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HEARING

BEFORE THE

COMMITTEE ON

THE DISTRICT OF COLUMBIA

UNITED STATES SENATE

NINETY-THIRD CONGRESS

FIRST SESSION

ON

H.R. 6330

TO AMEND SECTION 8 OF THE PUBLIC BUILDINGS ACT
OF 1959, RELATING TO THE DISTRICT OF COLUMBIA

MAY 31, 1973

Printed for the use of the
Committee on the District of Columbia



U.S. GOVERNMENT PRINTING OFFICE

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HEARING

BEFORE THE

COMMITTEE ON

THE DISTRICT OF COLUMBIA

COMMITTEE ON THE DISTRICT OF COLUMBIA

THOMAS F. EAGLETON, Missouri, *Chairman*

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COLBERT I. KING, *Minority Staff Director*

H.R. 6330

(II)

TO AHEAD SECTION 8 OF THE PUBLIC BUILDINGS ACT
OF RELATING TO THE DISTRICT OF COLUMBIA

STATE PRINTING

Printed for the use of the
Committee on the District of Columbia



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C.

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STADIUM SEATING

THURSDAY, MAY 31, 1973

U.S. SENATE,
COMMITTEE ON THE DISTRICT OF COLUMBIA,
Washington, D.C.

The committee met at 9 a.m., pursuant to call, in room 6226, Dirksen Office Building, Senator Thomas F. Eagleton (chairman) presiding.

Present: Senator Eagleton.

Staff present: Robert Harris, staff director; Andrew E. Manatos, associate staff director; and Colbert I. King, minority staff director.

The CHAIRMAN. Good morning, ladies and gentlemen. This morning we are holding a hearing on H.R. 6330, a bill to authorize the Armory Board to expand the seating capacity of Robert F. Kennedy Memorial Stadium for football games.

This bill passed the House on May 21, 1973, by a vote of 270 to 98. Not wanting to deny the spectacle of winning Redskin football to additional rooters, we have scheduled these hearings today.

It is my understanding that of the possible 8,000 seats which would be authorized by this legislation, some 600 to 700 could be built this year and that the rest would have to wait until the fall when the football season is completed.

I now place in the record a copy of H.R. 6330.

[The bill follows:]

(1)

93^D CONGRESS
1ST SESSION

H. R. 6330

IN THE SENATE OF THE UNITED STATES

MAY 22, 1973

Read twice and referred to the Committee on the District of Columbia

AN ACT

To amend section 8 of the Public Buildings Act of 1959, relating to the District of Columbia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8 of the Public Buildings Act of 1959 (40
4 U.S.C. 607) is amended by adding at the end thereof the
5 following new subsections:

6 “(d) Notwithstanding the District of Columbia Sta-
7 dium Act of 1957 or any other provision of law, the Armory
8 Board (hereafter in this section referred to as the ‘Board’),
9 created by the Act of June 4, 1948 (D.C. Code, sec. 2-
10 1702), is hereby authorized to enter into contracts for the
11 conduct in the Robert F. Kennedy Stadium authorized by

1 such Act of 1957 of major league football, baseball, and
2 softball, and motorcycle races, rodeos, musical concerts, and
3 other events, and to increase the seating capacity of such
4 stadium by an additional 8,000 seats, at a cost not to exceed
5 \$1,500,000. Notwithstanding such Act of 1957, or any
6 other provision of law, the Board is further authorized to
7 borrow such sums as may be necessary to provide for the
8 additional seating authorized by this subsection in accord-
9 ance with the following terms and conditions:

10 “(1) in the case of revenue from professional foot-
11 ball, 50 per centum of the revenue attributable to the
12 additional seats authorized by this subsection shall be
13 used solely for the purpose of repaying the sums bor-
14 rowed for such seats;

15 “(2) no part of any revenues derived from such
16 additional seats shall be paid to the National Football
17 League or to any team within such league other than
18 the team doing business under the trade name of the
19 Washington Redskins, or its successors, until all sums
20 borrowed for such additional seats have been repaid;

- 1 " (3) except as provided in paragraphs (1) and
 2 (2), all revenues attributable to such additional seats
 3 shall be subject to section 6 of such Act of 1957."

Passed the House of Representatives May 21, 1973.

Attest:

W. PAT JENNINGS,

Clerk.

The CHAIRMAN. Without further comment other than to say my football loyalties remain in Missouri, I should like to call our first witness, Mr. J. C. Turner, chairman of the District of Columbia Armory Board.

