nearly 50 percent of the stock was held last year by some of the largest insurance companies, banks, and trusts in the country. Chase again appears, voting and owning 10 percent of Safeway stock through its nominee, "Kane & Co.," an organization which exists only on paper.

In one of the most important of the Nation's industries, electric utilities, Chase, using four different names, appears among the top 10 stockholders of 42 utilities, including Pacific Gas & Electric; Morgan Guaranty Trust, using 12 different names, is among the top 10 stockholders in 42 utilities; and the list continues on to show that 14 banks are each among the top 10 stockholders in 10 or more utilities, indicating the horizontal influence of institutional investors across an entire industry.

The full extent and effect of corporate ownership concentration is not known. Corporate documents have never been public record; their transactions are private except for a few outside of the privileged "insider class." What this information means is that the control of many large corporations is in the hands of a small group of managers of investment portfolios, unknown and, as a result, unaccountable to the public. And corporate secrecy is perpetuating that control. Only recently, through the diligence of Senator METCALF of Montana, and Vic Reinemer, staff director of the Senate Subcommittee on Budgeting, Management, and Expenditures, could the general public find out that Fiveco, Forco, Octo, Oneco, Treco and Twoco are all code words for the Prudential Insurance Co., by consulting a nominee list now printed by the Government Printing Office. Even so, Federal regulatory agencies have a marginal record in battling through the maze of nominees to obtain ownership information, and many companies refuse to divulge the information voluntarily. Indeed, as Ralph Nader stated during testimony before the Senate Select Committee on Small Business in 1972:

> Neither the SEC, the Civil Aeronautics Board nor the Federal Power Commission penetrates the veil of so-called nominee shareholders to determine who the actual owners are—corporate or individual—of the industries they purport to regulate.

As a result, law enforcement and Government regulation in critically important aspects of our economy—including energy, communications, antitrust, and environmental protection—are impeded because responsibility for illegal or unethical actions is not easily ascertainable. Regulatory agencies as well as the Department of Justice need the information for antitrust law. Congress needs, if we are to seriously cope with the energy crisis, current data on the oil companies, on their acquisition of coal companies, uranium companies, and mineral leases, as well as their connections with transportation interests. In 1971, it was determined that oil companies owned 30 percent of our coal reserves and 50 percent of our uranium reserves, the significance of which is apparent.

In addition to the veil of nominees shrouding corporate behavior, corporate power and control is increased through command over credit and interlocking directorships. For example, it was determined that Continental Oil has direct director interlocks with three banks, one insurance company and two coal companies. "Indirectly, these six companies have secondarily overlaps with seven of the country's largest insurance companies, two investment companies, two foundations, seven other oil companies, five banks, five of the largest utilities—two uranium companies, and two gas pipelines." Additionally, Congressman LES ASPIN has recently released a list of interlocking directorships among oil and gas firms which may be in violation of the Clayton Act.

Mr. Speaker, no institution so critical to the people's interest can maintain accountability if its machinations are shrouded with secrecy. Recent events have accentuated the importance of opening to public view more of the Government's affairs, and steps are being taken. Similar steps need to be taken with large private corporations.

There should be easy access to the names and addresses of the individuals voting major blocks of stock in large corporations; principal creditors and amounts involved should be divulged; and the relationships and affiliations between officers of different corporations should be disclosed. The information should be continually updated and publicly available.

As Theodore Roosevelt eloquently stated in 1901 when calling for extensive disclosure of the financial affairs of large corporations:

> Great corporations exist only because they are created and safeguarded by our institutions; and it is our right and our duty to see that they work in harmony with these institutions.

While the Judiciary Committee is understandably occupied with pending impeachment proceedings, I believe it should not delay any longer in commencing hearings and investigations to determine what changes may be needed in our commercial law to insure that major corporations function in harmony with the public interest. The Judiciary Committee should also investigate evidence which indicates widespread violations of antitrust laws by U.S. corporations, including oil companies and the Nation's institutional investors, with a resulting restraint of trade and illegal control of consumer prices.

HOUSE OF REPRESENTATIVES—*Thursday, January 31, 1974*

The House met at 12 o'clock noon.

Rev. Walter G. Nunn, First Baptist Church, Jasper, Ala., offered the following prayer:

Our Heavenly Father, we thank Thee for life, love, and light. Remind us again and again that we are always within the scope of Thy love and the context of Thy judgment. May we never forget that what we do has eternal consequences. Now we beseech Thee to guide these ministers of Thine, these makers of our laws, in their deliberations and decisions. May what they do reflect some measure of Thy will, and may we all be guided by the principles of integrity, fairness, balance, and understanding. Grant unto them, we pray, serenity, courage, patience, and a sense of Thy presence. Moreover, help us always to look unto Thee for guidance.

Through Jesus Christ our Lord we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

> S. 2606. An act for the relief of Grant J. Merritt and Mary Merritt Bergson; and
>
> S. Con. Res. 61. Concurrent resolution authorizing the printing of additional copies of part I of the Senate committee print entitled "Confidence and Concern: Citizens View American Government—A Survey of Public Attitudes."

The message also announced that the President pro tempore, pursuant to Public Law 92-484, appointed Mr. STEVENS to the Technology Assessment Board, in lieu of Mr. DOMINICK, resigned.

DR. WALTER G. NUNN

(Mr. BEVILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEVILL. Mr. Speaker, I was honored today to have Dr. Walter G. Nunn, from my hometown, Jasper, Ala., give the opening prayer on the floor of the U.S. House of Representatives.

Dr. Nunn is pastor of the First Baptist Church, in Jasper, which I attend as often as my schedule will permit. He received his bachelor of arts degree from Mercer University, master of divinity degree from Southern Baptist Theological Seminary, and doctor of divinity from Samford University.

Dr. Nunn is presently a member of the Southern Baptist Executive Board Committee and the past president of the Alabama Baptist State Convention. He has received the Freedoms Foundation Award for the past 4 years and is a board member of the Alabama Association for Retarded Children.

In addition to his many clergyman's duties, Dr. Nunn works tirelessly for his

city, county, and State, taking an active role in various civic activities. In my opinion he is an outstanding religious leader. His Christian work is known not only throughout the State of Alabama but in the entire southern area of our country.

I am pleased to have the privilege of welcoming Dr. Nunn to Washington and honored to have him give the opening prayer.

TOWARD REAFFIRMING THE INDIVIDUAL'S RIGHT OF PRIVACY

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, last evening during the President's message to the Congress on the state of the Union he said that as one of the priorities of 1974:

> We will make an historic beginning on the task of defining and protecting the right of personal privacy for every American.

Mr. Speaker, I congratulate the President for recognizing this urgent need. Article IV of the Bill of Rights which became a part of our Nation's Constitution on December 15, 1791, states that:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation and particularly describing the place to be searched, and the persons or things to be seized.

I look forward to initiatives by the President and his administration to support those actions which are in progress at the present time in the Congress to accomplish the goal of reaffirming the individual's right of privacy which has been guaranteed by the Constitution for nearly two centuries.

In addition, I would hope that as a first step the President will rescind Executive Order 11697, issued by him on January 17, 1973, and Executive Order 11709, issued by him on March 27, 1973, which authorize the Internal Revenue Service to turn over to the Department of Agriculture the tax returns of 3 million American farmers. Should the Department of Agriculture have a clearly, legally justified need for information which may be available via the IRS any Executive order issued by the President should carry limited authority absolutely limiting the information to be provided to the names, addresses, and taxpayer identification numbers of farmers as was recommended by the Committee on Government Operations, Subcommittee on Foreign Operations and Government Information on October 18, 1973.

That recommendation came at the conclusion of an investigation of the meaning, intent, and implication of Executive Orders 11697 and 11709 which I requested as a member of the subcommittee, that the subcommittee conduct.

I am today sending to the President a copy of House Report No. 93–598 which I hope will be of assistance to him and his administration in moving to insure that the right of privacy of the citizens of our Nation is protected fully.

SUPPORT FOR THE GRAIN RESERVE BILL

(Mr. SMITH of Iowa asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. SMITH of Iowa. Mr. Speaker, the Russians have taught us another lesson. It was less than 2 years ago that we sold them wheat at $1.62 a bushel, and now they have announced they will be selling some of it at over $6 per bushel. This is just further evidence of the stupidity of our not creating grain reserves when it is in surplus and cheap. In effect what we are doing is letting others control the reserves of things that we produce. So the Russians buy low and sell high, whereas we sell low and buy high. It is time some of the administration's self-described, "hardheaded, free enterprise businessmen" who opposed my grain reserve bill at the same time they were promoting that wheat sale to show as much business ability as the Communists do. Since we produce the goods for the store, why should they manage it?

I challenge the administration, the bakers, and the broiler producers and the others who opposed my grain reserve bill to come up here now and support the bill so that this same thing will not happen again the next time we have a surplus and a shortage cycle.

LIVE RADIO AND TV COVERAGE OF DEBATE ON IMPEACHMENT

(Mr. YATES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. YATES. Mr. Speaker, I have today filed a resolution providing for live radio and television coverage of the debate in the House Chamber on the bill to impeach the President.

I do so because I believe the American people would want to see and hear what is surely the most historic debate of our time. I do it also because I believe it is essential that the constitutional process of impeachment be made clear throughout the country in showing the separate functions of the House and the Senate.

The traumatic events of last year have shaken the Presidency and the country. The charges and countercharges in the Watergate scandals, the disclosures before the Senate committee and before Judge Sirica, the confessions and indictments of so many of President Nixon's assistants and associates, the firing of Mr. Cox followed by the resignations of Mr. Richardson and Mr. Ruckelshaus, the fiasco of the tapes including the apparently intentional erasure from one tape of a key conversation, and question relating to Mr. Nixon's tax returns all have culminated now in this one historic and dramatic legislative procedure.

It is apparent that within the next 90 days, we in this House shall be called upon to decide whether the President should stand trial before the Senate on the question of whether he is fit to continue in office.

This is not just an awesome burden laid upon the Congress. The procedure of impeachment is an awesome burden for the entire Nation. No living person has experienced or remembers an impeachment of a President and many people—in the House and among the general public—wonder what it is all about. People are worried and uncertain, and rightly so, for it is a grave matter.

The question of impeaching a President has risen only once before. In 1868, over a century ago, President Andrew Johnson was called to the bar of the Senate to defend himself against a resolution of impeachment which had been voted by the House. The country had to wait for information on the outcome of the Senate vote. Today, through the instrument of television, Americans throughout the country would be able to see and hear their representatives deliberate and vote upon this most vital question.

The proceedings of impeachment will have to answer many questions for the public. Not all of them have to do with Mr. Nixon. Some have to do with the Congress itself. We should let the public see that Members do conduct themselves with dignity and seriousness in their activities. Certainly, our actions on the floor in this extraordinary proceeding should be open to the public's scrutiny, for when we have finished our vote, the people must know the decision has not been political or vindictive, but has been based upon solid fact and in accordance with law.

Moreover, there are many crucial questions which must be answered in this matter: What is the impeachment process? What constitutes an impeachable offense? To what degree is the President accountable for the actions of his subordinates? What, of all that has been said, is true and what is false? What are the specific charges and what is the evidence? The people must know the answers to these questions if they are to understand and be willing to accept our final decision.

We pride ourselves on our democratic process, saying that ours is an open government. Yes, the procedures of this House and the other body are open to the public, but they ought to be more open. We are the people's body and the people should know how we work. The galleries necessarily are small and it is inappropriate to point to them as proving the openness of our system. On important occasions, throngs will line up for blocks in the hope that they will be able to witness a historic congressional debate. But when the crush is great, they can watch only for a few minutes because they are allowed to sit in the galleries only for a few minutes before they must move on to make way for a new group.

Mr. Speaker, why should the viewing of our deliberation be limited to the few who will be able to squeeze into the House galleries, when television and radio could bring the entire proceedings to millions throughout the country?

Last summer the Watergate hearings probably provided the greatest quantum jump in the average American's constitutional knowledge because they were

televised. The question which will be before us is even more important: Whether or not to impeach the President of the United States. What possible issue is more vital?

Under clause 33 of House rule XI, television and radio broadcasting of committee hearings is "for the education, enlightenment, and information of the general public regarding the operation, procedures, and practices of the House as a legislative and representative body—and for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution of the United States as an organ of the Federal Government." This rule argues eloquently for broadcasting from the House floor as well as from the committee room. Is not action on the House floor as educational and enlightening as committee action?

The country has seen numerous examples of the Presidency in action, but it has never seen any debates in the House or the Senate chambers. Why? Is not our work of equal interest and importance to the public? I think it is. I believe it is time the public was able to see its representatives at work in the House.

EMERGENCY DAYLIGHT SAVING TIME ENERGY CONSERVATION ACT OF 1973

(Mr. ASHLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ASHLEY. Mr. Speaker, today I have introduced legislation to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 by extending the time during which an exemption or realinement of time zones may be granted, based upon a gubernatorial finding that such an exemption or realinement is necessary to conserve fuel or prevent hardship.

Under existing legislation, the authority was limited to those States whose Governors issued a proclamation before the effective date, January 6, 1974, of year-round daylight saving time.

It seems to me clear that it was anything but realistic to expect Governors to make a finding with respect to either conservation or undue hardship prior to the time that daylight saving time took effect. There simply was no experience upon which to base a finding, one way or the other.

The committee report which accompanied H.R. 11324 admits as much when it states that "no studies have been carried out and no information is available which establishes with certainty that an overall reduction in energy consumption will directly result from the year-round observance of daylight saving time." The report went on to say that there is a "high probability" of such a reduction but the requirement that a Governor seek exemption before the time change was even imposed removes any effective means of making legitimate adjustment on the basis of actual experience.

To date the results of daylight saving time have been mixed both in terms of energy conservation and undue hardship.

The statistical data and other evidence of reduced use of electric power consumption indicate a national decrease of .1 percent for the week of January 12 as compared to the same week a year ago. For the seven States, including Ohio, or parts of States which comprise the central industrial region, the decrease was 0.7 percent as compared to a year ago, according to a recent report of the Edison Electric Institute of New York.

A similar study by the Toledo Edison Co., which serves much of northwest Ohio, indicates that during the first week of daylight saving time the reduction in use of electricity was 0.5 percent, as compared to the same week of January 1973. A comparable study for the same period by Cleveland Electric estimates a saving of about 2 percent, although both companies pointed out—understandably—that the time periods involved were much too brief to support conclusive findings.

Just as Americans accepted "War Time" during World War II, the public, generally speaking, has accepted the personal inconvenience and hardship of year-round daylight saving time as necessary in terms of current national requirements.

However, a persistent and deep-seated concern continues to be expressed over the early morning safety of schoolchildren in a society so highly dependent upon automotive transportation.

Here again, the facts to date simply do not permit conclusions on either side of the question. The Ohio Department of Education, which transports 1,300,000 children each schoolday, has advised me that there have been no accidents thus far which are attributable to daylight saving time; four children have been killed but all during daylight hours.

It is worthy of note that the Ohio House Judiciary Committee voted 11 to 5 to postpone a bill to prohibit public elementary schools from opening earlier than 9 a.m. during year-round daylight saving time. Both the Ohio Education Association and the Ohio PTA requested that the starting time of schools not be regulated or the length of the schoolday altered until further information becomes available.

Similarly, the National Safety Council is in the process of surveying State traffic agencies on the experiences of school children accidents during January of this year as compared to January 1973. The council is asking for age, time of day and other pertinent data with respect to each accident and I am told that it will be several weeks before information is available.

In light of these facts, Mr. Speaker, it seems to me quite evident that the period during which a governor may seek exemption or alteration of time zone limits, where necessary to avoid undue hardship or to conserve fuel in a State or part thereof, should be extended so as to apply at any time during the 2-year life of the legislation.

