying themselves as Independent increasing from 22 percent in October 1952 to 41 percent in November 1973.

We in Connecticut are particularly aware of this trend because the registration figures in our State show that nearly as many voters are registered as Independent or unaffiliated with any party—36.3 percent—as are registered as Democrats—36.8 percent—and more than are registered as Republicans—26.9 percent.

In the four counties of eastern Connecticut which comprise my district, two are even higher than the statewide figure with New London Independent registration at 43.4 percent and Tolland County at 40 percent. The remaining two counties each have an Independent registration of 34 percent.

It has been argued that any effort to add people to the Commission from outside the two major parties will serve to further weaken the two-party structure. I certainly do not accept this argument because I ardently support our two-party system. Furthermore, I think that this argument belies the facts and statistics because figures demonstrate that people are increasingly refusing to identify themselves with any organized party. The trend over the last 20 years shows that this is more than a passing phenomenon, and I believe we must face the reality of the situation by recognizing the existence of this large segment of the American electorate.

I also believe that the Independent and unaffiliated voters make a healthy contribution to our election process, and I think it is only just that we recognize their participation by giving them representation within the system. It is for this reason that I offer my amendment to provide them representation on the Federal Election Commission.

VOTING ON NUCLEAR POWER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 5 minutes.

Mr. TALCOTT. Mr. Speaker, it is not often that I can applaud a Washington Post editorial for commonsense, understanding of faraway California issues, or special appreciation for future generations. When I can, I must; and I therefore applaud and recommend for your consideration the editorial of March 27, 1976, entitled "Voting on Nuclear Power." Proposition 15 is designed to impose a moratorium on nuclear powerplants until they are determined to be risk-free by two-thirds of the State legislature.

This issue, of course, is complicated and emotional and many advocates are using the debate to obscure, rather than clarify, the issue.

I thank the Washington Post for expanding the debate by thoughtful analysis which avoids the emotional rhetoric and the scare tactics which were mounting daily in California.

It is useful to step back, look ahead, and think through. It is too easy to miss the forest for the trees and become engaged in very narrow arguments which serve mostly to reinforce our long held positions which may have little objectivity and perspective.

The Post has made a valuable contribution to the debate on the Proposition 15 by giving perspective to the underlying issues.

How do we assess risk—present and future?

How do we satisfy needs—now and in the future?

What lifestyle do we want—for ourselves and the next generations?

Do we wait and see, stop and stand still?

Do we narrow our choices and alternatives or do we expand and pursue them?

We can improve the safety, we can develop the technology, we can continue the research, we can expand our future, we can maintain our standard of living—but not if we vote for the moratorium.

If the Post can vote "no," I guess I should. I urge you to read the Post editorial before you vote.

I insert the editorial at this place in the RECORD:

VOTING ON NUCLEAR POWER

The California primary early in June will have more of national interest to it this year than presidential politics. On the ballot is another of those proposals—this one known as Proposition 15—with very broad implications. If it is adopted and subsequently held constitutional, Proposition 15 may be the death knell for nuclear power plants in California. And, if this turns out to be the case, opponents of nuclear power are likely to regard it as a signal that voters and politicians everywhere can be persuaded that such plants are too dangerous to be allowed.

The campaign for Proposition 15 is not being cast in such sweeping terms. The proposal on the ballot is called a Nuclear Safeguards Act and is being promoted as a safety measure or, at most, a moratorium on nuclear plants until they meet certain safety standards. The trouble is that the standards are such that almost by definition they could not be met. One, for instance, requires that the state legislature, after a complicated hearing process, determine by a two-thirds vote to each house that nuclear wastes can be stored so that there is no reasonable chance of any of its radiation ever escaping and hurting anyone or anything in California. Among the kinds of radiation escapes to be considered are those that result from improper storage, earthquakes, theft, sabotage, acts of war or government or social instabilities. We don't see how conscientious legislators could vote that there was "no reasonable chance" nuclear radiation from such wastes could not escape during, say, a war or revolution.