Good morning, Mr. Turner.

**STATEMENT OF J. C. TURNER, CHAIRMAN; ACCOMPANIED BY:
 ROBERT SIGHOLTZ, MANAGER; AND MAJ. GEN. CHARLES L.
 SOUTHWARD, MEMBER; DISTRICT OF COLUMBIA ARMORY BOARD**

Mr. TURNER. Thank you, Mr. Chairman. With me today is Charles Southward, a member of the Armory Board, and our stadium manager, Robert Sigholtz.

My name is J. C. Turner. I am Chairman of the Armory Board, and I live in Northwest Washington, D.C., and I speak here today on behalf of the Armory Board.

We are very much in favor of increasing the capacity of the Robert F. Kennedy Memorial Stadium through the proposed addition of some 8,000 temporary seats for the purpose of enabling more citizens of the District of Columbia to enjoy not only seeing Washington Redskin games, but also other events of community interest.

The Armory Board agrees with and supports the proposal contained in H.R. 6330; and we respectfully suggest that consideration be given to the following amendments to the bill:

(1) *On page 2, lines 4 and 5:* These lines now read: ". . . to increase the capacity of such stadium by an additional 8,000 seats, at a cost not to exceed \$1,500,000."

In the interest of reality, and to preclude any possible necessity for amendment at some future date, the Board recommends that the words, "up to" be inserted * * * that the lines read: "* * * to increase the capacity of such stadium by the addition of up to 8,000 seats, at a cost not to exceed \$1,500,000."

This is the reason for this change: At this time, only rough, preliminary plans have been drawn for this construction, and there may be a slight variation in the number of seats that can be installed in the available area. We may be able to install only 7,996 seats, so we would like not to be bound, without any flexibility, to build a flat "8,000" seats.

The CHAIRMAN. We are not going to increase the price; just make a slight modification of the seat number?

Mr. TURNER. That is correct, sir.

(2) *Also on page 2, lines 10 through 20:* In the interest of expediting this new construction, we respectfully recommend that in addition to spelling out the percentage of rental revenue to be used for repayment of the loan, the percentages payable to the Redskins: 44 percent, and payable to the Board: 6 percent, be also specified in the bill.

It is conceivable that valuable time—and time is a very important factor in this project—could be lost in negotiations between the Board and the Redskins on percentages if H.R. 6330 does not specify them.

Under our 30-year lease agreement with the Washington Redskins, the rental fee for the stadium is established at 12 percent. For this project, the Board is willing to forgo any rental fee, but we need funds toward covering the additional cost of the new seating conversion, putting them up for the football configuration, and taking them down for baseball configuration in the years to come.

This new expense to the Board could conceivably be covered by 6 percent of the revenue generated by ticket sales on these seats. On all other seats in the stadium, the Redskins receive 54 percent of the revenue. On these additional seats, their revenue would be 44 percent, until the loan is paid off.

I might add that on the House side, this position of the Armory Board was articulated by Mr. Southward.

These are the only suggestions the Board has on H.R. 6330. We wholeheartedly support the proposal contained in the House report on H.R. 6330, that no less than 1,000 of these new seats be made available to the general public on a game-to-game basis.

We would anticipate, sir, that those tickets would be sold early in the year so as not to endanger the complete sellout of the tickets for the Redskins.

The Board recommends that your honorable committee expeditiously approve H.R. 6330, including the Board's suggestions, so that immediate action can be taken to construct 1,000 seats for this football season.

Thank you very much.

The CHAIRMAN. Thank you, Mr. Turner.

Now, when major league baseball returns to Washington: What is the anticipated cost of moving these football seats at the time of the baseball season?

Mr. TURNER. Do you want to answer that, Bob?

Mr. SIGHOLTZ. Mr. Chairman, it is an anticipated \$65,000 to reconfigure from one to the other. Presently it costs in the neighborhood of \$45,000.

The CHAIRMAN. But with the additional seats then provided, it would go up to \$65,000?

Mr. SIGHOLTZ. Yes, sir. That is the closest estimate we have at this time.

The CHAIRMAN. That occurs each time a reconfiguration is necessitated. When there is competition games in the summer months during little league baseball season and competition football games, then you have to shift back and forth, do you not?

Mr. SIGHOLTZ. No; we do not shift back and forth. We put up some temporary stands until baseball is over. Then we configurate.