As we all know, a number of bills have been introduced for the outright appeal of year-round daylight saving time. Others would exempt any State from the new daylight bill either by a majority vote of a State legislature or a proclamation of a Governor.

I am opposed to these approaches because I believe that energy conservation is a necessary and legitimate national objective which requires unified national policy. Exemption or a realignment of time zone limits should require, as under present law, a finding by the Governor of a State that such waiver or modification is necessary to avoid undue hardship or to conserve fuel. In short, a single standard should apply to all States but there must be room for such modifications as are necessary to prevent the kind of rigidity which in fact produces uneven and perhaps inequitable application of the law.

YEAR-ROUND DAYLIGHT SAVING TIME

(Mr. KAZEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAZEN. Mr. Speaker, I share the concern of many of my colleagues over the impact of recent legislation establishing year-round daylight saving time. I voted against the bill, and I now propose a change in the law. I believe it is time that we stop asking many citizens to operate in the dark.

The four time zones of our Nation are necessarily broad in dimension. The problem develops, in the words of an old saying, "as sure as the Sun rises in the east." Daylight comes much sooner in the eastern portions of each time zone, but on the western edges it is well into the normal workday or schoolday before the Sun is up.

We hold our offices here as Representatives of the people in our States. We should consider the problems of our districts. I am therefore proposing an amendment to Public Law 93–182 that would authorize the Governor of any State to nullify year-round daylight saving time in his State, and direct the President to accept such action by a Governor.

We have been told of fatal accidents to young children leaving home in the dark to attend schools. We know of businesses disrupted, especially certain daytime radio broadcasters. Constituents tell us that they are saving no energy under the new system, because they need light and heat at early hours now that cancel savings in the late afternoon.

I submit that each State may have a different problem. I believe the Governors are better equipped to find solutions than we are here in Washington, so I urge support for my bill granting this authority to the Governors. I say there is need for all good men to come to the aid of time.

CHANGING VETERANS DAY TO NOVEMBER 11

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, I am introducing today a bill which, if enacted, will return observance of Veterans Day to November 11, its traditional date of observance. This bill is cosponsored by every member of the Veterans' Affairs Committee with the exception of one. It has the support of the major veterans' organizations: The American Legion, Veterans of Foreign Wars, Disabled American Veterans, Amvets, and Veterans of World War I.

Although Congress changed the observance of Veterans Day to the fourth Monday in October several years ago, this has proven so unpopular that 31 States which had previously changed their laws to conform with the Federal Act subsequently have enacted legislation to return Veterans Day to November 11. I would like to place in the RECORD a list of the 31 States which have voted to return Veterans Day to November 11—two States never changed the State law from November 11. This makes a total of 33 States containing a majority of the Nation's veterans which plan to observe November 11; 18,106,000 reside in these 33 States that will observe Veterans Day on November 11, while only 10,747,000 reside in States that continue to observe the fourth Monday in October. Undoubtedly, additional States will be making the change back to November 11.

It seems, therefore, that it would be appropriate for Congress to enact legislation to return the observance of Veterans Day to November 11, and this is the purpose of my bill.

The following is a list of the States that have passed legislation to restore Veterans Day to November 11:

VETERANS DAY TO NOVEMBER 11 (EFFECTIVE DATE)

Alaska, 1973.
Arizona, 1973.
Arkansas, 1973.
California, Jan. 1, 1974.
Connecticut, 1973.
Florida, May 17, 1973.
Georgia, January 1972.
Illinois, 1973.
Indiana, 1971.
Idaho, Feb. 15, 1973.
Iowa, Nov. 11, 1974.
Kansas, Nov. 1976.
Louisiana, 1973.
Maine, 1974.
Michigan, 1973.
Missouri, Sept. 22, 1973.
Nebraska, 1973.
New Hampshire, 1973.
New Mexico, 1974.
North Carolina, 1974 (Law Mar. 5, 1973).
North Dakota, 1973 (Law July 1, 1973).
Oregon, 1973.
Pennsylvania, 1973.
South Carolina, 1974.
Tennessee, 1973.
Vermont, 1974.
Virginia, 1973 (Law Jan. 1, 1973).
Washington State, 1973.
West Virginia, 1972.
Wyoming, 1973 (Law May 25, 1973).
Wisconsin, 1974 (Nov. 28, 1973).

Two States never changed State law on Veterans Day: Mississippi and Oklahoma.

Mr. HAMMERSCHMIDT. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to the gentleman from Arkansas, my distinguished and able colleague.

Mr. HAMMERSCHMIDT. Mr. Speaker, I thank the gentleman for yielding.

I want to associate myself with the remarks of our most distinguished chairman of the Veterans' Affairs Committee. I wish to assure him of my individual support. As he has mentioned, I am a cosponsor, and certainly as the ranking minority member of that committee I will attempt to coordinate our actions on this side of the aisle with those of his leadership to insure expeditious and early action on this important legislation.

Mr. DORN. I want to thank my colleague.

I might remind the House that the President recommended the date be changed to November 11.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to my colleague, the distinguished gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I thank the gentleman for yielding.

Representing the city where much of this began so far as Veterans Day is concerned, I want to thank the gentleman for his action here and say I fully support it.

I thank my colleague for his leadership in this matter.

HON. JOHN W. McCORMACK INDO-AMERICAN PEACE HOSPITAL

(Mr. TIERNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, last December 10 Ambassador to India Daniel P. Moynihan authored a tribute to our colleague and friend, former Speaker John W. McCormack, in recognition of Speaker McCormack's efforts and successes in the strengthening of Indo-American bonds. Ambassador Moynihan says it better than anyone I know just how fortunate we in America are to have John W. McCormack in our midst. I take great pleasure as a friend of Speaker McCormack in presenting this tribute for inclusion at this point in the CONGRESSIONAL RECORD:

A MESSAGE FROM AMBASSADOR DANIEL P. MOYNIHAN

That John W. McCormack is a great statesman and a great American is news to no one. What may be less well known are the services he has rendered the people of India and the future of Indo-American relations.

Nearing completion on the campus of the St. John's Medical College in the great city of Bangalore is a seven hundred bed hospital known in those parts as the John W. McCormack Indo-American Peace Hospital. It is a major center of medical education and research, as well as one of the largest and most modern hospital facilities in Asia.

This hospital is being built in large part with the help of a grant of nearly 50 million rupees from the United States Agency for International Development. These funds accrued to the United States in the course of food sales and other aid undertakings during the 1950's and 1960's and, with the concurrence of the Government of India, have been committed to worthy projects such as this throughout the country.

"Where is there a better work to show the world how American surplus farm commodities can be used to feed the hungry and at the same time help to care for the sick and the poor?" asked Speaker McCormack.

The hospital is a symbol of the vision, the humanity and the compassion that have animated John McCormack in his decades of service to the people of the United States and of the world. Its existence owes much to his peerless skills at navigating among the legislative and bureaucratic shoals that lurk throughout the Government, and to his persistence in ensuring that large purposes and noble conceptions do not fail to be realized.

The hospital is tangible. Its purposes, inevitably more abstract, are suggested by the inscription on its cornerstone and well reflected the Speaker's own philosophy:

"Dedicated to the Glory of God
And to the well-being of mankind
Through brotherly love and sacrifice
By the people of America
And the people of India."

Speaker McCormack's interest did not cease with the laying of the cornerstone, with the construction of the hospital itself, nor even with his own retirement from Capitol Hill. He has persisted in myriad ways to enhance the relations and activities that rise to this project.

If I may add a personal vignette, soon after I arrived in New Delhi we undertook negotiations with the Government of India that sought a permanent end to the accumulation of "U.S. rupees". As these words are written, the two governments are about to initial such an agreement, one which I believe is both fully cognizant of the needs of the United States and also gracious in its granting back to the Government of India the bulk of these funds, while simultaneously removing forever the obstacle to happy relations that this mounting debt presented. It is one of the few negotiations in my experience of which it can truly be said both sides were generous and understanding.

John W. McCormack has been one of the strongest voices in support of such an agreement and has walked the corridors of Washington on its behalf. In person and through his many friends and admirers—labor, religious and political leaders prominent among them—he has sought to remove obstacles from the path of an agreement that, as was instantly obvious to a man of his vision, sustained the spirit that gave rise to the Bangalore hospital project and its many activities while recognizing the further needs of both India and the United States.

I salute him for his compassion, I thank him for his actions, and I hope that those reading this modest tribute will join me in paying their respects to a great man and to the splendid medical center that will be among his legacies.

DANIEL P. MOYNIHAN.

CONCERN OVER LITHUANIAN SEAMAN SIMAS KUDIRKA

(Mr. HANRAHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HANRAHAN. Mr. Speaker, I am introducing today a concurrent resolution expressing the sense of Congress that the President of the United States direct the Secretary of State to bring to the immediate attention of the Soviet Government the deep and growing concern among citizens of the United States over the plight of Lithuanian Seaman Simas Kudirka, and to urge his release from imprisonment and his return to his family. Simas Kudirka boarded a U.S. Coast Guard cutter in 1970, seeking political asylum; and through a series of errors, Soviet authorites from his fishing trawler were allowed to seize him and forcibly return him to his ship. For this crime, he was imprisoned in Russia.

I am deeply grateful to be introducing this legislation not only for myself, but

for 50 cosponsors who have joined me in this effort. I include my concurrent resolution in the CONGRESSIONAL RECORD at this point:

H. CON. RES. 421

Whereas Simas Kudirka, a Lithuanian seaman, attempted to seek asylum in the United States while his ship was moored beside a United States Coast Guard vessel in United States territorial waters; and

Whereas Simas Kudirka was forcibly seized from the United States Coast Guard vessel and returned by Soviet authorities to a Soviet vessel, and subsequently imprisoned in the Soviet Union; and

Whereas American citizens are increasingly concerned about this flagrant violation of human rights; and

Whereas his continued imprisonment and the inability to learn of his welfare raise among American citizens an impediment to the improvement of relations between the Soviet Union and the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President of the United States direct the Secretary of State to bring to the immediate attention of the Soviet Government the deep and growing concern among citizens of the United States over the plight of Simas Kudirka and to urge his release from imprisonment and his return to his family.

SEC. 2. It is the sense of the Congress that the President of the United States forward a copy of this concurrent resolution to the United States Representative to the United Nations for transmission to the Commission on Human Rights or the Division of Human Rights of the United Nations.

DEMISE OF ECONOMIC STABILIZATION PROGRAM

(Mr. COCHRAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COCHRAN. Mr. Speaker, I rise today to voice my support for the demise of the economic stabilization program. Last year this Congress forced the imposition of wage and price controls on our citizens.

Since then, our workers, our businessmen and women, and our housewives have had to endure the confusion and uncertainties caused by phases I through IV. It is now time for us to try phase zero.

As the expiration date of the Economic Stabilization Act approaches, I hope that we will seriously consider a return to the best method for assuring economic stability—the law of supply and demand. Artificial government controls are not the answer.

AMENDMENTS OFFERED TO H.R. 5463, FEDERAL RULES OF EVIDENCE

Mr. GROSS. Mr. Speaker, under the unprecedented provisions of House Resolution 787, adopted yesterday, I ask unanimous consent to insert in the RECORD at this point the following germane amendments which I intend to offer to the bill H.R. 5463, dealing with rules of evidence:

Strike the necessary number of words;
Strike the requisite number of words;
Strike the last word;
Strike the penultimate word;
Strike the next to the last word.

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

There was no objection.

NATIONAL PRAYER BREAKFAST

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, today is the occasion of the annual National Prayer Breakfast and many of the Members were in attendance.

I think the record should reflect that the distinguished Speaker of the House, the gentleman from South Carolina (Mr. DORN), and the gentleman from Georgia (Mr. YOUNG), were all participants in the program this morning and each reflected credit on the House of Representatives.

LOW WAGES AS SERIOUS A PROBLEM AS JOBLESSNESS?

(Mr. DOMINICK V. DANIELS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, new labor market indexes are needed to supplement employment and unemployment statistics, according to a statement released by the National Manpower Policy Task Force.

While stressing that the integrity and precision of the currently collected data are not in question, the Task Force casts doubts about the adequacy of the concepts developed during the Great Depression to measure today's labor force activities. According to the task force, low wages are as serious a problem as joblessness, and the Bureau of Labor Statistics almost completely ignores income in measuring work force operations. The relevance of unemployment statistics has also diminished because of the rise in the number of part-time secondary family earners and the growth of income alternatives to work.

The task force, a group of academic manpower experts, recommended the introduction of two indexes to supplement labor force statistics: one measuring the economic hardship caused by employment and earnings problems; and a second, converting the unemployment rate to a full-time job equivalent by giving less weight to secondary workers seeking only part-time employment. The hardship index would exclude all unemployed workers in households with an annual income adequate to weather a period of joblessness, but would include all other workers or would-be workers whose annual earnings were inadequate to provide their families with an acceptable standard of living.

As a basis for the development of such measures, the task force urged the systematic collection of more information on earnings and cost-of-living variations among areas. In order to materialize its recommendation, the task force urged the immediate appointment of a Presidential committee whose mandate would be to appraise the feasibility and usefulness of alternative indexes and to decide on specific definitions that could be incorporated into the official labor market statistics.

The following policy statement by the National Manpower Policy Task Force is incorporated for my colleagues personal information:

ADAPTING LABOR MARKET STATISTICS TO POLICY NEEDS

The concepts underlying current labor market statistics have remained relatively unchanged since the Great Depression. The President's Committee to Appraise Employment and Unemployment Statistics completed the last comprehensive evaluation in 1962, verifying the objectivity of the data. Since that time, the value and integrity of labor force data have remained unquestioned, but their relevance to current policy requirements has diminished. Modified and supplementary measures deserve consideration in light of changing labor market conditions, economic concepts, and policy concerns.

THE CHANGING LABOR MARKET

Changes in the composition and behavior of the work force over the last dozen years raise questions about the meaning of employment and unemployment statistics as measures of deficient aggregate demand, structural labor market problems, and hardship related to failure in the world of work. The labor force which is being measured today is not the same as that at the opening of the 1960s. Women and youth who are secondary family earners have grown as a proportion of the work force:

[In percent]

	1960	*1972*
Civilian labor force	100.0	100.0
Male	66.6	61.5
Female	33.4	38.5
Teenagers (age 16 to 19 years)	7.0	9.3
Adult females (age 20 years and over)	30.4	34.3
Adult males (age 40 years and over)	62.6	56.4
Heads of husband-wife families	50.3	45.2
Unemployed	100.0	100.0
Male	64.5	54.4
Female	35.5	45.6
Teenagers	18.5	26.9
Adult females	28.0	33.3
Adult males	53.5	39.9
Heads of husband-wife families	38.0	26.1

The new labor force participants have introduced new dimensions to the measurement of labor market problems. In 1972, 44 percent of unemployed women age 20 years and over and 71 percent of unemployed teenagers were out of work because of entry or reentry into the labor force as opposed to job loss or change; in contrast, three-fourths of unemployed adult males were job losers or leavers. Moreover, 27 percent of unemployed females and 44 percent of teenagers wanted part-time jobs, while over nine of ten unemployed adult males wanted full-time work. The rising share of part-time jobseekers casts doubts whether aggregate unemployment rates are a good indicator of shortfalls in fulltime jobs and thus of deficient aggregate demand.

These compositional changes have also affected the relationship between unemployment and hardship. Wives and teenagers are more likely than adult males to be supplementary earners rather than the primary providers of family income. In 1972, four of every ten unemployed below age 24 were students who were normally seeking only supplementary income. This was double the proportion a dozen years earlier. The proportion of unemployed women who were widowed, divorced, or separated and thus more

likely to be family heads, fell from 24 to 17 percent. Although the personal hardships resulting from unemployment of teenagers and wives should not be minimized, their loss of earnings may not deprive the family of its primary source of sustenance.