The real issue, then, on the California ballot is a yes or no to nuclear power plants. That, in our view, is not only too simple and stark a question to pose, it is also the wrong question being addressed to the wrong audience. The basic question that needs answering now is whether this country wants to have available over the next 25 or 30 years more electricity than it now has or whether it wants to go with what there is. If the answer is more electricity, as we believe it is, the choice is whether such additional electricity will come from nuclear fission, the burning of more coal, the importing of more oil or some combination of all three. If the answer is that there is to be no substantial increase in generating capacity—decisions must be made on how to allocate what is available (rationing or higher prices?) and how to change the nation's lifestyle to reduce substantially the present per person usage of energy. These are questions that have to be answered nationally and not on a state by state basis.

Too much of the debate on energy issues these days is too narrowly focused. Nuclear plants, we are told, are too dangerous to be permitted; coal mining is too destructive to people and countryside to be expanded; offshore oil presents too serious a threat to the coastal environments to be allowed; imported oil makes the nation too dependent on the whims of others. None of these matters can be considered adequately in such splendid isolation. The risks of nuclear power plants, for instance, need to be judged against the risks of the alternative power sources and, in the case of coal, these involve everything from black lung disease to air pollution.

The easy answers, of course, are the claims that solar, thermal and fusion power will

provide the new energy we really need and that the nation can cut its energy usage substantially if it wants to. But no one we have encountered in the energy field believes that sources other than oil, coal, gas or fission will provide much of our energy needs in this century. And the evidence of the last two years is that conservation and even enormous price increases do not reduce energy consumption; they merely lower the rate at which its use increases.

Underlying much of the effort being made in California against nuclear power is a belief that the nation would be better off—physically and morally—if it adopted a lifestyle in which energy was less important. That is a belief that deserves to be argued, tested and explored on its own merits. But it is not one that we should back into blindly because of public rejection—one after another—of individual energy sources until no alternative to a change in lifestyle and living standards is available.

We do not think all the answers are in yet to legitimate questions that have been raised about the safety of nuclear power plants—particularly about the planned next generation of breeder reactors. But we would not like to see this option for American's future energy needs ruled out, until it is much clearer that the comparative risks of other energy alternatives are substantially lower or that the national is ready for a drastic change in the way its people live and work.

UNEMPLOYMENT IS STILL WITH US

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. RUPPE) is recognized for 5 minutes.

Mr. RUPPE. Mr. Speaker, H.R. 5247, the vetoed $6.1 billion Public Works Employment Act, may be dead, but our unemployment problem is still very much with us. The national unemployment rate was 7.6 percent in February, and preliminary figures indicate that 29 States had jobless rates of more than 8 percent during the month of January.

Like many of my congressional colleagues, I feel that concrete action to combat this problem is long overdue; but I am reluctant to imperil the economic recovery which has already occurred by applying too much stimulus to the economy. On February 26 I therefore introduced a $3 billion compromise public works employment bill, H.R. 12166, which resurrects two portions of the vetoed bill—title I and section 303 of the title III—while allowing its costliest and most controversial portions to rest in peace.

Like the vetoed measure, this bill authorizes $2.5 billion through September of 1977 for 100 percent grants to State and local governments to speed the construction of local public works project. This grant program would only be in effect when the national unemployment rate exceeded 6.5 percent for 3 consective months, and 70 percent of all grant moneys would be earmarked for areas in which unemployment surpassed the national average. In addition, this bill would authorize $500 million to extend title X of the Public Works and Economic Development Act for another 9 months to fund small job-creating projects through various Federal agencies and departments. H.R. 12166 does not include authorizations for countercyclical aid or wastewater treatment plant construction—authorizations which the House did not approve in the first place—for a savings of nearly $3 billion.

The AFL-CIO Building Trades Council has estimated that title I of this bill will generate approximately 250,000 jobs in construction and related industries, and the Commerce Department has estimated that $500 million in title X grants will provide immediate work for an additional 100,000 people. As a result, this bill should provide jobs for more than half of the individuals who would have been employed under the vetoed bill at less than half the cost.