The CHAIRMAN. One time only?

Mr. SIGHOLTZ. Yes, sir.

The CHAIRMAN. Now the additional 8,000 seats that we are talking about: What percentage would the Redskins receive?

Mr. TURNER. Forty-four percent.

The CHAIRMAN. Until the loan is paid off?

Mr. TURNER. Yes, sir.

The CHAIRMAN. Thank you very much, gentlemen.

Mr. TURNER. Thank you, Mr. Chairman.

**STATEMENT OF EDWARD BENNETT WILLIAMS, PRESIDENT,
WASHINGTON REDSKINS FOOTBALL CLUB**

The CHAIRMAN. Our next witness is Edward Bennett Williams, Mr. Williams, we welcome you this morning.

Mr. WILLIAMS. Thank you, sir.

Mr. Chairman, I have no prepared statement. I am here to support the bill. I have testified previously before the House committee and voiced my support of the bill.

Last year we finished second in the world on the field, but very close to the bottom in the generation of gross revenues. This was entirely due to the fact that we had inadequate seating. And we are now in the posture, Mr. Chairman, where we have the 23d stadium in seating capacity in the National Football League.

There are only two that are smaller, and we have reached the point in professional football where it has become really necessary for a franchise of 60,000 seats, if it is to function economically. This would give 60,000 seats.

We are perfectly willing that the revenues generated in those seats go for paying for those seats. Football is willing to pay for seats. We are even not voicing an objection to something that almost anyone would scream at having to pay. Even while we are paying for seats, we are willing to pay the rent, because we so desperately need the seats.

I am here, Mr. Chairman, to answer any questions that you have with respect to the Redskins' position on this bill.

The CHAIRMAN. Very good. What are the two stadiums that are smaller that you mentioned?

Mr. WILLIAMS. Yours in St. Louis, and the one in Bloomington, Minn. I think the stadium in St. Louis seats about 50,000 and a couple of hundred.

By virtue of the fact that the Redskins put in 2,600 seats a couple of years ago, we have 53,341 capacity now.

The CHAIRMAN. Without the necessity of any particular figures, how does your payroll generally rank in terms of teams in the football league?

Mr. WILLIAMS. I do not have access to their financial statements, Mr. Chairman.

The CHAIRMAN. You have no objection to those technical changes that Mr. Turner referred to?

Mr. WILLIAMS. I have none. No, sir.

The CHAIRMAN. In our draft of the bill, we added a subsection 2 which states that in no case shall the football league or any team, other than the aforementioned Redskins team, be entitled to any revenue derived from the additional seats during the time period before all sums borrowed for such seats have been repaid in accordance with subsection 1. After repayment of the sums borrowed for the seats, the normal seat revenue division will begin for the revenue derived from the new seats.

Would the addition of that subsection meet with your approval?

Mr. WILLIAMS. Yes. As long, Mr. Chairman, as we are going to have to pay for these seats from the revenues generated from the seats, I don't see how there could be any other allocation of revenues that would be equitable.

The CHAIRMAN. The House Public Works Committee report, which is brief, states.

The committee fully expects that the management of the Washington Redskins will withhold from the sale of season tickets at least 1,000 seats for sale to the general public on a game-by-game basis, in a manner which would assure the widest possible distribution of seats in an equitable manner.

Does that statement comport with what you deem to be generally possible?

Mr. WILLIAMS. Well, we are constantly working, Mr. Chairman, for a more equitable distribution of seats. As you well know, when the Redskins came to Washington, as an inducement to get people to get seats, we had a contractual relationship so they would have those seats for the coming season.

There were companies and there were people who bought large blocks of the seats. This has gone up, with some companies owning large blocks of seats, some as many as 200. We have been putting those back year by year until we now have that in control in distributing those seats to the broadest base possible.

I will submit to you, Mr. Chairman, we will continue that policy, and if we can hold a thousand seats out with a reasonable expectation of selling them, on a game-by-game basis, when we get this bill we will do it.

The CHAIRMAN. Thank you, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman.

STATEMENT OF C. FRANCIS MURPHY, DISTRICT OF COLUMBIA CORPORATION COUNSEL

The CHAIRMAN. Mr. C. Francis Murphy, Corporation Counsel for the District of Columbia.