INCOME ALTERNATIVES

The massive expansion of income alternatives to work over the past decade has affected the meaning of employment, unemployment, and other statistics. The extension of social insurance and welfare programs has cushioned joblessness and provided some options to low-wage employment, though the income alternatives provided are normally too low to permit recipients to escape poverty in the absence of other income sources.

The growth of the social security system has been especially important. In 1972, there were 28.5 million beneficiaries, nearly twice as many as in 1960. Average social security benefits more than doubled over the period compared with a 70 percent rise in the average wages of nonsupervisory employees. With relatively more attractive benefits, the labor force participation rate of the elderly fell from 33 to 24 percent over the twelve-year period. In 1968, two-thirds of elderly married couples reporting wage and salary incomes were also receiving social security and, therefore, were not solely dependent on their earnings. More and more persons have retired at age 62 with reduced social security benefits. In 1960, only 6 percent of all retired or disabled workers were age 62 to 64 years; by 1972, this proportion had risen to 29 percent.

The growth of welfare programs has also been dramatic. In 1972, 3.1 million families received Aid to Families with Dependent Children, a fourfold increase from 1960. During these dozen years, average payments increased by 76 percent, and combined with rapidly growing in-kind benefits, rose above the market wage available to many of the disadvantaged recipients.

A variety of other programs have also been influential. Manpower programs, which saw their greatest expansion in the late 1960s, offered jobs and subsidized employment, as well as training and stipends. Recorded rates of unemployment were reduced since enrollees in the work experience programs were counted as employed, while those in institutional training were counted as outside the labor force. Unemployment insurance helped to cushion temporary job loss and in some cases reduced the incentive to seek work, although the program grew less rapidly than other social welfare efforts. GI bill benefits providing educational and employment allowances expanded in the late 1960s and early 1970s as a result of the Vietnam war and had a noticeable impact on the way veterans reentered the civilian labor force, while workmen's compensation also expanded over the decade.

There can be no doubt that welfare, social insurance, and training programs have significantly affected labor market behavior. Some individuals may have withdrawn from the labor force to depend upon income maintenance programs. Others desiring jobs have been discouraged from looking because of the high marginal tax rates under social security and welfare, where real income can sometimes be lowered through employment. On the other hand, the unemployment rate has been inflated by persons claiming to look for work only to qualify for assistance. Whatever the exact impacts, the rise of income support programs must be considered in assessing the meaning of employment and unemployment statistics as well as in determining the need for their modification and supplementation.

THEORETICAL ISSUES

Changes in the composition of the work force and in the importance of earnings as a source of income for the disadvantaged can be interpreted from different perspectives which lead to diametrically opposed policy precriptions. According to one theory, labor force changes have altered the relationships between inflation and unemployment, making it difficult if not impossible to achieve sustained "full employment" without causing an intolerable level of inflation. The jobless, protected by income maintenance programs and other sources of support, are not anxious to compete for job openings and many unemployed shun full-time work. Expanding employment thus results in the entry and reentry of secondary earners, not in a proportional reduction in the number of unemployed. Accordingly, it is argued, more inflation must be tolerated to achieve tight labor markets or a decline in aggregate unemployment.

Some economists who developed the notion of a shifting relationship between unemployment and inflation argue that structural measures reducing the high levels of unemployment among less advantaged groups are necessary to improve the aggregate tradeoffs. But others, unconvinced of the value or efficacy of structural measures, have urged a different course—the acceptance of a higher level of unemployment as a national policy, regrettable as it may be. They have argued that because the unemployed are increasingly secondary earners or are cushioned by public income support programs, their needs tend not to be as critical as those of the unemployed in the past. A higher level of unemployment, according to this view, is socially tolerable if it does not result in absolute deprivation.

Without passing on the merits of these arguments, the challenge to existing labor market statistics is clear: The unemployment rate has become less and less useful as a measure of deficient aggregate demand or of deprivation and need. To better assess macroeconomic issues, some weighting would be required to equate the unemployment among secondary workers with full-time joblessness.

A fundamentally different perspective on labor market developments is provided by the segmented or dual labor market theory. Focusing on the more disadvantaged segments of the work force, this theory argues that due to discrimination, personal handicaps, and a system which requires low-cost, unskilled labor, some workers are confined to low-wage jobs with little advancement potential. They consequently have little motivation to acquire skills or training and limited commitment to any particular employer since one job is as bad as another. Employers of such workers expect unstable work patterns and discipline problems, and therefore, structure their operations to adjust to the behavior of the disadvantaged and poorly motivated. Some occupations and industries are therefore characterized by high turnover, frequent withdrawal from the labor force, intermittent reliance on alternative income sources, and lack of advancement.

The dual market analysts suggest that the number of workers locked in a "vicious cycle" has increased. Black teenage unemployment rates have risen to depression levels, and participation rates of adult black males have declined precipitously. The number of female-headed families has increased possibly because many men with limited earning potential have been unable to find adequate employment.

Again, without passing on the substance of the dual labor market arguments, the challenge to labor market statistics is obvious.

First, unemployment rates have become a less and less meaningful measure of hardship as work, welfare, and the hustle have grown increasingly intertwined. Second, the key factor in measuring labor market pathology is low earnings frequently compounded by turnover and limited job commitment. It follows that unemployment, as counted by the Current Population Survey, captures only the tip of the iceberg and that a realistic assessment of problems faced in the labor market must measure income levels as well as hours of work.

In summary, then, the two theories suggest diametrically opposed interpretations of events: the first view, focusing on aggregate resource utilization, claims that the unemployment rate overstates the extent of job deficiency; the second, from the welfare perspective, asserts that conventional unemployment rates fail to measure the level of need. Yet, both views suggest that current labor market statistics need to be supplemented or modified in order to provide a more realistic theoretical perspective.

INFORMATION REQUIREMENTS FOR POLICYMAKING

The crucial issue is whether current labor market statistics fulfill changing policy requirements. Theorists and technicians can usually manipulate or adjust existing information to fill their needs, but policymakers are more dependent on published and widely accepted indices. These standard measures play a vital role in shaping public policy, as witnessed by the importance of the poverty index in generating a national consensus to combat poverty and in helping to shape specific antipoverty programs.

The evidence is mounting that available labor market data have not kept pace with policy requirements. The extensive experimentation with manpower and related social programs indicates the desirability of supplementing current labor market information with data on the income needs of the jobless and on the relationship between structural unemployment, earnings problems, and the aggregate level of unemployment.

An issue perennially confronting policymakers is the scope and level of minimum wages. The positive income and negative unemployment effects of minimum wages are concentrated among the disadvantaged, so that a measure assessing both the employment and earnings problems of low-wage workers over time would be a useful tool in modifying minimum wage standards to aid the disadvantaged. The same measures might also be utilized in considering the feasibility of a wage subsidy effort.

In setting marginal tax rates for earnings under welfare and social security programs, in assessing unemployment insurance and workmen's compensation, and in designing manpower programs, policymakers would find statistics combining employment and earnings useful as indicators of the well-being of individuals and families experiencing difficulties in the labor market.

A related issue is the distribution of funds under manpower and related revenue sharing proposals. Since aggregate unemployment rates are an inadequate measure of need, they are an inequitable basis for allocation of funds. An alternative considering more broadly defined employment and earnings inadequacy is preferable.

ALTERNATIVE MEASURES

To meet these policy needs and to better assess changing economic conditions, supplementary labor market statistics might be considered. Most significant and feasible is a new index which measures the degree of hardship associated with various labor market problems. Indeed, the 1973 Comprehensive Employment and Training Act mandates the Secretary of Labor to develop such an index.

Severity of needs among the unemployed and the working poor could be weighted by using upper and lower-income bounds—excluding all unemployed workers in households with an annual income adequate to

weather a period of joblessness, but including all others whose earnings during the base period fell below predetermined minimum levels. Such a measure of employment and earnings inadequacy based on annual earnings and work experience would count the number of persons whose jobs failed to provide a minimum acceptable standard of living for their dependents.

Efforts could also be initiated to develop a full-time equivalent unemployment rate which would weight the unemployed according to their hours of desired employment. Among the preliminary steps which are needed in formulating, applying, and assessing alternative labor market measures are the following:

1. More information is required on weekly family earnings and income. This must serve as a basis for any current needs measure.

2. The poverty thresholds and related family income budgets need to be reexamined and more carefully adjusted to regional and area costs of living differences.

3. An analytical review of the adequacy of the current definition of the "discouraged worker" is needed.

4. Consideration might be given to identifying "peripheral" workers who have minimal labor force attachment and breadwinning responsibilities.

5. The Current Population Survey, which is the primary source of current and annual labor market statistics, might be expanded in scale and scope to provide more information and to allow more detailed reporting by area and group.

RECOMMENDATIONS

To assess currently available labor market statistics and concepts in light of changing conditions, theories, and policy needs, and to modify and supplement these measures where appropriate, the National Manpower Policy Task Force recommends the following actions.

1. An *ad hoc* committee of labor market experts should be convened to examine alternative labor market measures and to suggest alternative subemployment and earnings employment inadequacy indices. Tabulations should then be made with available data to determine the implications of these alternatives.

2. The Current Population Survey should be expanded to cover more households and to add more income data on a current basis. Special studies may also be needed. For instance, regional and area cost-of-living variations should be more carefully documented in order to refine poverty concepts.

3. A Presidential committee should be appointed to fully assess the conceptual and practical issues related to labor market statistics. A primary task of this committee should be to appraise the feasibility and usefulness of measures concerned with weighted unemployment, income and employment needs of the jobless, and the inadequacy of employment and earnings.

THE LONELY CRUSADE—YOUTH CAMP SAFETY

(Mr. DOMINICK V. DANIELS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, what do you do when you arrive home as usual one summer's evening to find that your 15-year-old son is "presumed drowned?" The same healthy, eager teenage kid that you sent packing off to camp just a few weeks ago is now needlessly, the victim of inexperience and poor judgment.

So you say to yourself, what is going to happen now? Who will pay for this senseless tragedy? If your son's camp is like most, nothing is going to happen. You'll be patted on the back, consoled and sympathized with, then before you know it, it's back to business as usual.

Mitch Kurman is one father who has refused to allow the death of his son to be written off as "just one of those unforeseeable accidents of life." It was not. David Kurman's death was the direct result of careless and inefficient camp policy. David and several other teenage boys, new to the boating experience, were taken canoeing on a raging river, without lifejackets and under the supervision of inexperienced counselors.

Mitch sued the YMCA, certain that there were specific statutes that would hold the camp accountable for hiring inexperienced counselors and for having inadequate safety gear. He was appalled to find that no such laws existed.

So it began, a man who didn't know the first thing about politics, who hadn't the slightest inkling of how a lobbyist operates and who wasn't a lawyer, set out to change the laws of the United States.

That was in 1965. To date, there are still no minimum Federal standards for youth camps.

As Mitch says:

You wonder who in the world would be against such legislation?

So do I wonder, yet my efforts for the past 7 years for the safety of youth camps has run up against fervent opposition. The ultimate opposition attack resulted in the perfect congressional stalling tactics—the "study."

Following the failure of my bill to establish minimum safety standards, a substitute measure was passed calling for a national survey of youth camps to be submitted to the Congress in 1 year; $300,000 and 2 years later, we are still in the dark—the report is not yet complete.

I will not let this die. I plan to schedule hearing during this session with the intent of passing effective legislation. I am losing patience waiting for the results of a survey—now 1 year overdue.

I submit the following Wall Street Journal article for your information as a vivid illustration of the footdragging that has hindered the passage of this legislation:

[From the Wall Street Journal, Dec. 18, 1973]

LONELY CAUSES: SUMMER CAMP SAFETY IS THE GREAT OBSESSION IN MITCH KURMAN'S LIFE—SPURRED BY HIS SON'S DEATH, HE HAS DEDICATED YEARS TO INSTITUTING TOUGH LAW—A MACABRE CLIPPING BUREAU

(By Barry Newman)

NORWALK, CONN.—It is getting close to deadline, and the cramped little newsroom of The Norwalk Hour is aflutter. Teletype machines are chattering, phones are ringing, reporters are pecking away furiously at their beat-up typewriters. Then, through the confusion, a short, unimposing, fiftyish man marches into the room and straight up to reporter Frank Fay's desk.

"Whaddya want?" Mr. Fay asks, a look of extreme pain on his face. "I'm right on deadline. I can't talk now." The little man mumbles an apology and, as other newsmen glance up nervously and seem to cower closer to their copy, darts over to the editorial writer's desk to ask about reaction to a letter of his that the Hour had printed. There hasn't been any, he is told.

The man nods and moves over to the copy desk, where City Editor John Reilly stands with a phone lodged against his left ear. "I have the utmost respect for this paper," the man tells Mr. Reilly. "You've done plenty of good stories."

"I know that," Mr. Reilly replies, "but not before we started calling you 'Mitch the pest.'"

Around The Norwalk Hour, Mitch Kurman has been known as "the pest" for going on eight years and 350 visits. Mr. Reilly actually called him that in a column. But what began as an epithet has become a nickname of fondness and respect at the Hour, for Mitch Kurman has shown himself to be a man of awesome endurance and formidable inner strength.

Why? Because Mitch Kurman, a 50-year-old wholesale-furniture salesman who lives modestly behind a high hedgerow in nearby Westport, has pitted himself against forces unassailable by most men like him—against newspapers far less accessible than the Hour, against the United States Congress, against steamroller lobbies. His cause is summer-camp safety, aroused by a great personal tragedy, the death of his 15-year-old son, David, in a canoeing accident in 1965.

"YOU ONLY LIVE ONCE"

Wandering along the roads of his salesman's territory from Maine to North Carolina, Mitch Kurman has managed with seemingly tireless fervor to provoke the passage of laws requiring lifesavers on small boats in Maine, New Hampshire, Massachusetts, Connecticut and New York. He has helped push through camp-safety laws in Connecticut and New York and for the last several years has been stumping stubbornly for federal legislation that would protect children when their parents entrust them to a camp for the summer.

Mitch is a fast, tough talker who clenches his teeth and curls his lip when he speaks about the interests that he says have tried to trip up his legislation. And he gives little comfort to citizens who, unlike himself, aren't motivated to stand up for their rights:

"Hell, you only live through this lifetime once, and for crying out loud, if you can't get a little bit of good done, what are you going to do, keep piling up money that's worth less and less every day? If there's anything that disgusts me, it's somebody who says, 'What do you want me to do? I'm only one guy.'"

Frank Fay, who wrote David Kurman's obituary in The Norwalk Hour eight years ago, sees Mitch's motives a bit differently: "The grief he felt over his son's death was unbelievable. He had a tremendous feeling of determination not to let it go unnoticed. The guy was just a good father and a good husband who had a fire inside him that came out in one fantastic epic demonstration of perseverance."

In earlier years, Mitch was content to sell furniture and quietly raise his son and two daughters with his wife, Betty. On weekends, he would spend his spare time by himself in a boat on Long Island Sound, fishing for striped bass and bluefish. His thoughts were far from politics.

"As a kid I was a political animal," he says. "But later I became disillusioned with the whole thing. When the boy was in a debate or took up a petition I said he's just an idealistic kid, he'll get over it."

POLITICAL ANIMAL REBORN

On Aug. 5, 1965, David Kurman died, and his father became a political animal again. Mitch has told the story of the fatal canoe trip dozens of times—to newspaper reporters and radio commentators, to a judge in court and to congressional committees. Every detail of the ordeal, every middle initial of every official involved, seems to be fixed in his memory.

It was early evening of that August day when he swung his station wagon into his driveway after a week on the road. He was carrying a load of logs for David to split when he returned from camp. Inside, he found Betty in tears. David, who had gone on a canoe trip with a YMCA camp in Rochester, N.Y., was missing on a river in Maine. At 10:30 that night a local policeman came to the door. "He looked very uncomfortable," Mitch remembers. "He wouldn't look at either of us and just read from a piece of paper he pulled from his pocket. It said our son David was presumed drowned."