Moreover, this bill was specifically designed to avoid the long leadtimes sometimes associated with public works jobs. It compels the Secretary of Commerce to approve or disapprove grant applications within 60 days of their submission and specifies that grants can only be awarded to projects which can get underway within 90 days.

The jobs created by this bill would be in the private sector, in industries which have been particularly hard hit by the recession. We would therefore be adding real strength to the economy at the same time that we would be providing the unemployed with meaningful and productive public works jobs. The schools, hospitals, libraries, courthouses, and other public buildings which would be constructed or repaired as a result of this legislation will benefit American communities for decades to come.

In my view, this bill would give us a sensible, effective, and efficient way to alleviate unemployment. Moreover, I believe this is the sort of bill which can be enacted into law. In fact, the Senate Public Works Committee recently approved a similar measure, and the President previously expressed his willingness to consider each portion of the vetoed bill on its own merits.

I am reintroducing this bill today with a number of cosponsors from both political parties and plan to introduce it again in the future with additional cosponsors. I would therefore urge any Member who is interested in adding his or her name to this compromise public works employment bill to contact my office.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. HOLTZMAN) is recognized for 10 minutes.

[Ms. HOLTZMAN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

A BILL TO DESIGNATE A HOSPITAL AS THE JAMES A. HALEY VETERANS' ADMINISTRATION HOSPITAL

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SIKES. Mr. Speaker, on behalf of the entire Florida congressional delegation in the House, I am introducing a bill today to name the Veterans' Administration hospital located in Tampa, Fla., the "James A. Haley Veterans' Administration Hospital."

Such an honor will be a proper and fitting tribute to JIM HALEY who has championed the rights of veterans all the years he has been in the Congress. Through his tireless efforts and years of dedicated service on the Veterans' Affairs Committee, the veteran population throughout the Nation now has access to greatly improved medical programs and significantly expanded hospital facilities.

Prior to Mr. HALEY's service in Washington, he was an outstanding member of the Florida Legislature and his leadership talents were directed in considerable measure to legislation benefiting veterans and their families.

When Mr. HALEY came to Congress in 1953, he was assigned to the House Committee on Interior and Insular Affairs and the Committee on House Administration. In 1955, he accepted an assignment to the House Committee on Veterans' Affairs. As a veteran, he had a deep and sincere interest in all veterans and their dependents. As a Floridian, he felt that Florida's rapidly growing veteran population should have representation on a committee which is so very important to his State. He served on the Hospitals Subcommittee for 18 years and was chairman of the subcommittee the last 8 years. This subcommittee has oversight over the 166 VA hospitals and the entire VA medical program throughout the United States.

After becoming chairman of the Interior and Insular Affairs Committee in 1973, Mr. HALEY relinquished his seat on the Veterans' Affairs Committee. His new responsibilities would leave him but little time for any other committee assignment and, in his characteristic unselfish way, he wanted to provide an opportunity for another Member with fewer responsibilities to devote more time to the needs of the Nation's veterans.

During his service on the Hospitals Subcommittee, Mr. HALEY helped bring about the construction of three new Florida Veterans' Administration hospitals—Gainesville, Miami, and Tampa—and the modernization of the VA hospital facilities at Lake City and Bay Pines. During this same period, Florida's VA hospital beds were increased from 1,353 to 3,501. Congressman HALEY's work nationwide was equally important. He helped to build needed hospitals and to improve veteran facilities in other areas, and he was instrumental in preventing the closing of VA hospitals and regional offices in areas where he considered their contributions essential.

In short, Mr. Speaker, JIM HALEY fully deserves the recognition I now propose. His many years of hard work and concentrated efforts on behalf of all veterans has earned their respect and admiration. I am very hopeful that the Veterans' Affairs Committee will expedite a favorable report on this proposal to bestow the name of a very distinguished Floridian on a needed veterans' hospital as proper recognition for his long years of service to America's veterans and their families. This bill should have the unanimous approval of the Congress during the current session. I know that all of you join me in wanting JIM HALEY to be able to smell the flowers he so richly deserves.