Mr. MURPHY. Mr. Chairman and members of the committee: The District of Columbia Government endorses the expansion of the seating capacity of the Robert F. Kennedy Stadium as a means of generating additional revenues and of affording an opportunity for additional members of the general public to attend and witness the games and events to be held there. We support the intent of the legislation to provide for stadium expansion without financial liability to the Armory Board and the District of Columbia.

Accordingly, the District government has supported certain amendments to the bill when it was pending in the other House.

The House Public Works Committee subcommittee adopted several of the amendments we suggested and the bill now before this committee is as the subcommittee amended it.

The District government is of the opinion the financial arrangements in the legislation offer a reasonable basis by which the revenues from ticket sales for the seats will pay for the costs to be incurred in the construction of the additional seats. Under the financial arrangements as outlined, the \$1.5 million to be borrowed by the Armory Board would be amortized in approximately 8 to 10 years.

While the District government supports the concept of the bill before this committee, we are concerned, as we pointed out to the House committee, with possible problem areas that may arise out of the generalities of the bill's language. We note them now in order to apprise this committee of all the District's views.

First, we questioned whether or not the estimate of \$1.5 million construction costs was a current figure. We have been assured that it is and we rely on that assurance.

I might also note there is a proposed amendment inserting the language up to now. I believe that completely removes any problem in that area.

Second, we pointed out that the bill does not provide for potential problems associated with the financing of the seating expansion during the time construction is in progress. We are satisfied that such costs have been anticipated and can be minimized by drawing against the loan only such amounts as will be required for various portions of the work as it progresses.

Third, the bill necessarily assumes that present levels of attendance at sporting events in the stadium will continue. As this committee is undoubtedly aware, the Armory Board is ultimately responsible for payment of the sums borrowed for construction purposes and its ability to meet this obligation will depend on the success of the football team. We believe that the Congress shares our view that the Redskins will continue to field teams of champion caliber.

In sum, Mr. Chairman, the District government supports the enactment of the bill.

The CHAIRMAN. On that item emphasized in the record, and I draw from the first paragraph of your statement, wherein you say:

We support the intent of the legislation to provide for stadium expansion without financial liability to the Armory Board and the District of Columbia.

So these seats will be paid for out of the private revenue derived from the sale of the seats?

Mr. MURPHY. That is right, sir.

The CHAIRMAN. Thank you, Mr. Murphy.

Originally, Mr. Walter McArdle, the president of the Metropolitan Washington Board of Trade, was scheduled to testify. However, he has been unavoidably detained. We will insert the written statement he has submitted into the record.

[Mr. McArdle's prepared statement follows:]

PREPARED STATEMENT OF WALTER F. McARDLE, PRESIDENT, METROPOLITAN
WASHINGTON BOARD OF TRADE

Mr. Chairman and members of the Committee. I am Walter F. McArdle, appearing here today in my capacity as President of the Metropolitan Washington Board of Trade. I am also the President of the McArdle Printing Company.

As many members of Congress are aware, the Board of Trade is an area-wide organization composed of some 4,000 business and professional leaders in this community representing over 1,300 firms.

While many of the members of this Committee are aware of this fact, I would like to emphasize that perhaps no other organization in this area was a stronger advocate for the erection of the Robert F. Kennedy Stadium than the Board of Trade. I am sure that the Congressional Record will demonstrate that the Officers and Directors of the Board of Trade, prior to and up to the time of the enactment of the law authorizing the District of Columbia Stadium were in the forefront in sponsoring this legislation.

Since the day the Stadium was completed, the Board of Trade has been in support of every activity which could possibly create a greater utilization of the Stadium.

Naturally all of us are greatly pleased over the recent news that major league baseball will, in all probability, return to Kennedy Stadium next year. We would like to congratulate Congressman Sisk and his colleagues, and our former Board of Trade president Joseph Danzansky, on what are their seemingly successful efforts to bring major league baseball back to this capital city. I also know that you, Mr. Chairman, have repeatedly expressed your desire to have baseball return.

Now, if I may, I would like to comment on the legislation under discussion today—H.R. 6330. We would like to applaud the positive stand taken to increase the seating capacity of Robert F. Kennedy Stadium by an additional 8,000 seats. Not only are these additional seats desirable from the standpoint of the many, many fans who would like to attend professional sports in Washington, but also to bring our stadium's capacity more in line with other stadia throughout the country.