Mitch and Betty drove north, to the Penobscot River in Maine. "When I saw the river my blood ran cold," Mitch says. "I couldn't believe anybody would ever go down it. It was every bit as wild as the Niagara Gorge, and the Great Northern Paper Company shoots hundreds of thousands of logs down it to a pulp mill."

The boy wasn't wearing a life preserver; and, according to Mitch, the young counselor who led the trip admitted that he got into waters that were "more than they bargained for." For three harrowing days, while Mitch and Betty waited, crews grappled in the rapids until they found David's body.

The Kurmans sued the YMCA and, two years ago, settled for $30,000. But back in 1965, Mitch was certain there were specific statutes that would hold the camp accountable for hiring inexperienced counselors and for having inadequate safety gear. He was appalled to find that no such laws existed.

"I thought, as parents everywhere must think, that there must be some legislation to protect kids," Mitch says. "When I saw how ugly the situation was, I said this is just too darn raw to let go on. I don't believe in putting a tombstone over a kid and saying that's the end of it."

So it began. A man who didn't know the first thing about politics, who hadn't the slightest inkling of how a lobbyist operates and who wasn't a lawyer, set out to change the laws of the United States. "It wasn't even clear in his mind at first what he wanted to do," says Frank Fay. "He'd just call up and throw a little tidbit at you. It was tough to deal with."

In his basement, amid washer and dryer and family portraits, Mitch set up an office where he began to collect his evidence—box upon cardboard box of newspaper clippings about accidents at camp; letters from politicians, from camping associations and from parents of injured children; and carbon copies of Mitch's own letters, written by the hundreds in a scrawled hand on his "Early American Furniture" letterhead. His tactics slowly took shape.

Through a network of his customers that is nearly as good as a clipping service, newspaper articles about camping accidents reach him: "57 Youths Injured in Jersey Wreck"; "Boy, Man Drowned in 2 Accidents"; "Girl's Body Recovered by Divers in Patterson." When he catches wind of an accident, Mitch drives to the scene, talks to the police and gets the details. He looks for evidence of the sort of shortcomings that might be eliminated by a law regulating camps.

(There aren't any official accident figures for camps. However, based on incomplete insurance statistics and other rough data, Mitch estimates that each year some 250,000 youngsters in the U.S. end up getting hurt in some way while attending camp; this is out of an estimated total of 8 million young campers.)

"I like rooting out this stuff and getting to the bottom of it," Mitch says. "Then I'll look up the local Congressman or Senator and I'll say, 'Look, it's about time you did something about this—this happened in your own backyard.'"

For good measure, he hits the local newspapers. "If you go to a politician and hope something will be done, you're crazy," Mitch says. "But if he knows you're making the public aware of the situation, that's different." So while other salesmen spend many of their nights hanging around bars and hotel rooms, Mitch spends many of his nights hanging around newsrooms. "I walk in with two suitcases filled with material and throw it at them before they can give me a cold shoulder," he says. "The idea is to sell it and sell it fast."

Based on the number of articles written about his fight for summer camp safety, Mitch's strategy has been strikingly successful. Hometown newspapers throughout his territory have given him editorial support and space in their news columns. So have bigger papers including The Christian Science Monitor, The National Observer and The Washington Post. Mitch says he "got under the skin" of John Oakes, editorial page editor of The New York Times, with the result that the Times has published four editorials backing his legislation.

The publicity has gained Mitch a certain amount of fame—and wary respect—among politicians. "There isn't a legislator from New England to the Carolinas who doesn't know him," says an aide to Sen. Abraham Ribicoff, the Democratic senior Senator from Mitch's home state of Connecticut. The Senator, who is sponsoring a summer-camp-safety bill, is quick to respond to a query about Mitch. "I have the highest regard for him," he says. "There ought to be more Mitch Kurmans in the world."

But Mitch still isn't a complete success. While he points proudly to drops in drowning deaths after lifesaver legislation passed in states like Connecticut, his campaign has nevertheless been marked by some harsh setbacks making it clear that even seemingly innocuous legislation has trouble getting past special interests.

"I would welcome open opposition, but it's all been behind the scenes," Mitch says. "You wonder who in the world would be against this type of legislation."

The history of New York's lifesaver law is a case in point. In 1969, Mitch worked with state officials sponsoring a bill that passed New York's lower house by a vote of 147 to 3. In the state Senate, though, the bill was "starred," a legislative device that enables a single senator to indefinitely block a vote. By the time Mitch found out what "starring" meant and who had done it, the session was over.

As the next session began, Mitch was back; but this time he decided to go directly to Gov. Nelson Rockefeller. Mitch drove to the governor's Pocantico Hills estate only to find it surrounded by high walls and barbed wire. Undeterred he went to see the governor's minister in a nearby church and talked with him for hours. Mitch isn't sure if the conversation had any effect, but the bill passed.

The following summer, the new law got its first test when a 17-year-old girl drowned without a life preserver at a camp in Patterson, N.Y. To Mitch's chagrin the police never charged the camp with a violation. The law's fine print, as it turned out, exempted "private" waters, letting nearly all the state's camps off the hook. State officials still are debating the law's interpretation, but, Mitch snaps, "it isn't worth the paper it's printed on."

Mitch's experience in Washington has also been frustrating. For example, Sen. Ribicoff's bill, which would do little more than goad states into enacting their own summer-camp legislation, languished in the Senate for six years before being passed last session; it didn't make it through the House, however, and now is awaiting reintroduction.

A stronger bill sponsored in the House by New Jersey Rep. Dominick Daniels sweated through years of hearings without squirming out of committee. In 1971, it came up for a vote; but a softer measure, calling for a $300,000 study of the problem, was approved instead.

Behind the study bill was a lobby of camp operators from Texas who took a "states' rights" stand against federal controls. And, though they vehemently deny it, Mitch Kurman is convinced that some of the bills' detractors are from the Boy Scouts of America. "They're always wrapping themselves in the flag and thumping on the Bible," Mitch says, "but they're my most vicious opposition." The Boy Scouts' camping director, Russ Turner, says the organization is against strict federal controls because it feels states can do the job better. But, he adds, "we don't fight legislation and we have no quarrel with Mitch. Our concern is the same as his: the welfare of kids."

The federal camping study is due for completion soon and the regulation of the business is again a real possibility. After eight years, the federal legislation is all Mitch Kurman really wants. If he gets it, he won't go on to another issue and he certainly won't apply his well-honed political skills to running for office. In politics, he says, "you have to be able to say yes when you mean no, and that turns my guts."

Mitch Kurman, more likely, will just go back to selling furniture and fishing on weekends. "I'm prefectly happy in my work," he says. "I like where I live, and I have a wonderful wife. I'd be perfectly contented if I could just get this one bit of legislation through. I've got to get it out of my system."

CONGRESSMAN DOMINICK V. DANIELS URGES SOVIETS TO PERMIT UKRAINIAN CULTURAL PATTERNS TO PERSIST

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

Mr. DOMINICK V. DANIELS. Mr. Speaker, on January 22, 1974, we observed the 56th anniversary of Ukrainian Independence Day. Despite more than a half century of domination by the Great Russian chauvinists of the Soviet Union who have tried to expunge the ancient Ukrainian language and culture, the spirit of the Ukraine persists.

Mr. Speaker, while it is fashionable today to seek better relations with the Soviets, we must also remember the cause of those who have been forcibly incorporated into the Soviet system. Ever since the founding of the Soviet Union, the rights of nationalities have been guaranteed both by statute and even by the Soviet Constitution itself. Unhappily these words have been just words and Great Russian chauvinism has been the order of the day. Every effort has been made to Russianize all of the nationality groups which make up the polyglot U.S.S.R., and especially the Ukraine.

Mr. Speaker, the Soviet Union has indicated that it wishes a spirit of détente with the United States, a thawing of the cold war. If they are sincere the Soviets could build a reservoir of good will among Americans of eastern European origin and their families by living up to their many pledges by permitting the nationality groups freedom to enjoy their own languages and cultural patterns.

Mr. Speaker, as we observe this 56th anniversary, I join with the many Ukrainian descended people in the 14th Congressional District of New Jersey and throughout North America in the fervent prayer that before long conditions in

the Ukraine will improve for the better with the political prisoners freed and the Ukrainian people allowed once again to live as Ukrainians.

PRESIDENTIAL RESPONSIBILITY: THE DEFENDANT DOES NOT DIRECT THE PROSECUTION

(Mr. LEGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. LEGGETT. Mr. Speaker, last night President Nixon told the Nation he would cooperate with the Judiciary Committee "in any way I consider consistent with my responsibilities to the office of the President of the United States."

Let us not mince words. Mr. Nixon does not have the right to determine when he shall cooperate and when he shall not. His "responsibilities to the office of the President" are entirely a product of his own imagination. His oath of office pledged him to defend not the Presidency but the Constitution of the United States. His responsibility is to the Constitution, not to whatever conception of the Presidency he may choose to construct for his own convenience.

The Judiciary Committee is carrying out its constitutional responsibility to determine whether impeachment is warranted. We have seen from past performance that Mr. Nixon regards publication of any evidence which incriminates him as an attack on the Presidency. Under the guise of "executive privilege" he has tried to repress all incriminating evidence, and doubtless will continue to do so. But his constitutional duty is to cooperate with all demands of the committee, not simply those which he regards as nonincriminating.

There can be no claim of executive privilege against an impeachment proceeding. Whether he likes it or not, Mr. Nixon must obey the committee's judgment, not his own, as to what evidence should be surrendered. Should he refuse to do so, this in itself will constitute grounds for impeachment.

AVAILABILITY OF THE BUDGET TO MEMBERS OF CONGRESS

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, yesterday I reported to the House that the OMB will gladly make copies of the new budget available to the news media on Friday, but will under no circumstances distribute copies to Members of Congress prior to late Saturday.

After making this announcement to the House yesterday, I received another call from OMB, indicating that now it will be impossible to distribute budget copies to Members of Congress prior to Monday morning—72 hours after they are available to the news media.

The OMB explained that Saturday distribution to Congress would necessitate overtime work by the post office and would create an additional expense. I suggested I would be glad to pick up my budget copy personally at OMB on Saturday, but I was advised that this might create complications with other Members of Congress.

I was further advised by OMB that the reason for the 72-hour lag was because otherwise the news media would not have the time to formulate sharp enough inquiries to Members of Congress.

Perhaps Members of Congress can arrange to be deputized by their local news media to prepare their public reactions to the President's budget, thereby enabling Members of Congress to get access to the new budget on Friday at the same time as the press receives it.

LEGISLATIVE PROGRAM

(Mr. WYDLER asked and was given permission to address the House for 1 minute.)

Mr. WYDLER. Mr. Speaker, I ask unanimous consent to proceed for one moment for the purpose of inquiring of the majority leader the legislative program of the House for the next week.

Mr. McFALL. If the distinguished acting minority leader will yield, I will be happy to respond.

Mr. WYDLER. I yield to the gentleman.

Mr. McFALL. There is no further legislative business for today.

Upon the announcement of the program for next week, I will ask unanimous consent to go over until Monday.

The program for the House for next week is as follows:

Monday is Consent Calendar Day and there are no bills on the Consent Calendar.

There are two bills to be called up under suspension of the rules:

H.R. 8977, Egmont Key, Fla., National Wildlife Refuge; and

H.R. 4861, Piscataway, Md., National Park.

On Tuesday, there is the Private Calendar and no bills on the Suspension Calendar for Tuesday.

The House resolution for subpena authority for impeachment inquiry, subject to being reported, and H.R. 11221, deposit insurance, with an open rule and 1 hour of debate.

Wednesday and the balance of the week there will be:

H.R. 5463, Federal rules of evidence, to complete the bill that we started this week. We will have votes on amendments on the bill.

H.R. 11864, Solar Heating and Cooling Demonstration Act, subject to a rule being granted.

H.R. 11873, Animal Health Research Act, subject to rule being granted.

Conference reports may be brought up at any time. Any further program will be announced later.

I would like to call attention of the Members that the Lincoln recess will be from the conclusion of business on Thursday, February 7, until noon, Wednesday, February 13.

ADJOURNMENT TO FEBRUARY 4

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday of next week.

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

Mr. PATMAN. Mr. Speaker, reserving the right to object to dispensing with Calendar Wednesday next—I wish to state that it was my intention to object to dispensing with Calendar Wednesday.

I do this because of the way in which the Banking and Currency Committee has been dealt with concerning the bill, H.R. 10265—a bill to audit the Federal Reserve, and for other purposes—in the Committee on Rules.

The House Committee on Banking and Currency by an overwhelming vote, 21 to 8, ordered the bill reported, and the committee did report the bill. In so doing it directed the chairman of the House Committee on Banking and Currency to take whatever necessary means to secure speedy and expeditious consideration by the House on this legislation.

The Banking Committee did appear before the Rules Committee on this legislation. No member of the Banking Committee appearing before the Rules Committee, including members of the majority and minority, objected to the granting of a rule on this legislation; however, the Rules Committee in its wisdom, via a procedural motion, moved to table the bill for further consideration.

Mr. Speaker, I have requested of the chairman of the Rules Committee, who has been most gracious in his consideration of this matter, a further hearing before the Rules Committee on this legislation.

All I ask, Mr. Speaker, is that the Rules Committee grant a rule on this legislation so that the House may work its will. This to me is certainly a reasonable and rational request.

Mr. Speaker, I shall not object to the dispensing of Calendar Wednesday this time; however, I wish to place myself on record that unless within the immediate future the Rules Committee does grant the committee a rehearing on this matter and a rule allowing the audit bill to be brought up before the House, I shall be forced in living up to the directive I have from the Banking and Currency Committee to seek recognition on a subsequent Calendar Wednesday in order to have this legislation considered.

Mr. Speaker, I withdraw my objection.

Mr. McFALL. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, the gentle-

man discussed a very important piece of legislation, and every effort will be made to discuss this matter with the Rules Committee so that the orderly processes of the House will be followed.

Mr. PATMAN. Mr. Speaker, I thank the gentleman from California very much.

Mr. GROSS. Mr. Speaker, further reserving the right to object, the gentleman from Texas (Mr. PATMAN) makes quite a case. Is he content to walk off and leave his bill to the vagaries and uncertainties of the situation he has described?

Mr. PATMAN. No, we expect to get a rule. I am expecting to get a hearing before the Rules Committee and expect to get a rule. I do not know of any reason why it should not be granted in order to give all the Members an opportunity to vote.

Mr. GROSS. Then, what was the object of the gentleman taking this time to advise the Members of the House of the precarious situation he is in?

Mr. PATMAN. To let all Members know.

Mr. GROSS. That there is such a bill in existence?

Mr. PATMAN. No, that we are going to insist upon the passage of such a bill, but this procedure, if possible, would not be looked upon with favor because we would not have time to acquaint all the Members of the House with the bill.

Mr. GROSS. Then why does the gentleman not object to dispensing with the call of Calendar Wednesday?

Mr. PATMAN. Mr. Speaker, of course, if I object, then we would have to dispense with the ordinary proceedings that we have, the normal proceedings.

Mr. GROSS. Mr. Speaker, I dislike very much to see the gentleman circumscribed in his efforts to get what he says is good legislation before the House. Therefore, since the gentleman has made, I believe a good case for at least consideration of his bill, I am constrained, and I do object, to the request of the distinguished acting majority leader.

Mr. McFALL. Mr. Speaker, will the gentleman from Iowa withhold that objection until I have an opportunity to discuss with him briefly?

Mr. Speaker, will the gentleman yield?

Mr. GROSS. Mr. Speaker, will the gentleman withdraw his request?

