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Railroad	Owned, Jan. 1, 1968	Installed new and rebuilt, 1968-72	Retired, 1968-72	Owned, Jan. 1, 1973	Railroad	Owned, Jan. 1, 1968	Installed new and rebuilt, 1968-72	Retired, 1968-72	Owned, Jan. 1, 1973
COVERED HOPPERS (LO)					PLAIN BOXCARS				
B&O	3,464	1,065	753	3,776	B&O	11,220	0	4,682	6,538
C&O	2,784	635	193	3,226	C&O	9,120	0	3,526	5,594
E-L	1,500	279	258	1,521	E-L	9,083	265	1,444	7,904
N&W	5,620	2,000	563	7,057	N&W	20,201	141	7,979	12,363
PC	10,160	2,687	1,748	11,099	PC	50,780	8,812	25,826	33,766
ICG	4,250	1,150	188	5,212	ICG	25,714	330	9,581	16,463
L&N	3,524	1,404	138	4,790	L&N	7,819	1,809	3,814	5,814
SCL	14,089	300	1,426	12,963	SCL	10,065	184	5,230	5,019
Sou	6,719	1,900	177	8,442	Sou	11,175	4,196	2,738	18,109
CNW	3,673	374	1-365	4,412	CNW	26,341	0	2,468	23,873
Milw	2,354	928	1-133	3,415	Milw	11,436	725	3,163	15,324
BN	9,427	3,602	275	12,754	BN	62,781	608	15,813	47,576
SOO	739	1,416	1-25	2,180	SOO	6,604	100	2,166	4,538
ATSF	13,222	1,589	403	14,408	ATSF	26,214	2,000	10,308	17,906
CRIP	4,452	1,410	258	5,604	CRIP	11,361	102	3,078	8,385
SP	3,827	200	231	3,796	SP	31,783	5,650	16,263	21,170
UP	6,515	3,025	498	9,042	UP	23,763	3,370	8,821	18,312
KCS	1,225	290	127	1,388	KCS	2,290	0	1,521	769
MKT	1,181	313	33	1,461	MKT	4,305	1,050	1,472	3,883
MP	6,360	2,029	566	7,823	MP	14,250	2,251	1,571	14,930
SLSF	2,148	592	1-271	3,011	SLSF	5,228	1,161	1,870	4,519
SLSW	1,743	2,061	65	3,737	SLSW	4,402	1,841	638	5,615
Class I, U.S. total	118,960	30,735	8,023	141,672	Class I, U.S. total	427,206	39,068	133,347	332,927

1 Negative retirement indicates increase in ownership in excess of new installations, resulting from reclassification or transfer of equipment purchase or lease of used equipment, etc.

Note: For the purpose of this summary statement, all data is on basis of present merged lines.

Mr. YOUNG. Mr. President, it is particularly interesting to note that the total retirement of plain boxcars by carriers exceeds their installation of new cars by 94,000. Thus, we have 94,000 less plain boxcars now than we had 5 years ago. There has been some increase in the installation of covered hopper cars, but far from enough to offset the loss in plain boxcars.

Thus, during this 5-year period when our gross national product has been increasing, and our needs for transportation increasing year after year, the capacity of the rails for transportation has been decreasing. It is little wonder that we are facing a crisis in our ability to move huge amounts of grain with the more than doubling of our export sales in the last year.

The western railroads generally are building more hopper cars which are the most efficient and cheapest way of handling the transportation of grain. Most of these railroads, too, have modernized their whole system so they can handle more freight with fewer cars. The opposite, however, is true of other lines, and a good example is the Penn Central.

Railroads serving North Dakota, such as the Burlington Northern, have only 50 percent of their own cars available to them for hauling grain. The total cars they have available, including cars of other lines, represent only 70 percent of their ownership. This points to one of the major problems facing western railroads. Many of the eastern lines not only build few new cars but, further, they are holding for excessive periods of time boxcars which belong to railroads serving my area.

Our export sales of wheat this year are estimated at 1.1 billion bushels. This is approximately double our previous 5-year average. We have greatly increased our sales of other grains at the same time. These sales commitments, if they can be fulfilled, will not only help farmers to dispose of large surpluses of grain, but will improve our serious imbalance

of payments with the rest of the world by as much as \$2 billion.

Mr. President, there has been a sizable increase in transportation capability by trucks, made possible by our much better highways, and particularly the Interstate Highway System. Largely through the persistent and effective efforts of the late Senator Allen J. Ellender, chairman of the Senate Subcommittee on Public Works Appropriations, our water transportation capability increased immeasurably. Ironically, while he was fighting for this increased capability, he was severely criticized for Federal expenditures on waterway development.

Mr. President, it is obvious that our entire transportation system is not keeping pace with our ever-expanding economy.