While we cannot at this time anticipate sellout performances for baseball in the future, anyone familiar at all with sports activities in this Nation's Capital is completely aware of the tremendous impact the very popular Washington Redskins football team has had upon this city. It was our privilege earlier this year to sponsor a "Welcome Home" breakfast for the Redskins shortly after the Super Bowl Game. The degree of enthusiasm for this football team was as evident there as it was in every home game they played here this past season.

I think everyone of us here today would be completely surprised if on every home date for the Redskins in the future there would not be a complete sellout including the additional seats being suggested by this bill.

It is our understanding that this act would authorize the armory board to borrow a sum not to exceed \$1,500,000 to increase the seating capacity of the stadium by an additional 8,000 seats; and, further, that 50% of the revenue attributable to the additional seats authorized, in the case of revenue from professional football, shall be solely for the purpose of repaying the sums borrowed for these seats.

In my personal opinion, a single investor or consortium of investors from this community would well be interested in arranging for this loan to be made.

In fact, I shall be even more positive than that. I am prepared to say to you that the local bank on which I am privileged to serve as a member of their board of directors is prepared to arrange this loan for the armory board.

The further safety provisions included in the bill that neither the National Football League nor any team in the League other than the Washington Redskins shall participate in the revenues from these additional seats until the loan is repaid would, in my opinion, make such a loan even more attractive.

I would like to close by saying that passage of this legislation and its implementation through an appropriate loan is just one further evidence of first, the interest which the Congress takes in matters affecting the District of Columbia and, secondly, another indication that this city is taking advantage of every opportunity to demonstrate that it is a city on the move and willing to make investments which will redound to the ultimate economic stability of this city.

I thank you for the opportunity of appearing here today.

The CHAIRMAN. We understand that Mr. Robin Ficker would like to testify.

Mr. Ficker, good morning, we welcome you.

STATEMENT OF ROBIN FICKER, MEMBER, REDSKINS FAN CLUB

Mr. FICKER. Good morning, Senator Eagleton. Before I start, I would like to say I have never really seen you in person.

The CHAIRMAN. Here I am.

Mr. FICKER. I wanted to congratulate you on your efforts for a national office last year. I hope you will try again.

I am Robin Ficker. I am with the Redskins Fan Club. You may not know what our club is. Last July, it was a group of 25 people who gathered to watch the Redskins' games on TV in the Silver Spring area. By the time of Senator Pastore's hearings on the pro football blackouts, we had grown to about 200 members.

When the blackout policy became firm, and up to the time of our blackout lawsuit that went to the Supreme Court, we had grown to 5,000 members and cut it off. However, we did go to the Supreme Court on the blackout issue.

I have a couple of points to make here about this bill. They don't all have to do with blackouts, by any means. On or about July 28, 1958, the U.S. Congress enacted Public Law 85-300, Statute 619, contained in title 2, section 1720 of the District of Columbia Code. The purpose of said enactment was:

In order to provide the people of the District of Columbia with a stadium suitable for holding athletic events and other activities and events of a nature requiring such a facility, the Armory Board * * * is hereby authorized to construct, maintain, and operate a stadium * * * in the District of Columbia, determined in accordance with provisions of section 2-1721.

Here it speaks of the people of the District of Columbia. This is the purpose for building the stadium. I have stood out in the middle of these concourses, handing out literature in the past season, and I have been able to see the people coming into the stadium. I have seen what type of people they are. I have done this at least twice last year. I stood by two different concourses, the main one near the parking lot and then one by a smaller parking lot.

I have been able to see what kind of people you have walking in. I can testify that on my honest observation there and also inside the stadium, you have far less than 5 percent of blacks watching the Redskin football games. In other words, 5 percent according to my observations or less—certainly less of blacks—hold season tickets to these pro football games.

Washington, D.C., is 75-percent black. As we see the stadium was built to provide the people of the District of Columbia with a stadium suitable for holding athletic events, something is wrong. Because I know that everyone in Washington likes to see Redskin games, whether they are black or white.

We question how these tickets are distributed. It has been said many of them are distributed like they were in different stadiums many years ago. Perhaps then there were discriminatory policies in selling these tickets. I know there was discrimination.

There might well have been discriminatory policies in the distribution of the tickets. Also, there were many additional tickets distributed subsequent to the moving to D.C. Stadium.

We had two plaintiffs who were black, in our blackout suit last year. I cannot understand why there are no more black people holding tickets in the RFK Stadium. We also question the distribution of these 8,000 seats. We can't understand why all 8,000 seats shouldn't go on general sale rather than just 1,000 seats.