Mr. McFALL. Mr. Speaker, I would like to allow my request to stand.

Mr. GROSS. Mr. Speaker, does the gentleman wish me to yield?

Mr. McFALL. Yes.

Mr. GROSS. Mr. Speaker, I will be glad to yield to the gentleman, and withhold my objection.

Mr. McFALL. Mr. Speaker, the gentleman from Texas, the chairman of the committee, of course is presenting to the House a very important matter. We hope that this matter will be resolved in the granting of a rule by the committee. As I understand what the chairman of the important Committee on Banking and Currency is saying to the House, I hope that we will get a rule.

I want to allow the Rules Committee the opportunity to do such a thing, which we would prefer, rather than bringing up his important bill on Calendar Wednesday.

At this time he would like to allow the Calendar Wednesday to be dispensed with in order that he be granted a rule.

Later on, if he is not granted a rule, if I understand the gentleman from Texas, then he would be constrained to object to the granting of the request to dispense with Calendar Wednesday.

Mr. Speaker, I would hope that the gentleman from Iowa would allow the gentleman from Texas to see if he can get a rule from the Committee on Rules.

I think he will, and we will have a better opportunity really to consider that bill under the rule than we would under the Calendar Wednesday procedure.

I hope that the gentleman from Iowa will withdraw his reservation of objection.

Mr. GROSS. Mr. Speaker, I would like to ask if the gentleman from Texas has tried to get a rule.

Mr. McFALL. Mr. Speaker, if the gentleman will yield, the gentleman from Texas, as I understand it, has made his application for a rule. This is being considered by the Committee on Rules. I have every confidence that the Committee on Rules will give us a rule on that bill, and I do hope that the gentleman from Iowa will allow this matter to be handled in that fashion and will withdraw his reservation of objection.

Mr. GROSS. All I am trying to do is protect the gentleman from Texas from himself in order to see that he gets fair treatment in the House of Representatives.

Mr. McFALL. Mr. Speaker, if the gentleman from Iowa will permit me to proceed, I would like to join with him in this objective, and I think that we can do it by getting the rule.

Mr. GROSS. And the gentleman thinks that it is possible under that procedure to protect the rights of the gentleman from Texas?

Mr. McFALL. I am sure that that can be done, and if it is not done, then certainly we can dispense with Calendar Wednesday perhaps next week.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

PERMISSION FOR THE COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, FRIDAY, FEBRUARY 1, 1974, TO FILE A PRIVILEGED REPORT

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight, Friday, February 1, 1974, to file a privileged report.

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

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE A REPORT ON H.R. 8977, EGMONT KEY WILDLIFE REFUGE

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file a report on the bill, H.R. 8977, Egmont Key Wildlife Refuge.

Mr. Speaker, I understand that this has been cleared with the gentlewoman from Missouri (Mrs. SULLIVAN), the gentleman from New York (Mr. GROVER), and the gentleman from Michigan (Mr. DINGELL).

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

There was no objection.

PRESIDENT'S STATE OF THE UNION HAS GOOD NEWS ON TRANSIT

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. FRENZEL) is recognized for 30 minutes.

Mr. FRENZEL. Mr. Speaker, President Nixon, following up the transit emphasis in his message of January 1972, included a strong, and welcome, statement in support of mass transit development. I understand that the President's call for additional mass transit support will soon be followed by a detailed program recommending approximatey $2.5 billion for transit in the coming year.

This package will include about $500 million in new funding. But, more important than the dollars, the President is expected to recommend that we give local governments the previously denied flexibility to make their own transit planning decisions. In my judgment, this is a long overdue and essential reform.

Prior to this year, city fathers had to choose between building highways with 90–10 Federal dollars or going after a much smaller pot of two-thirds Federal dollars for mass transit. The transit choice was particularly unattractive and still is, simply because there are no existing transit options that even come close to competing effectively with the automobile.

The new money and the enlarged local options suggested by the President are steps in the right direction, but the most critical part of our whole Federal transit program lies in the area of research and development. Since I have been in Congress we have been guilty of timid appropriations for R. & D. Each year, the Congress has cut the President's suggested budget for R. & D. This year we will be making capital grants of about $800 million, but spending less than one-tenth of that sum for R. & D. Unless we can develop transit options that people will want to choose, mass transit will continue to show a poor return on an enormous Federal investment.

I have no advance information on what the budget recommendation is for transit R. & D. But, based on the need

to develop attractive transit options, especially the promising PRT technologies, any budget of less than $100 million will simply guarantee that we still will be confined to our cars and buses, no matter how much local decisionmaking or capital moneys we grant.

Denver residents have already approved a transit system that has yet to be developed. Leaders in the Twin Cities are anxious to explore new transit technology for deployment in my area. We will go with an improved bus system until something better comes along, but we are impatiently awaiting the development of more promising new technologies.

The Federal Government has spent billions of dollars in an effort to upgrade mass transit ridership, yet all of our cities have experienced increased automobile traffic. Transit ridership has suffered a sharp decline, and the trend continues, despite the fact that its market share is less than 5 percent. The only way I can see to turn the picture around is to figure out what kinds of systems people want to ride and then begin to build them.

Local officials should have maximum flexibility in the use of Federal transportation dollars. But we need to stop kidding ourselves about the available transit options. Without far more attractive, cost-effective transit systems, we will continue to spend huge sums on obsolete systems that people will cheerfully ignore.

I applaud the President's interest in and commitment for mass transit. The new money is welcome and so is the ability for local decisionmaking. But neither of these features will give us a decent payoff until we make a significant investment in the real key to transit ridership—research and development of new technologies that offer a real choice in transportation.

A SUPPLEMENTAL BUDGET REQUEST FOR URGENT ENERGY RESEARCH AND DEVELOPMENT FOR FISCAL YEAR 1974 IS NEEDED

The SPEAKER. Under a previous order of the House, the gentleman from Idaho (Mr. HANSEN) is recognized for 20 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, we are all aware that our major domestic problem is to maintain adequate supplies of energy and that initial steps have been taken to solve that problem. It is imperative that these actions be carried out efficiently and with continuity. I refer specifically to the need for continuity in the expanded flow of funds for energy research and development.

With the possible exception of our highest priority research and development program—the LMFBR-funding under the original fiscal year 1974 budget did not provide the resources for broad energy R. & D. efforts. With his initiative of June 29, 1973, the President announced a rapid acceleration of the Nation's energy R. & D. efforts through a $10 billion program over the next 5 years. He requested the Chairman of the AEC to conduct a review of Federal and private energy R. & D. activities for the purpose of recommending this integrated R. & D. program. In addition, the chairman was asked to recommend those programs that could effectively use additional funding in fiscal year 1974. On October 11, 1973, the President recommended $115 million in additional fiscal year 1974 funds for energy R. & D. This included an increase of $49.5 million for coal research. Similarly, other programs that offered near- or intermediate-term results received substantial increases.

These additional funds will help to insure orderly program expansion through the hiring of the skilled workers and researchers who are the backbone of the research and development effort. This intermediate buildup will permit efficient implementation in the coming years of the $10 billion energy R. & D. program that the President will submit to Congress.

The President's January 23, 1974, message to Congress reflected many of the recommendations stated in Dr. Ray's energy report. The President recommended that fiscal year 1975 Federal funding for direct energy R. & D. be increased to $1.8 billion, almost double the fiscal year 1974 level. It is evident that many programs will receive substantial increases. Recipient programs must have a continuous expanded flow of funds to build up the necessary manpower and facility resources if increased program support is to have the desired results. The National Laboratories, as an example, will need to rehire personnel lost in previous budget cuts. Continued availability of funds will allow the labs to plan ahead to meet the increased demands resulting from expanded research and development efforts.

Congressional action on appropriations bills is almost never completed until months after the start of the fiscal year. Even though the 1975 budget presumably will provide a higher level of funding for energy R. & D. programs, agencies operating under a continuing resolution would be restricted to the previous year's funding level until the bills are signed and the Office of Management has approved the Agency's apportionments. Frequently this is not accomplished until well into the second quarter of the fiscal year. This could seriously impede progress contemplated by the administration on these research programs, since considerable time is required to gear up to the higher levels of funding once the apportionments are approved.

In view of these factors, I should like to recommend that the President submit to Congress an additional supplemental authorization and appropriation request for fiscal year 1974 relative to energy R. & D. upon submittal of the budget message for fiscal year 1975. The level of this supplemental request should help to bridge the expected gaps between fiscal year 1974 levels and fiscal year 1975 requests. Early availability of funds will provide not only for orderly program expansion but for a higher base of effort should funding under a continuing resolution be required during consideration of program priorities. I am convinced that, in many cases, this increased funding will encourage additional financial support from industry, particularly for programs that offer promise of near- and intermediate-term results.

I believe this action will help to insure satisfactory implementation of Project Independence.

THERE CAN BE NO COMPROMISE ON PRINCIPLES OF BASIC HUMAN DECENCY

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, I rise today to speak on an issue of great humanitarian concern that has developed as a result of the war in the Middle East.

Israel and Egypt have completed their prisoner-of-war exchange, but the Government of Syria has not only refused to agree to such a procedure, it has also refused to fulfill its obligations under international law and the Geneva Convention with regard to the treatment of prisoners.

The Syrians are believed to be holding approximately 125 Israeli prisoners and have not provided the International Red Cross access to them, have denied requests for an immediate exchange of those wounded, and perhaps worst of all for the families of these men, they have not released the names of the POW's.

Mr. Speaker, this lack of action on the part of the Syrian Government constitutes grave and direct violations of the 1949 Geneva Convention. Furthermore, reports are continuing that Syria has barbarically murdered scores of Israeli prisoners in cold blood. Such reports add to the agony of the families whose members are missing in Syria and increase suspicions that the Government of Syria does indeed have crimes to hide.

When I called this critical issue to the attention of our Department of State last month, I was informed:

> The United States has done everything it can, and will continue to do so on behalf of the POW's. We have talked with the Soviet Union, with the Egyptians and with the Syrians through the Soviet Union to try to find a way to reconcile these competing claims. Our difficulty in resolving the issue is accentuated by the fact we have had no diplomatic relations with Syria since 1967. We are hopeful that when the political process of negotiations begins, the question of the POW's can be solved.

Mr. Speaker, I am aware that many Members of Congress have expressed their strong feelings on this humanitarian issue and I am also aware that our Department of State and Secretary Kissinger are actively seeking a resolution of this continuing tragedy.

Nevertheless, we must all continue to make our voices heard. We must continue to demand that these most basic of human rights be granted, and we must continue to insist that Syria fulfill Geneva Convention requirements by providing the International Red Cross with a list of prisoners of Israeli nationality and

permitting the Red Cross to contact the captives and to visit POW facilities.

There can be no compromise on this basic issue of human decency and civilized international law.

HEARING SET ON PRETRIAL DIVERSION

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, the Subcommittee on Courts, Civil Liberties, and the Administration of Justice has scheduled hearings on H.R. 9007, to permit a Federal court, upon the recommendation of the U.S. prosecutor, to place certain persons charged with Federal crimes in programs of community supervision and services; and S. 798, to reduce recidivism by providing community-centered programs of supervision and services for persons charged with offenses against the United States, and for other purposes.

The concept embodied in this legislation is frequently referred to as pretrial diversion. It permits the establishment within our probation system of a program which provides for diversion from the court system for Federal offenders under certain conditions. Upon the recommendation of the Government attorney, and with the concurrence of the defendant and the court, a defendant can enter a probationary program and waive his rights to a speedy trial. If he fulfills the conditions of the program, the criminal charges against him are dismissed. If he fails to meet his obligations under the program, the pending criminal charges can be prosecuted.

The hearing will be held on Wednesday, February 6 at 10 a.m., and on Thursday, February 7 at 10:30 a.m., in room 2226, Rayburn House Office Building. Witnesses will be heard from the Department of Justice, National Legal Aid and Defenders Association, American Bar Association, and the Administrative Office of the U.S. Courts.

HOODWINKING TAXPAYERS WHO USED THE 1973 CAMPAIGN TAX CHECKOFF: CONGRESS MUST RIGHT THE WRONG

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, when taxpayers filled out their 1972 income tax returns, due April 15, 1973, they were told by the Internal Revenue Service that their $1 contribution would be paid over to the 1976 Presidential Election Campaign Fund, pursuant to the existing law. The IRS form stated:

> If you wish $1 to be paid over to the candidate of a specific political party, check the first box and fill in the name of the political party. If you wish $1 to be paid over to a nonpartisan general account for all eligible candidates, check the second box.

According to the IRS, some 4 million taxpayers directed that the money be given to the party of their choice, mainly Democrats or Republicans, or into the nonpartisan fund.

Those who designated a specific political party did so because they preferred that party to the opposition party. Those who marked their choice as the Democratic Party would have been outraged at the thought that someone would later shortstop their contribution and turn part of it over to the Republicans. Those who marked their choice as the Republican Party felt the same way, vice versa. If their direction was not going to be honored, they would have much preferred not to have the $1 contribution at all, and instead let it be used like any other tax dollar: to reduce the deficit, and the resulting national debt.

It would take an inexcusable breach of faith to undo what these taxpayers were led to believe they were doing when they contributed to the candidate of a specific political party. Yet, to my deep regret, I have just discovered that that is precisely what Congress did in Public Law 93–53, which became law on July 1, 1973. When that bill passed the House on June 30, 1973, it passed by an overwhelming vote of 294 yeas—I among them—to 54 nays. The Senate approved the measure, also on June 30, 1973, by 63–2.

Public Law 93–53 was an omnibus, conglomerate, Christmas tree of a bill affecting the debt ceiling, unemployment compensation, maternity and child care, and Presidential campaign financing. But hidden in it was the following cryptic language:

> Any designation made under section 6096 of the Internal Revenue Code of 1954 (as in effect for taxable years beginning before January 1, 1973) for the account of the candidates of any specified political party shall, for purposes of section 9006(a) of such Code (as amended by subsection (b)), be treated solely as a designation to the Presidential Election Campaign Fund.

That language, according to the Internal Revenue Service, authorizes the Treasury to divert the sums contributed last year to the specific Presidential campaigns—Democratic, Republican, and the rest—into a 1976 Presidential nonpartisan fund. In a nutshell, Public Law 93–53 retroactively hoodwinks taxpayers who wanted to support the Democrats into supporting the Republicans, and taxpayers who wanted to support the Republicans into supporting the Democrats. Only those taxpayers who wanted to support a nonpartisan general account were exempt from victimization.

How did Congress come to do this monstrous thing?

Step one in the comedy of errors was the adoption by Congress in Public Law 93–53 of the provision that prospectively—for years after 1972—the taxpayers' contribution could no longer be to a "specific political party" but instead would have to be for the "nonpartisan general account," in which the 1976 Democratic and Republican Presidential candidates would share 50–50, with some accommodation for minor parties. In making this prospective provision, the House and Senate were at least alerted to what they were doing, because the proposal for the future was adequately explained by the managers of the bill in both bodies.

But step two was the adoption of the provision that retroactively the taxpayers' contributions could only go to a nonpartisan fund. It is one thing for Congress to vote, as we did in Public Law 93–53, that from here on out a taxpayer can only give to a nonpartisan general fund, and not to either political party as such. It is quite another thing retroactively to invalidate a choice-of-party decision made by the 1972 taxpayer under laws then in full force and effect.

The reason why Congress committed this breach of faith is that it knew not what it did. It knew not what it did because the retroactive section was never disclosed to Members of the House. On June 29, 1973, when the measure that became Public Law 93–53 on July 1, 1973, first came before the House, the manager asked that the reading of the measure be suspended, promising that the measure "will be fully described." Thus the measure was never read. Nor was mention made in the debate that followed of the retroactive section.

The House again considered the measure which was to become Public Law 93–53 on June 30, 1973. Again, the retroactive language was not read, and again no mention was made of the retroactive provision in the debate.