IMPORTANCE OF THE OEO LEGAL SERVICES PROGRAM

Mr. MONDALE. Mr. President, many actions of the Nixon administration over the course of the past few weeks have attempted to weaken this Nation's commitment to social and economic justice.

Perhaps none of these actions has been as destructive, however, as the recent moves on the part of Acting OEO Director Howard Phillips to dismantle the legal services program in defiance of a clear congressional mandate for its continuance.

The issues posed by these actions go beyond the legal services program itself. These affect the Nation's commitment to equal justice under law for all members of our society. Legal services has always been and remains a cornerstone in this commitment to equal treatment in our courts of law, and we in Congress must attempt to insure that the legal services program is not so robbed of personnel and staff morale that any independent corporation we might establish becomes ineffective.

Mr. President, in an incisive column in the Washington Post, David Broder dis-

cussed the importance of legal services and the seeming commitment of this administration over the course of a number of years to this program. I ask unanimous consent that this column be printed in the RECORD.

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

POLITICAL GAIN: BILLING IT TO THE POOR (By David S. Broder)

Whatever its shrewdness as a political tactic, the Nixon administration's retreat from welfare reform and its willingness to abandon or dismember the program of legal services for the poor is undercutting the moral and logical base of its own design for reshaping domestic policy.

That is a sweeping statement, I realize, but it is the only conclusion one can draw from a consideration of the contradictions between the premises of the President's program and the actions he is sanctioning today.

A convenient starting point from which to see what has happened is a paragraph of Daniel P. Moynihan's new book, "The Politics of a Guaranteed Income," in which Mr. Nixon's first-term domestic counselor discusses the three "strategies" available to the government to assist the poor in America.

One was the "services strategy," the direct provision or financing of a wide variety of programs aimed at meeting the needs or improving the opportunities of the poor. As Moynihan notes, this was "quintessentially the approach of political liberalism in the middle of the 20th Century."

The second was the "legal strategy," the use of the courts and the legal process to end discrimination and obtain equal access to all public programs and facilities. This approach, carried out by both private organizations and the government, was embodied, among other places, in the legal services program of the anti-poverty agency, the Office of Economic Opportunity.

The third was the "income strategy," the transfer of money to the poor via the simple mechanism of taking-in-and-paying-out, with the goal of enabling the poor to obtain, through the marketplace, the goods and services they most valued for themselves.

Given this choice of options, Mr. Nixon's domestic strategy unfolded in clear and logical terms.

In his first years as President, we saw Mr.

Nixon slowing the growth rate of domestic service programs, while putting increasing reliance on the income and legal strategy. His own words are worth recalling.

In his 1969 welfare reform message, he said: "I propose a new approach that will make it more attractive to work than to go on welfare, and will establish a nationwide minimum payment to dependent families with children. I propose that the federal government pay a basic income to those American families who cannot care for themselves in whatever state they live."

In his poverty program reorganization message of that same year, Mr. Nixon proposed that "the office of legal services . . . be strengthened and elevated so that . . . It will take on central responsibility for programs which help provide advocates for the poor in their dealings with social institutions. The sluggishness of many institutions at all levels of society in responding to the needs of individual citizens is one of the central problems of our time," he said. "Disadvantaged persons in particular must be assisted so that they fully understand the lawful means of making their needs known and having those needs met."

In the light of that history, what can one say about Mr. Nixon's current domestic policy? He has carried forward his campaign against the "services strategy" full blast and in his new budget is proposing not just the slowdown, but the abolition of dozens of programs designed to provide services for the poor.

But what has happened to the other two strategies that were to substitute for it? The incomes strategy has been abandoned by Mr. Nixon. There is no welfare reform or minimum-income proposal in his budget, and none is likely to be forthcoming.

As for legal services, the outlook is equally grim. Having frustrated Congress's efforts to create an independent, nonpolitical Legal Services Corporation by insisting on personal control of its board of directors, Mr. Nixon is now presiding over the destruction of the existing OEO legal services program, which has been signally successful in obtaining equal access to government benefits for its poor clients and which enjoys the strong support of the organized bar.

At the same time, he is continuing the other phases of his decentralization program by proposing to go beyond general revenue-sharing into a broad range of subsidies to local governments, for them to use as they wish.

In effect, he is telling the poor, "Don't come to Washington with your problems. Get what you need from your local government."

To do that to the poor, without giving them the financial or legal resources to wage the fight for their rights in those thousands of local communities, is not a strategy for achieving social justice and simultaneously reducing the power and influence of the central government.

It is a callous sacrifice of the minority who are poor to the political tactic of attempting to create a Republican majority from the many who are complacent comfortable.

It is a disillusioning spectacle for those of us who thought Mr. Nixon was attempting something more worthy.

RESOLUTION EXTENDING THE NUTRITION COMMITTEE

Mr. PERCY. Mr. President, I was pleased to join the distinguished chairman of the Select Committee on Nutrition and Human Needs (Mr. McGOVERN) and my other colleagues on the select committee in support of the Rules Committee resolution.