I think it is absurd to hold all these seats except for 1,000 for season-ticket holders. I cannot recall seeing but maybe three or four young black children, say, under the age of 18, coming in to see the Redskin football games. They are going around trying to buy tickets, but they don't have season tickets.

I think we ought to place all 8,000 seats on general sale, a first come, first served basis. If there are only 1,000, you are going to have a mob the day of the sale waiting for 24 hours, waiting to get the 1,000 seats.

It is only fair to the people to have a general distribution of these seats. There is no doubt whatsoever that the Redskins are going to sell out these 8,000 seats. There is no question about that.

As Woody West said in his editorial, "Football has become a way of life in the Washington area." There were 10,000 little league football players last year. They should all have a shot at these tickets.

I saw a report in the Evening Star that said that the new seats will be given to those who already hold season tickets in order that they might improve their seats. In other words, these select mezzanine seats are going to be offered to already existing season-ticket holders instead of new people.

If this report is true—it might not be true, but it was in the Evening Star—then this is wrong. All these seats ought to be offered to the general public with some special consideration given to the people of the District of Columbia. As I said, the purpose of the enactment of the law was to set up this stadium and to provide the people of the District of Columbia with a place to watch athletic events.

We question Mr. William's statement that they are making more fair their policy of distributing tickets. I testified before the Senate Subcommittee on Communications last year. I have a copy of their hearings here. It was on bills S. 4007 and S. 4010. In my testimony, I inserted an article from the Washington Post, January 16, 1972, entitled "Even the Waiting List Has a Waiting List."

This article had a long list—not a complete list by any means—because the person who wrote that article told me he only got a quick look at this list. In this article is a very long list of people who hold lots and lots of tickets. I would like to quote one part.

On the Skins' computerized ticket ledger are politicians, lots of politicians, there are lobbyists, small businesses, military brass, motel owners, socialites, and judges. The list includes these types of people that hold large blocks of tickets.

In addition to these many people who own up to 30, 40, 50, 60, and 80 tickets, there are also at least 20 groups that this one reporter from the Post was able to get a quick glance at the ticket list of who own over 100 tickets.

We really question whether or not these tickets are being given out to the general public, the people who are paying for the stadium.

I have one final point—I don't want to belabor the issue—is that I keep hearing from the Armory Board people here today and from Mr. Williams that the purpose of building these seats is so that more people can see profootball games. If they are sincere in their belief, then obviously they should put the games on network television.

When Congress gives something to the Redskins and the NFL, as Congress is doing here, they are donating the hearing time, the hearing room, the salaries, and your time, generously given. Then Congress should get returns. When the American shutins, poor, people with heart conditions, young football players and service men give something to the NFL and the NFL is going to be deriving money from these seats after a time. They should get a break and not a blackout.

Congress which can give the blackout relief that has been denied by the NFL and the District of Columbia Armory Board, should not add seats to aid the Redskins and the NFL without gaining concessions.

I think our stand has been well publicized on that particular issue.

The CHAIRMAN. How far is the blackout in this area?

Mr. FICKER. It includes all of metropolitan Washington. It includes Reston. It includes Columbia. It includes Silver Spring, Wheaton, Alexandria, Arlington, all of the District of Columbia area. We had a plaintiff in our lawsuit last year who had an old television set that could not get any Baltimore television. She had a 15-year old set. Her husband had a heart condition and could not go to the game if he had a ticket. He is not working. He is on welfare. She could not afford to buy a \$600 television set and she could not get the games broadcast from Baltimore.

There are lots of people in the District that cannot get the games on Baltimore television. As the lease says between the District of Columbia Armory Board and the Redskins, that this was made for the purpose of exhibiting football games.

There are two ways to do this. One is by having them at the games and the other is by putting them on television. This whole area is blacked out except when they put the games on in Baltimore. There are people that exist in our society today who cannot afford to buy televisions.

One final point is this: I keep hearing that these seats are essential to the financial survival of the Redskins and the NFL and they are very important. If this is true, why can't we in this time of open disclosure and the right to know of the public, why can't we just see the books and accounts of the Redskins? Why can't they be made public? We would like to see if this is, indeed, true.

Why should we take someone's word for it? The public pays for the stadium. If this is true, then the Redskins perhaps should be given some help. We are not anti-Redskin management. We are advocating the same position on this disclosure of the Redskin block that has been advocated by Mr. Garvey who is the executive director of the NFL Players Association. They also say, "Make these books public of the owners."