That same day, June 30, 1973, the Senate considered the same measure. Neither the manager nor any other Member referred to the retroactive provision in the debate.

Mr. Speaker, an injustice has been done. Taxpayers acting in good faith have had their contributions diverted and their intentions distorted. It is no comfort to them to be told that Congress knew not what it was doing.

I have caused to be prepared, and shall shortly introduce, legislation to redress the injustice, by having the 1972 contributions "to the candidate of a specific political party" revert to the Treasury, rather than being used in part for a purpose just the opposite of what the contributors desired.

THE STUDENT LOAN CRISIS

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 15 minutes.

Mr. O'HARA. Mr. Speaker, on Monday, I shall introduce a bill to amend the Higher Education Act with respect to the needs analysis requirement placed in that act by Public Law 92–318. My bill would seek to open up the possibility of obtaining an interest-subsidized, guaranteed college loan to a great many Americans who could have obtained such a loan before the 1972 amendments were enacted, and who, I am convinced, the Congress never intended should be deprived of the opportunity when those changes were made 18 months ago.

Let me explain a little of the history of the problem. Prior to the 1972 amendments, any student whatever his family's income, could qualify for a guaranteed

loan without interest subsidy, and any student whose family's income was $15,000 or below could qualify for interest benefits—under which the Government would pay the interest during the student's college career and for 9 months thereafter. This interest benefit was, of course, in addition to the guarantee the States and the Federal Government provided to the private lender in case of borrower default.

In changing the law in 1972, the Congress removed the $15,000 income ceiling for eligibility for guaranteed, interest-subsidized loans. We felt, as any observer of the economic events of the past 5 years must feel, that $15,000 is certainly not what it was when the ceiling was first placed on eligibility. In 1965, $15,000 was a respectable middle-class annual income. It would buy meat for the table, gasoline for the car, and help pay for a college education. Those making $15,000 in 1965 were not among the rich, to be sure, but they were not hard put to make ends meet.

Mr. Speaker, the past 5 years—and I shall not waste time here in recriminations—have seen the value of $15,000 reduced so sharply that "inflation" is hardly the word for it. What was a comfortable middle-class income 5 years ago cannot today buy meat for the daily table—and if bread, gasoline, heating fuel, and the other necessities of life continue to climb, it may hardly begin to pay for a first-class trip to the poorhouse.

The Congress recognized this trend as early as 1972, or earlier, and, in 1972, removed the $15,000 ceiling. Because of the general reluctance of banks to make unsubsidized loans, and because of the upward movement of the threshold of real need for guaranteed and subsidized loans, we decided to remove the ceiling, and stop to ruling out truly needy families whose income might be a few dollars over $15,000 in a given year.

The intention of the Congress, then, was to liberalize access to guaranteed subsidized loans.

But the committee was also given evidence which suggested that, in a few cases, the loan privilege may have been abused. Students who may not have needed the loan to pay their tuition borrowed anyway, and, we are told, used the proceeds to buy automobiles, or the like.

There seems to have been some evidence of this kind of practice, but I believe it fair to say the committee acted more to eliminate the possibility of abuse than to cope with an existing epidemic of abuses.

We put two provisions in the law relating to two classes of borrowers—those whose family incomes were below $15,000, and those whose family incomes were above. For those with incomes above $15,000, the law provided that the college had to determine if he was in need, and the amount of that need, and had to certify those findings to the lender. For those with incomes below $15,000, the law simply requires that the amount of the need be determined, and certified to the lender. In both cases, the lender is the final authority as to whether or not the loan will be made, and the amount of the loan.

The intent of the law, as I have heard it explained by more than one member of the conference committee that wrote it, was to assume need for families below $15,000, and simply secure an idea of the amount of need, while for families of over $15,000, both the existence and the amount of need were to be examined by the institution.

Unfortunately, under the law and regulations as written, families in both categories are treated essentially the same—a vigorous needs analysis is made, and both the existence of need and the amount of need are measured against the needs analysis.

In effect, then, Mr. Speaker, a law which was supposed to liberalize access to guaranteed loans by removing an income test was wound up making it harder by imposing a rigorous income analysis in place of the restrictive but simple size-of-income test.

Needs analysis itself is a phenomenon that is widely misunderstood, and often misapplied. But at its best, it rests on some very stiff assumptions about how much families can and should contribute to the higher education of their children.

My subcommittee has conducted 2 days of hearings dedicated entirely to the theory and practice of needs analysis, and I think that while its practitioners are very careful to point out that they are not trying to provide student aid officers or parents with an ironclad rule as to how much a family can in fact contribute to a young person's education, they do make the kinds of assumptions about the value of higher education that persons in the education profession can be expected to make. And, after making those assumptions, the needs analysts come up with some pretty steep assessments of what families "can reasonably be expected to contribute."

This assessment once made, it is the obligation of the student aid officer and the lender to make their own independent judgments as to how much of a loan the aid officer will recommend and the lender will make. Unfortunately, as seems so often to happen when an impressive data processing operation presents a busy aid officer or banker with a suggested figure, there is a very great tendency to take that figure as binding, and look no more into the problem.

In addition to our 2 days on needs analysis, my subcommittee last summer sent its staff out into the field to find out what was happening in the guaranteed loan program, and held a day-long roundtable discussion with regard to those findings.

Our findings on the basis of those field trips and hearings was that there existed somewhat greater flexibility under the law than most student aid officers and bankers were willing to utilize. We sent to the student aid community an exchange of correspondence between the Committee and the Office of Education, and a subsequent exchange of letters with the Comptroller General, highlighting the flexibility that the institutions and the banks do have. I ask unanimous consent, Mr. Speaker, to insert some of those documents at the end of these remarks.

But in all fairness to the institutions and the banks, I think it is also fair to say that the language of the law, the very stringent regulations by OE, and an historically justified concern over possible audit exceptions to what bureaucrats might consider "excessive student aid packages" have made the schools understandably shy.

I can also, to a certain extent, understand the banking community's attitude. The guaranteed loan is not an attractive consumer loan from a bank's point of view, and if we raised the interest rate to the point where it was attractive, there would be little need and no utility to the program. If we raised interest rates to the level they have reached on commercial loans, many middle-class and low-income families could not afford to borrow, and those who could, could utilize the numerous education loan programs which banks already offer at consumer interest rates.

Given that fact, a bank is not likely to look beyond a recommendation from a student aid officer which simply reiterates what an impressive computer-print needs analysis says, and make a loan in excess of what they both suggest.

And in all three cases—the needs analyst, the student aid officer, the banker, the temptation is irresistible to point to the previous step in the chain and place the responsibility for a difficult and seemingly hardhearted decision at that other point. The banker says "the school did not recommend a loan." The school says "the needs analyst said the kid's family had to make too big a contribution;" the needs analyst says, "I can only go on what the family and the computer tell me."

But the family is unable to make a loan, and the student is unable to complete his education.

That unhappy picture has been the situation during the past year. Loan volume under the program which we sought to liberalize and expand has shrunk. Bankers have become impatient and withdrawn from the program; institutions have been confronted with growing difficulties in filling their classrooms. But above all, students, who can benefit from having them receive one, are unable to get one. We are all losers.

The President who last night told us he was recommending "an expanded program of loans and grants" has already told us that his solution for the loan problem is to have Secretary Shultz and Secretary Weinberger write the bankers and say in effect, "Gee, fellas, won't you lend some money?"

I think that is hardly adequate to get the loan program moving again.

The Senate Labor and Public Welfare Committee yesterday approved an amendment to a pending education bill which would remove the needs analysis requirement for persons with incomes below $15,000.

This is a constructive step in the right direction, but for the reasons I have suggested above, I think it may not be a long enough step in that direction. Fifteen thousand 1974 dollars are simply not the

same thing as 15,000 1965 dollars, or even 15,000 1972 dollars, and I think it would be a mistake to treat them as such.

I have therefore introduced legislation today, and I will begin hearings on it next week, which would eliminate needs analysis for any family whose income is below $20,000 and which is making a loan of $2,000 or less. My bill also contains an essentially technical amendment, extending to June 30, 1975, the authority for HEW to establish a special allowance in the amount of interest subsidy paid to keep step with the inflation in prime interest rates.

I think we must move as a beginning in the direction suggested by this legislation, and I hope we can move expeditiously, and with our primary concern focused on the needs of those students who were intended to be helped by the 1972 amendments and have not been.

Let me conclude, Mr. Speaker, with a word to the banking community and to the student loan officers. In the past several months, a great many hours and days have been consumed by the members and staff of the Special Subcommittee on Education in an effort to develop legislation which will help cure the defects in the guaranteed loan program—defects that are admitted by most observers, even those who do not agree on the best way to cure them.

One very important barrier to the active consideration of legislation in this area has been the fear, and the occasional prediction that the introduction of any legislation will so confuse the student aid community and terrorize the banking community that both will throw up their hands in disgust and the program will collapse.

I think these are exaggerated fears. I think the student aid officers and the bankers will recognize that legislative remedies cannot be enacted overnight, and that the overriding public interest in helping young people secure the education they need cannot be replaced by unreasoning panic because an admittedly rickety structure is being examined to see what can be done to make it sturdier.

I am going to take a chance, based on that belief. I am introducing this legislation, and I am calling for hearings, instead of trying to rush the legislation through too fast for anyone to react before it is in place. I do not think the bankers will panic. I do not think the student aid officers will lose touch with reality.

If they cooperate with this subcommittee, if they continue to do business under the rules and regulations now in effect, while we and our colleagues in the Senate move forward speedily but carefully to create an improved program, then they will have justified the faith the guaranteed loan program provisions of the law already place in them.

The bill, Mr. Speaker, has been circulated among my colleagues on the Special Subcommittee on Education, and will be introduced on Monday. Hearings will begin on Tuesday, February 5 at 9 a.m. and will continue thereafter for what will be, I hope, long enough to get all the data we need, but no longer than necessary to enable us to legislate.

Mr. Speaker, I include the text of the draft bill and other documents referred to above at this point in the RECORD:

H.R. —

A bill to amend section 428(a) of the Higher Education Act of 1965, as amended, and section 2(a)(7) of the Emergency Insured Student Loan Act of 1969, to better assure that students will have reasonable access to loans to meet their postsecondary education costs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clauses I and II of the first sentence of paragraph (1) of subsection (a) of section 428 of the Higher Education Act of 1965 are amended to read as follows:

"(I) less than $20,000, the amount of such loan would not cause the total amount of the student's loans under this part to exceed $2,000 in any academic year or its equivalent (as determined under regulations of the Commissioner), and the student has been accepted for enrollment at an eligible institution or, in the case of a student who is attending such an institution, is in good standing at such institution (as determined by the institution); or

"(II) less than $20,000 and the amount of such loan would cause the total amount of the student's loans under this part to exceed $2,000 in any academic year or its equivalent (as determined under regulations of the Commissioner), or equal to or more than $20,000, and the eligible institution at which the student has been accepted for enrollment, or in the case of a student who is attending such institution, at which the student is in good standing (as determined by the institution) has determined that the student is in need of a loan to attend such institution; has determined, by means other than one formulated by the Commissioner of Education under Part A, subpart 1 of this title, the amount of such need by subtracting from the estimated cost of attendance at such institution the expected family contribution with respect to such student plus any other resources or student aid reasonably available to such student; and has provided the lender with a statement evidencing the determination made under this clause and recommending a loan in the amount determined to be needed."

SEC. 2. Section 2(a)(7) of the Emergency Insured Student Loan Act of 1969 is amended by striking out "July 1, 1974" and inserting in lieu thereof "July 1, 1975."

SEC. 3. The amendents made by this Act shall be effective on and after July 1, 1974.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., July 23, 1973.

BULLETIN TO ALL STUDENT FINANCIAL AID OFFICERS

THE GUARANTEED STUDENT LOAN PROGRAM

During the last few months, there has been a marked decline in both the number and dollar volume of loans to students as compared to a year ago. We feel that this reduction may be due, in part, to a need for further clarification as to program procedures and the options available to educational institutions in the administration of the program.

By way of background, the Education Amendments of 1972 (P.L. 92-318) specified that in order for a student to be eligible for payment of Federal interest benefits on a guaranteed loan, the student must submit to the lender a recommendation by the educational institution as to the amount needed by the student to meet his educational costs. In making this determination, the school must subtract from the cost of education, the expected family contribution plus any other resources or student aid which the institution determines to be *reasonably available* to the student during the period of the loan.

It must be emphasized that the sole purpose of the school's recommendation is to help determine if the student will qualify for Federal interest benefits. Any student, regardless of need, may still receive an unsubsidized loan if the lender is willing to assist that student.

Furthermore, lenders may make a subsidized loan in excess of the school's recommendation (including $0 recommendation) provided that the lender has reason to believe, based on his specialized knowledge of the family's financial situation, that the school's determination of the expected family contribution is not realistic.

The following guidelines are provided to student financial aid officers to assist them in the administration of the Guaranteed Student Loan Program and its relationships to other student aid programs:

1. Student financial aid officers are permitted to adjust the expected family contribution where, in their judgment, the amount of the computed family contribution does not realistically indicate what the family can contribute to the cost of education. We strongly recommend that the financial aid officer exercise this option by carefully evaluating the results of the needs test in order that the most equitable judgment be exercised in the processing of the student's application. Schools have been provided, in the instructions to Form OE 1260 "Student Loan Application Supplement," 7 codes they may use where the computed need, as determined by the needs analysis system, is not reasonable. Schools should document their files as to the basis for using one of these codes. If reasonable documentation exists, there should be no concern as to exceptions that may be taken in the future by auditors.

2. If the student is not applying for Federal interest benefits, there is no requirement that an assessment of the student's expected family contribution be made. In such cases, the student need complete only the affidavit portion of Form OE 1260. Of course, the school will still have to certify the student enrollment, cost of education, and other aid received on the regular application form. In the case of loans guaranteed by State or private guaranteed agencies, these procedures may vary somewhat.

3. The total of all aid made available to and received by a student may not exceed his cost of education, regardless of when he receives such aid.

4. If the student receives a guaranteed loan before the institution has awarded aid, the institution must treat the guaranteed loan as a resource available to the student towards meeting the cost of education.

5. As previously indicated, lenders may make a subsidized loan to a student that exceeds the school's recommendation. Where this happens, the lender has, in effect, determined a new *"expected family contribution."* If the student receives a guaranteed loan (subsidized or not) after the aid package has been awarded by the school, there is no requirement that the aid package be adjusted, provided that the total aid, including the guaranteed loan, does not exceed the cost of education.

S. W. HERRELL,
Acting Deputy Associate Commissioner for Higher Education.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., July 23, 1973.

BULLETIN TO ALL LENDING INSTITUTIONS—THE GUARANTEED STUDENT LOAN PROGRAM

PROGRAM OPERATIONS

During the last few months, there has been a marked decline in both the number

and dollar volume of loans made to students as compared to a year ago. We feel that this reduction may be due, in part, to a need for further clarification as to program procedures and the options available to lenders in the administration of this program.

By way of background, the Education Amendments of 1972 (P.L. 92-318) specified that in order for a student to be eligible for payment of Federal interest benefits, the student must submit to the lender a recommendation by the educational institution as to the amount needed by the student to meet his educational costs. In making this determination, the school must subtract from the cost of education, the expected family contribution plus any other resources or student aid which the institution determines to be reasonably available to the student during the period of the loan.

It must be emphasized that the sole purpose of the school's recommendation is to help determine if the student will qualify for Federal interest benefits. Any student, regardless of need, may still receive an unsubsidized loan if the lender is willing to assist that student.