The chairman (Mr. McGOVERN) last Thursday very ably summarized the committee's solid record of achievement and

its very ambitious agenda for the coming year. I shall not cover the same ground, but I do want to emphasize two or three important points.

First, I believe the select committee offers perhaps the best example we have of the successful exercise of Congress power to set the Nation's priorities and to oversee the execution of a set of policies by the executive branch designed to achieve congressionally defined goals.

There is a lot of talk these days about how the Congress must regain the power it has allowed to drift to the Executive and must reassert its power to shape the fundamental outlines of public policy. You only need to look at the Select Committee on Nutrition and Human Needs for a case study of how Congress can assume the initiative and leadership in policymaking which the Constitution intended it to have.

A glance at the budget for food assistance and child nutrition programs will reveal how successful this committee has been in leading the war on hunger and malnutrition in this country.

Second, there is simply no other committee or subcommittee in the Congress which is examining the vitally important questions relating to the quality of food supply and of our own personal diets which the select committee is studying. And answers to these questions may not only mean better health and a longer life for all of us, but may also mean less public and private expenditures on health care in this country. It has been estimated that we can save \$30 billion on health care annually through proper nutrition.

We need, in short, a national nutrition policy which will assure us that all Americans get enough to eat as well as the right things to eat.

A national nutrition policy is not just an agricultural issue or a social welfare issue or an educational issue or a health issue; it is not an issue which is just of interest to consumers or one which affects just the food industry. A national nutrition policy involves all these areas and cuts across the jurisdiction of several Federal agencies and Senate committees. And that is why we need the select committee.

NEWSMEN'S SHIELD LEGISLATION

Mr. MONDALE. Mr. President, as the Senate Judiciary Committee's Subcommittee on Constitutional Rights holds hearings on the subject of newsmen's shield legislation, the need for strong protection becomes more and more apparent.

The legislation which I and eight other Senators have introduced seeks to implement this need for strong and effective protection, while at the same time giving potential access to confidential information only in very limited cases of extreme emergency.

Mr. President, a recent editorial in the St. Paul Dispatch frames these issues in an excellent perspective and effectively conveys the reason for enacting legislation of the type which I have proposed. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial

was ordered to be printed in the RECORD, as follows:

SHIELDING NEWS SOURCES

The Supreme Court's ruling that the First Amendment does not protect newsmen from being forced to testify about the sources of their material and the subsequent spate of judicial actions against reporters have made necessary the passage of so-called newsmen's shield legislation.

Several bills have been or will be introduced, including one by Sen. Walter Mondale, D-Minn. Mondale's bill strikes a sensible balance between two factions—one which would give newsmen absolute privilege and one which would give them no protection whatsoever.

First, it should be noted that "newsmen's shield" is a misnomer. Actually, it would be the newsmen's sources who were being shielded, not the newsmen. And it would be the public that would benefit because without protection many news sources would dry up. There is a long history of retaliation against people who talk openly to the press about the shortcomings of government, for example.

Mondale's bill would allow newsmen to protect the anonymity of their sources except under very precise and limited conditions. In order to force a reporter to testify, the government or any other person seeking to learn of a newsmen's secret sources and unpublished information would have to prove "by clear and convincing evidence" that four conditions exist.

The conditions would be that there was probable cause to believe the newsmen had information about a specific crime, that the court in question had clear jurisdiction over the probable crime, that the information could not be obtained by any other means and that there was imminent danger of foreign aggression, espionage or threat to human life which couldn't be prevented without disclosure.

This would give reporters protection against fishing expeditions by grand juries and against being used as an investigating arm of the government, but would not give reporters the right to withhold knowledge of a serious crime. Realistically, this is the type of protection needed. The bill also puts the burden of proof where it belongs: on the party seeking the information.

Some danger to newsmen and their sources would remain, in that the final decision on whether the government had proved its case would be up to the courts—and many judges have shown considerable antagonism toward the press of late. A law granting absolute privilege would eliminate that danger, but the granting of absolute privilege seems extreme. Perhaps some safeguards against judicial prejudice could be devised by Mondale or his co-sponsors.

The Nixon Administration has said that no shield law is needed; that the guidelines laid down by former Atty. Gen. John Mitchell are sufficient protection. The fact that four reporters have been jailed and that several more face charges indicates that the guidelines have not helped. Also guidelines are of a temporary nature and can be changed at the whim of any of Mitchell's successors.

In rendering its decision, the Supreme Court invited Congress to make a law protecting the confidentiality of news sources. The invitation should be accepted.

THE PAST, PRESENT, AND FUTURE OF THE NEW ENGLAND SHOE INDUSTRY IS STILL DARK UNLESS WE ACT

Mr. MCINTYRE. Mr. President, Maxwell Field, the executive vice president of the American Footwear Industries Association recently delivered a most in-