Why should we just take the owner's word for it? Also, we have a question about this financial arrangement. Here you have a private institution—I am not sure with which one, American Security perhaps—making some sort of loan to a public body to construct additions to this public building, the District of Columbia Stadium or RFK Stadium. This, as far as I know, is unprecedented and does not ring true. It seems like a cop out on the part of the Senate. What they should do, it seems to me, is to provide enough Federal payment to the District so that the District can upkeep its financial obligations or it should give the ability to the District of Columbia to be able to derive enough revenue through tax sources to meet its financial obligations.

We should not have to start turning to various private financial institutions in the District to start bailing out the public buildings and the Government of the District of Columbia. It is a cop out on the part of the Congress to go this way. Sure, it is nice to say the taxpayer isn't assuming any burden here. His burden is minimal, I agree. However, it is really not fair to the Government of the District of Columbia to set this precedent. It is a cop out.

That is really all we have to say. We had some other people who were supposed to be here with our club today that evidently did not make it. However, if you have any questions, we will be glad to answer them for you and we appreciate very much this opportunity to appear here before you.

The CHAIRMAN. Why is it preferable to use public money for these seats when they can be privately paid for?

Mr. FICKER. It sets a bad precedent for a private institution to start funding on this basis—and I don't think there were any bids let out—to start funding additions to various public buildings in the District of Columbia. It is a cop out.

The District of Columbia should be able to have its own revenue sources and the Federal Government should up the Federal payment to the District of Columbia so it can meet its obligations on a public basis.

You have heard the old saying "He who pays the piper calls the tune." What kind of control is this private institution going to have over this public building and over this public agency, the District of Columbia Armory Board? It is not written out anywhere but I am sure there are going to be certain unknown constraints over these people who are borrowing the money from the private institutions and the private institutions will have a certain amount of control. I think it is inevitable.

The CHAIRMAN. The construction of the seats themselves will be, as I understand it, made by public bid. What is the difference between borrowing the money and, say, a bond issue? Which is borrowing money.

Mr. FICKER. I just learned of these hearings yesterday and I have not done my legal research on this particular point. All I know is it is something new and it has not been done before. It does not seem like a direction we should be going in. We should enable the District to have the funds to pay for this sort of thing. They are not getting the funds from the Federal Government. I have not done the legal research. As far as I know, this type of financing arrangement has not been used before. If it has, it has not been used very often at all.

The CHAIRMAN. On the question of the season sale of tickets, which I think is a matter certainly worthy of pursuing, when times are good, both economically and sportswise, there is little difficulty in selling seats. But, for instance, in my city of St. Louis—which is one of the stadiums, as Mr. Williams pointed out that is even smaller than RFK Stadium—economic times are reasonably good but sportswise they are not. We do sell out our games, but not every game is a sellout. It is not absolutely certain under all conditions that every seat will be sold for every game. It is now, with the Redskins being at the pinnacle of their sports success, however, one cannot assume that that would continue ad infinitum.

Mr. FICKER. I have a response to that, Senator, because in all due respect I hear that argument every now and then. One, is that there is really no obligation on the part of the taxpayer or the Senate or anyone else to make sure that these NFL owners have a sellout for every game and, second, last year—not this past season, but the year before—95.6—and the figure is in the subcommittee report—of all NFL seats for all stadiums put together over an entire season, 95.6 percent of the seats were sold.

During this past season, it was 96.1 percent of the seats. So, perhaps you do have a problem in St. Louis, but this is by no means a problem throughout the NFL. To the contrary, the opposite is true.

The people in Washington are going to continue to support the Redskins. They always have. I think it is whistling in the wind to say in all due respect that the Redskins are not going to sell their seats. You had a waiting list of 125,000 last year, I heard.

The CHAIRMAN. There is no question about that.

Mr. FICKER. It is unpractical to say that the Redskins are not going to sell out their tickets. Here you have all these little league football players, 10,000 of them, who are 8 or 9 years old. They are going to be playing football.

The CHAIRMAN. Thank you, sir.

Mr. FICKER. Thank you, Senator.

The CHAIRMAN. Is there anyone else here who would like to testify with respect to H.R. 6330? If not, that will conclude the Senate hearings on that bill.

[Whereupon, at 9.50 a.m., the committee recessed.]