Furthermore, lenders may make a subsidized loan in excess of the school's recommendation (including a $0 recommendamendation) provided that the lender has reason to believe, based on his specialized knowledge of the family's financial situation, that the school's determination of the "expected family contribution" as reported in Part B-Section III of OE Form 1260 (Student Loan Application Supplement) is not realistic. Where the lender makes a subsidized loan that exceeds the school's recommendation, the lender has, in effect, adjusted the "expected family contribution." Lenders should indicate in their files the basis for exceeding the school's recommendation.

Lenders are encouraged to exercise this option by carefully evaluating the school's recommendation coupled with other information available to them in order that the most equitable judgment be exercised in the processing of the student's application. Lenders have been previously provided detailed instructions relating to procedures for utilizing the school's recommendation to determine a student's eligibility for Federal interest benefits. Additional copies of these instructions may be obtained from the nearest regional office of the Office of Education or the appropriate guarantee agency.

SPECIAL ALLOWANCE

The Secretary of Health, Education, and Welfare has approved the Special Allowance at the rate of 1¾ percent per annum for the quarter ending June 30, 1973. It will be applied to the average quarterly balance of loans made since August 1, 1969, and still outstanding. All such loans are eligible for the special allowance, whether or not the loans are eligible for Federal interest benefits and regardless of whether the students are in school, grace, deferred or repayment periods.

Lenders are reminded that this rate is, by law, determined retrospectively. That is, the rate reflects the economic conditions that existed during the period April 1 through June 30. Thus, the effective rate of interest on guaranteed loans during that period is 8¾ percent. The note evidencing the loan, however, may not reflect a rate higher than 7 percent.

STUDENT LOAN MARKETING ASSOCIATION (SALLIE MAE)

On July 16, 1973, Mr. Edward A. Fox, President of the Student Loan Marketing Association, announced plans to offer 700,000 shares of common stock to eligible financial and educational institutions, raising $105 million for the initial capitalization of Sallie Mae. In order to acquaint eligible holders more fully with Sallie Mae and this offering, all lenders have been invited by Sallie Mae to a number of presentations being held throughout the country. Members of Sallie Mae's management and representatives of the several underwriters will conduct these information meetings.

Sallie Mae's objective is to provide liquidity to the student loan market. Caspar W. Weinberger, Secretary of Health, Education, and Welfare (HEW), declared that "Sallie Mae is a milestone in the Government's Guaranteed Student Loan Program (GSLP)." Sallie Mae is empowered to provide liquidity through secondary market activities which can involve the direct purchase and sale of student loans as well as the issuance by Sallie Mae of commitments, guarantees, or other undertakings with respect to student loans. In addition, Sallie Mae can engage in warehousing operations which involve the making of loans to lenders secured by student loans. Advances made in warehousing operations may not exceed 80 percent of the face amount of the student loan collateral and proceeds from such warehousing advances are required to be invested in additional insured student loans.

WILLIAM M. SIMMONS, Jr.,
Director, Division of Insured Loans.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND LABOR,
SPECIAL SUBCOMMITTEE ON EDUCATION,
Washington, D.C., July 27, 1973.

Hon. JOHN R. OTTINA,
Commissioner of Education, Office of Education, Washington, D.C.

DEAR COMMISSIONER OTTINA: On July 23rd, Mr. Herrell of the Office of Education sent student aid officers throughout the nation a letter in which he assured them of their ability to use the flexibility the law affords them with respect to adjusting the amount of need which the aid officers recommend to lending institutions under the Guaranteed Loan Program.

In that letter, Mr. Herrell assures student aid officers that they can indeed exercise their flexibility, and that "if reasonable documentation exists, there should be no concern as to exceptions that may be taken in the future by auditors."

This sentence has, apparently, not had the full effect intended. Aid officers are vividly aware of previous HEW and GAO audits, and of strong exceptions taken by auditors with respect to awards made in alleged "excess of need."

If the student aid officers are to be expected to exercise the discretion the law gives them, and Mr. Herrell's letter urges upon them, they must be given some degree of assurance that they can carry out their professional duties reasonably free from auditors' second guessing.

Toward the end of our July 26 hearing on this subject, you were present when Peter Muirhead engaged in a colloquy with committee members over what constituted "reasonable documentation."

Our hearing was forced to recess before we could work out satisfactory questions and answers clarifying and expanding OE's instructions. Education and Labor Committee staff met subsequently with Mr. Muirhead and discussed such instructions further. This letter seeks to put into concrete form the results toward which that colloquy and subsequent discussions were tending.

If an aid officer (1) has before him the results of a needs analysis showing a computed need of substantially less than the student is asking to borrow, and (2) has in his files a statement by the student and/or his family setting forth, in a manner which does not on its face suggest fraud or misrepresentation, an explanation for being unable to meet part or all of the computed expected family contribution, and (3) that reason is consistent with the economic facts of life within that family's income bracket and region and (4) the aid officer's decision to adjust the amount of need is not clearly unrelated to those facts—may the aid officer have your commitment that your auditors will be instructed to recognize the student aid officer's authority to make an adjustment on that given loan application?

In short, given the circumstances outlined above, may the aid officer feel assured that he will not be held accountable by a future audit, even in situations where the student or the student's family have not correctly stated material facts concerning their situation?

Naturally, we are asking for no such immunity as to the student or his family. We are seeking to hold innocent aid officers harmless, not to shield intentional efforts to defraud the United States.

We would also like you to clarify the kinds of documentation that would be considered adequate to support aid officers' decisions of this kind. Would a letter from a student or from a member of his family be sufficient documentation if the student aid officer noted thereon or in a separate document that he had relied upon the information so furnished by the student or his family? Would such a letter received from a lending institution from whom the student sought a loan be equally acceptable in the same circumstances? Would a notation, however informal, written by a student aid officer to record information furnished him in a telephone communication with a student or his family or with an official of a lending institution similarly be deemed adequate documentation?

We would appreciate an immediate response to these questions. If your answers are in the affirmative, we will undertake to secure the same instructions to the GAO auditors.

Chairman Perkins of the House Committee, and members of the Senate Labor and Public Welfare Committee have indicated to you and to us their deep interest in a speedy resolution of this problem.

Very truly yours,

JAMES G. O'HARA,
Chairman.

JOHN DELLENBACK,
Ranking Minority Member.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., August 1, 1973.

Hon. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR MR. O'HARA: Thank you for your letter of July 27, 1973, in which you set forth many of the questions and concerns regarding current procedures for the Guaranteed Student Loan Program which were raised at the July 26 hearing and in further discussions with Mr. Muirhead. I am hopeful that the information which follows will clarify the position of the Office of Education with respect to the total process of determining need, including the adjustments which can be made and the documentation required.

I should point out that the determination of need under all the financial aid programs has traditionally involved an adjustment process. The existing needs analysis services such as those provided by the College Scholarship Service and the American College Testing Program, the two largest systems, provide only an estimate of a family's ability to pay. The judgment of the financial aid officer is indispensable in determining the amount of financial support that can be contributed for a specific individual. The inherent flexibility in needs analysis is well stated in the instructions provided for the College Scholarship system:

"Although accurate, objective data constitute the basis for systematic need analysis, the resulting expected contribution should not be considered scientifically accurate. Complexities in an individual's financial circumstances and differences in attitudes toward education will require that an aid officer make adjustments in order to determine the appropriate contribution from the student. In doing this, he must evaluate both the objective and subjective information available to him from all sources. *A system of need analysis must always be a guide for judgment, not a substitute.* A financial aid officer has a professional responsibility to make equitable judgments about each individual. If he simply accepts the computed need as an "answer" from a systematic need analysis, he shirks his responsibility to the institution and the student."

On Section III A of form 1260 the amount of a student's family contribution as computed by a uniformly applied needs analysis system is entered and no further documentation is required. Section III B is provided to permit a student financial aid officer to exercise his judgment and take into account the individual circumstances of a student or his family.

The circumstances in which the financial aid officer is permitted to make adjustments are basically those provided in the 7 codes in the instructions to Form OE 1260. For code 6, "cannot meet expected contribution from income", the situation you have outlined on the top of page two of your letter would certainly be reasonable. In this case, there would be no question that the Office of Education would support the institution in any case where an auditor took exception to the action of the student financial aid officer.

There are any number of ways in which such adjustments can be documented. For example, letters from a student or from a member of his family would be sufficient documentation if the student aid officer noted thereon or in a separate document that he had relied upon the information so furnished by the student or his family; or a letter received from a lending institution from whom the student sought a loan would be equally acceptable in the same circumstances. A notation, written by a student aid officer to record information furnished him in a telephone communication with a student or his family or with an official of a lending institution would similarly be deemed adequate documentation provided the financial aid officer also wrote a letter of confirmation of the conversation to the appropriate party.

While the financial aid officer must always be the final authority in any system of needs analysis, he can only do this based on the information provided by the student and his family. The student is now required to execute an affidavit stating that the loan proceeds are to be used solely for expenses related to attendance at the education institution. The federal warning clause on both the application and the supplementary form applies to the student and his family. Naturally, the financial aid officer would not be held accountable if there were fraud on the part of the student or his family.

In conclusion, let me emphasize that the Office of Education is prepared to support the institution in any exception taken in the future by auditors where the financial aid officer has exercised his professional judgment and provided reasonable documentation of the type which I have described above for adjustments in the amount of family contribution. You have my full assurance in this regard.

Best wishes,

Sincerely,

JOHN OTTINA,
Commissioner of Education-designate.

CXX——99—Part 2

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND LABOR, SPECIAL SUBCOMMITTEE ON EDUCATION,

August 3, 1973.

Hon. ELMER B. STAATS,
Comptroller General of the United States, Washington, D.C.

DEAR MR. STAATS: Enclosed is an exchange of correspondence between us and Commissioner of Education John Ottina. In these letters, we have sought to obtain an explanation of OE policy toward the exercise of the discretion which Setcion 428(a) of the Higher Education Act as amended vests in student aid officers at postsecondary education institutions.

In our opinion, Commissioner Ottina's August 1 letter, in which he responds affirmatively to the question we posed in our letter of July 27, faithfully reflects the intention of the Congress in enacting Section 428. And it will give student aid officers confidence that their professional judgment will not lightly be set aside by HEW auditors.

In our letter to the Comimssioner, we said that if he could give us an affirmative answer, we would seek to secure similar instructions to the General Accounting Office.

The purpose of this letter, in summary, is to advise you of the interpretation which the Chairman and Ranking Minority Member of the Special Subcommittee on Education have put upon Section 428—an interpretation with which the Office of Education concurs—and to urge that GAO auditors be advised of these views whenever they undertake any audits of the Guaranteed Student Loan Program.

Very truly yours,

JAMES G. O'HARA,
Chairman.
JOHN DELLENBACK,
Ranking Minority Member.

AUGUST 29, 1973.

Hon. JAMES G. O'HARA,
Chairman, Special Subcommittee on Education, Committee on Education and Labor, House of Representatives

DEAR MR. CHAIRMAN: We refer to your letter dated August 6, 1973, written jointly with the Honorable John Dellenback, concerning the role of General Accounting Office auditors in reviewing the Office of Education's Guaranteed Student Loan program.

Your letter of July 27, 1973, to the Commissioner of Education, John R. Ottina, referred to Mr. Herrell's correspondence dated July 23, 1973, to student aid officers throughout the Nation. Mr. Herrell stated that student aid officers can exercise flexibility in determining the amount of an individual student's financial need, and that "if reasonable documentation exists, there should be no concern as to exceptions that may be taken in the future by auditors."

We have always recognized the need for student aid officers to deviate from student aid officers to deviate from student need formulas in providing financial assistance. Our concern has been that student aid officers had not always maintained adequate documentation to support such decisions.

We believe your July 27, 1973, letter to Commissioner Ottina and his August 1, 1973, response provide useful and definitive guidance to all auditors as to the type and nature of documentation expected to be maintained by student aid officers. You may be assured that we will continue to monitor the Guaranteed Student Loan program in conformance with the congressional intent.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

LOUIS W. CASSELS OF UPI

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, Louis Cassels was one of the Nation's leading journalists and writers. We were shocked and saddened by his untimely passing. Lou Cassels will be missed by the countless Americans who followed his reporting of religion and ethics for United Press International. Lou Cassels was a dear personal friend of ours, Mr. Speaker, and had many friends in Washington, in South Carolina, and throughout the Nation. Following, from the Columbia, S.C., State and the Greenville, S.C., News-Piedmont, are articles that indicate the richness of Louis Cassels' contributions to the moral, spiritual, and ethical values of the Nation. Mrs. Dorn joins me in extending to Mrs. Cassels and the family our most heartfelt sympathy and respect.

The articles follow:

[From the Columbia (S.C.) State, Jan. 25, 1974]

RELIGION WRITER LOUIS CASSELS' RITES IN ST. THADDEUS TODAY

AIKEN.—Memorial services for Louis Wellborn Cassels, United Press International senior editor and prizewinning religion writer who covered nearly every major religious and social welfare story during the turbulent 1960s, will be 5 p.m. today in St. Thaddeus Episcopal Church. Burial will be private.

The family suggests that those who wish may make memorials to the Washington Cathedral, St. Alban's, Washington, D.C., or a favorite charity. George Funeral Home is in charge.

Mr. Cassels, 52, who had a history of heart trouble, apparently suffered a coronary attack Wednesday evening shortly after finishing dinner at his home, his widow, Charlotte said. Medical help arrived within four minutes of the attack and he was taken to Aiken County Hospital but efforts failed to revive him.

After his first heart attack, he had written "To say that God is with you when you enter the valley of the shadow doesn't mean you're assured of getting safely through. It simply means that in serious illness you can be aware of His presence and confident of His love to a degree not often attained in the peaceful and painless passages of everyday life."

Mr. Cassels was a veteran of 32 years service with UPI. He covered every presidential election from 1948 until his retirement in Aiken in 1970.

Mr. Cassels won the Christopher Award and the Newspaper Guild of New York Front Page Award. The award he prized the most was a trophy for his series, "The Nation's Negroes in Revolt."

He covered many of the major race riots in the nation and was considered to be one of the experts in urban riots by his coworkers.

He wrote eleven books on the subject of religion but insisted he never specialized in religion. "I am simply a newspaperman who believes in God," he said.

It was Mr. Cassels who persuaded the national wire service to start covering religion. "I felt that they were covering religion in a superficial way. They treated religion as if they were scared to death of it." He urged the wires to start treating religion with the gloves off.

In 1956 his first UPI religion column dealt with the Roman Catholic Church in the Deep South and its effect on politics, a quasi-political subject.

Despite his long years in New York City and Washington, D.C., with United Press, and then its successor UPI, he never lost touch with his kinfolk or his native state.

A coronary forced him to become semi-retired in Aiken in 1970.

Although born in Augusta, Ga., Jan. 14, 1922, Mr. Cassels claimed old Ellenton, S.C., as his home. He was a son of the late Horace Michael Cassels II and Mollie Wellborn Cassels.

Mr. Cassels paid great tribute during his life to the influence of his parents. His mother "Miss Mollie" taught school and was very active in her church and in Aiken County community affairs. His father was the popular "Big Mike" Cassels, mayor and general store proprietor in Ellenton, the town which hit the headlines in the 1950's when it was forced to appear from the South Carolina map and was taken over as the site of the Savannah River Atomic Energy Plant.

He started his own newspaper at the age of 12 in his home town of Ellenton. At 17 he became a police reporter for the Augusta Herald, working during the summers while he was at college.

After graduation from high school, he enrolled in Duke University with an inclination to study for the ministry. But he found himself devoting most of his time working on the student newspaper. The Duke Chronicle and decided instead on newspapering as a career. He graduated Phi Beta Kappa from Duke in 1942.

After a brief period of recuperation after his retirement in Aiken, he turned to his typewriter again and enjoyed making frequent reference to the national scene as viewed from his Aiken Southern grassroots perspective.

For a time, he was doing a live radio report for United Press International each morning . . . a kind of "commentary from Coontail Lagoon," as he called his Aiken home surrounded by tall pines in Aiken.

He was for years an active layman of the Episcopal Church. He and his family attended when they lived in Bethesda, Md., and later at St. Thaddeus Episcopal Church in Aiken. He was a contributing editor for The Episcopalian for many years.

At the time of his death, he was J. Rion McKissick lecturer in the University of South Carolina College of Journalism.

He was named to the parttime post to teach feature writing in September, 1973. Mr. Cassels had taught at the USC Aiken Regional Campus in spring, 1972.

In April 1973 Mr. Cassels presented a collection of over 200 items from his personal papers to the University of South Carolina Library. The papers reflect 35 years of his career, beginning with his experience as college editor for the Duke University Chronicle and continuing to his present assignment with UPI.

Mr. Cassels delivered the invocation at the dinner Dec. 7, 1970, on the 20th anniversary of the site selection for the Savannah River Plant.

Mr. Cassels spoke last October to the fall meeting of the South Carolina UPI Association and observed "Race Relations in South Carolina today are light-years ahead of race relations in Washington or New York, or Chicago, or Detroit, or San Francisco or Los Angeles or nearly any other big city of the North, East, or West."

His twelfth and latest book, "Coontail Lagoon," is due out in April and revolves around his rediscovery of God's world of nature and life in a small town since his first illness.

An untitled detective book will be released in September.

Mr. Cassels owned and operated Cassel's Oil Co. in Aiken, a family business he and his family have held for many years.

He was a member of National Press Club, Sigma Delta Chi and Alpha Tau Omega.

Surviving are his widow, Mrs. Charlotte Norling Cassels; a son, Horace Michael Cassels IV of Rockville, Md.; and a sister, Mrs. J. Reese Daniel of Columbia.

[From the Greenville (S.C.) News-Piedmont, Jan. 27, 1974]

LOUIS CASSELS

Louis Cassels lived a relatively short life, but it was a fruitful one. A native South Carolinian, he became a nationally respected journalist and expert on religion and ethics.

A senior editor for United Press International, Cassels was best known for his wire service reporting, columns and books on religion and ethics. But he handled many other subjects as a good all-around journalist.

A native of Ellenton, one of the small towns razed to make room for the Savannah River atomic energy plant, Cassels was the first wire service reporter to write about religion in depth. He became famous because of his ability to report on and explain development in the complex field relating to mankind's deepest emotions and most personal experiences.

He was a credit to the profession of journalism.

Cassels returned to South Carolina a few years go after developing heart trouble, and lived in Aiken. He continued working, writing wire service columns for both morning and afternoon newspapers.

In addition he was taking on an important new work, training prospective young journalists as a part-time instructor in the University of South Carolina's College of Journalism. He was coming to be regarded as a fine teacher of journalism.

Louis Cassel's recent death at age 52 is a severe loss to his many readers, numerous religious leaders and many promising young writers. But the products of his pioneering career will endure for many years.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. VEYSEY) to revise and extend their remarks and include extraneous matter:)

Mr. FRENZEL, for 30 minutes, today.

Mr. HANSEN of Idaho, for 20 minutes, today.

(The following Members (at the request of Mr. ALEXANDER) to revise and extend their remarks and include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. REUSS, for 10 minutes, today.

Mr. O'HARA, for 15 minutes, today.

Mr. VANIK, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. VEYSEY) and to include extraneous matter:)

Mr. BURKE of Florida.

Mr. LANDGREBE.

Mr. MCCLOSKEY.

Mr. HANRAHAN in two instances.

Mr. MCKINNEY.

Mr. DERWINSKI in two instances.

Mr. HUDNUT.

Mr. SARASIN in three instances.

Mr. BUCHANAN in two instances.

Mr. BAUMAN in two instances.

Mr. GOLDWATER.

Mr. SNYDER in two instances.

Mr. WYMAN in two instances.

Mr. GILMAN in two instances.

Mr. SYMMS.

Mr. ARCHER.

Mr. SMITH of New York.

Mr. MAYNE.

(The following Members (at the request of Mr. ALEXANDER) and to include extraneous matter:)

Mr. FUQUA.

Mr. O'NEILL in two instances.

Mr. TEAGUE in six instances.

Mr. ROONEY of New York.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. BOLAND.

Mr. PATTEN.

Mr. NATCHER.

Mr. DOMINICK V. DANIELS in two instances.

Mr. DORN in two instances.

SENATE BILL AND CURRENT RESOLUTION REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2606. An act for the relief of Grant J. Merritt and Mary Merritt Bergson; to the Committee on Interior and Insular Affairs.

S. Con. Res. 61. Concurrent resolution authorizing the printing of additional copies of part I of the Senate committee print entitled "Confidence and Concern: Citizens View American Government—A Survey of Public Attitudes"; to the Committee on House Administration.

ADJOURNMENT

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 oclock and 31 minutes p.m.), under its previous order the House adjourned until Monday, February 4, 1974, at 12 oclock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 4861. A bill to amend the act of October 4, 1961, providing for the preservation and protection of certain lands known as Piscataway Park in Prince Georges and Charles Counties, Md., and for other purposes; with amendment (Rept. No. 93-772).

Referred to the Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 8977. A bill to establish in the State of Florida the Egmont Key National Wildlife Refuge; with amendment (Rept. No. 93-773). Referred to the Committee of the Whole House on the State of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1791. A letter from the Acting General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the negotiated sale by the Department of Defense of certain equipment, materials, and obsolete spare parts to U.S. purchasers, and for other purposes; to the Committee on Armed Services.

1792. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report of Department of Defense procurement from small and other business firms for July-September 1973, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1793. A letter from the comptroller, Washington Gas Light Co., transmitting the balance sheet of the company as of December 31, 1973, pursuant to 43 D.C. Code 313 to the Committee on the District of Columbia.

1794. A letter from the Chairman, Indian Claims Committee, transmitting the final determination of the Commission in docket No. 144, *the Pillager Bands of Chippewa Indians in the State of Minnesota*, plaintiffs, v. *the United States of America*, defendant, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1795. A letter from the Director of Federal Affairs, National Railroad Passenger Corporation; transmitting the financial report of the Corporation for October 1973, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1796. A letter from the Director of Federal Affairs, National Railroad Passenger Corporation, transmitting a report for the month of December 1973, on the average number of passengers per day on board each train operated, and the on-time performance at the final destination of each train operated, by route and by railroad, pursuant to section 308(a)(2) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1797. A letter from the Federal Cochairman, New England Regional Commission, transmitting the annual report of the Commission for fiscal year 1973, pursuant to section 510 of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

1798. A letter from the director, National Legislative Commission, the American Legion, transmitting the proceedings of the 55th Annual National Convention of the American Legion, the annual report, and the financial statement of the organization (H. Doc. 93-207); to the Committee on Veteran's Affairs and ordered to be printed with illustrations.

1799. A letter from the Chairman and members, U.S. Atomic Energy Commission, transmitting the annual report of the Commission for 1973, pursuant to 42 U.S.C. 2016; to the Joint Committee on Atomic Energy.

1800. A letter from the Secretary of Health, Education, and Welfare, transmitting the Department's report on the disposal of excess foreign property for calendar year 1973, pursuant to 40 U.S.C. 514d; to the Committee on Government Operations.

1801. A letter from the Chairman, Advisory Commission on Intergovernmental Relations, transmitting the 15th annual report of the Commission, pursuant to 42 U.S.C. 4275; to the Committee on Government Operations.

RECEIVED FROM THE COMPTROLLER GENERAL

1802. A letter from the Comptroller General of the United States, transmitting a report assessing Federal Regional Councils; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 12453. A bill to amend the Emergency Daylight Saving Time Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 12454. A bill to authorize the establishment of a mainland headquarters for the Channel Islands National Monument in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROOMFIELD:

H.R. 12455. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREY of New York:

H.R. 12456. A bill to amend the Department of Housing and Urban Development Act to provide for an additional Assistant Secretary for Housing for the Elderly, to require a minimum percentage of housing for the elderly in all present and future Federal housing programs, and to require the including of certain services and facilities in all Federal housing programs for the elderly; to the Committee on Banking and Currency.

By Mr. DAVIS of South Carolina:

H.R. 12457. A bill to require passport applicants to swear to an oath of allegiance to the United States as a condition precedent to being granted a passport; to the Committee on Foreign Affairs.

By Mr. DORN:

H.R. 12458. A bill to authorize the Secretary of the Interior to convey certain rights in the State of South Carolina; to the Committee on Interior and Insular Affairs.

By Mr. DORN (for himself, Mr. TEAGUE, Mr. HALEY, Mr. DULSKI, Mr. ROBERTS, Mr. SATTERFIELD, Mr. HELSTOSKI, Mr. MONTGOMERY, Mr. DANIELSON, Mrs. GRASSO, Mr. WOLFF, Mr. BRINKLEY, Mr. CHARLES WILSON of Texas, Mr. HAMMERSCHMIDT, Mrs. HECKLER of Massachusetts, Mr. ZWACH, Mr. WYLIE, Mr. HILLIS, Mr. MARAZITI, Mr. ABDNOR, Mr. HUBER, Mr. WALSH, Mr. CLARK, Mr. YOUNG of South Carolina, and Mr. MCCORMACK):

H.R. 12459. A bill to amend title 5 of the United States Code with respect to the observance of Veterans Day; to the Committee on the Judiciary.

By Mr. DORN (for himself, Mr. YOUNG of Florida, Mr. BUCHANAN, Mr. SPENCE, Mr. MANN, Mr. DAVIS of South Carolina, and Mr. GETTYS):

H.R. 12460. A bill to amend title 5 of the United States Code with respect to the observance of Veterans Day; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 12461. A bill to provide for payments to compensate county governments for the tax immunity of Federal lands within their boundaries; to the Committee on Interior and Insular Affairs.

By Mr. ERLENBORN (for himself, Mr. MOORHEAD of Pennsylvania, Mr. HORTON, Mr. MCCLOSKEY, Mr. GUDE, Mr. THONE, Mr. WRIGHT, Mr. REGULA, Mr. JAMES V. STANTON, Mr. ALEXANDER, Mr. HANRAHAN, and Mr. UDALL):

H.R. 12462. A bill to amend the Freedom of Information Act to require that information be made available to Congress; to the Committee on Government Operations.

By Mr. GILMAN:

H.R. 12463. A bill to place a temporary moratorium on the construction of all retail gasoline outlets; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWKINS (for himself, Mr. PERKINS, and Mr. BELL):

H.R. 12464. A bill to extend certain programs under the Economic Opportunity Act of 1964, and for other purposes; to the Committee on Education and Labor.

By Mr. HAYS:

H.R. 12465. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations for the fiscal year 1974; to the Committee on Foreign Affairs.

H.R. 12466. A bill to amend the Department of State Appropriations Act of 1973 to authorize additional appropriations for the fiscal year 1974, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Pennsylvania:

H.R. 12467. A bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. KAZEN:

H.R. 12468. A bill to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 to permit the Governor of any State to exempt that State from the provisions of the act for any reason; to the Committee on Interstate and Foreign Commerce.

By Mr. MOAKLEY:

H.R. 12469. A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome; to the Committee on Foreign Affairs.

By Mr. MOORHEAD of Pennsylvania (by request):

H. R. 12470. A bill to amend title II of the Social Security Act with respect to the conduct of hearings, and the appointment of hearing examiners, in connection with claims arising under that title or title XVIII of such act; to the Committee on Ways and Means.

By Mr. MOORHEAD of Pennsylvania (for himself, Ms. ABZUG, Mr. ALEXANDER, Mr. ERLENBORN, Mr. GUDE, Mr. HORTON, Mr. MCCLOSKEY, Mr. MOSS, Mr. REGULA, Mr. JAMES V. STANTON, Mr. THONE, and Mr. WRIGHT):

H.R. 12471. A bill to amend section 552 of title 5, United States Code, known as the Freedom of Information Act; to the Committee on Government Operations.

By Mr. RANDALL:

H.R. 12472. A bill to repeal year-round daylight savings time; to the Committee on Interstate and Foreign Commerce.

By Mr. REES:

H.R. 12473. A bill to establish and finance a bond sinking fund for the Dwight D. Eisenhower Memorial Bicentennial Civic Center, and for other purposes; to the Committee on the District of Columbia.

By Mr. SNYDER:

H.R. 12474. A bill to prescribe uniform criteria for formulating judicial remedies for the elimination of dual school systems; to the Committee on Education and Labor.

H.R. 12475. A bill to amend the Civil Rights Act of 1964 to provide for freedom of choice in student assignments in public schools; to the Committee on the Judiciary.

H.R. 12476. A bill to clarify the jurisdiction of certain Federal courts with respect to public schools and to confer such jurisdiction upon certain other courts; to the Committee on the Judiciary.

H.R. 12477. A bill to limit the jurisdiction of Federal courts to issue busing orders based on race, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 12478. A bill to authorize and require the President of the United States to establish a mechanism in order to insure that articles, materials, and supplies which are exported from the United States are not sold abroad at higher prices than the prices at which comparable articles, materials, and supplies are sold in the United States; to the Committee on Banking and Currency.

By Mr. DOMINICK V. DANIELS:

H.J. Res. 889. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HANRAHAN (for himself, Mr. HAYS, Mr. FRELINGHUYSEN, Mr. THOMSON of Wisconsin, Mr. BUCHANAN, Mr. FRASER, Mr. RIEGLE, Mr. FINDLEY, Mr. BROWN of California, Mr. RARICK, Mr. COLLINS of Texas, Mr. MICHEL, Mr. COLLIER, Mr. METCALFE, Mr. O'BRIEN, Mr. YOUNG of Illinois, Mr. ROSTENKOWSKI, Mr. ANNUNZIO, Mr. RAILSBACK, Mr. MURPHY of Illinois, Mr. PRICE of Illinois, Mr. GRAY, Mr. ANDERSON of Illinois, Mr. MCCLORY, and Mr. KLUCZYNSKI):

H. Con. Res. 420. Concurrent resolution expressing the sense of the Congress with respect to the imprisonment in the Soviet Union of a Lithuanian seaman who unsuccessfully sought asylum aboard a U.S. Coast Guard ship; to the Committee on Foreign Affairs.

By Mr. HANRAHAN (for himself, Mr. MADIGAN, Mr. ICHORD, Mr. ZION, Mr. COHEN, Mr. CRANE, Mr. ABDNOR, Mr. MOAKLEY, Mr. FLOOD, Mr. RONCALLO of New York, and Mr. HELSTOSKI):

H. Con. Res. 421. Concurrent resolution expressing the sense of the Congress with respect to the imprisonment in the Soviet Union of a Lithuanian seaman who unsuccessfully sought asylum aboard a U.S. Coast Guard ship; to the Committee on Foreign Affairs.

By Mr. HANRAHAN (for himself, Mr. DU PONT, Ms. HOLTZMAN, Mr. MAYNE, Mr. DOMINICK V. DANIELS, Mr. HORTON, Mr. WHITEHURST, Mr. MOLLOHAN, Mr. SARASIN, Mr. STRATTON, Mr. HUBER, Mr. EILBERG, Mr. LONG of Maryland, Mr. SARBANES, Mr. FROEHLICH, Mr. ZWACH, Mr. CLEVELAND, Mr. MCKINNEY, Mr. BIAGGI, Mrs. GRASSO, Mr. MAZZOLI, and Mr. FRENZEL):

H. Con. Res. 422. Concurrent resolution expressing the sense of the Congress with respect to the imprisonment in the Soviet Union of a Lithuanian seaman who unsuccessfully sought asylum aboard a U.S. Coast Guard ship; to the Committee on Foreign Affairs.

By Mr. YATES:

H. Res. 802. Resolution providing for television and radio coverage of proceedings in the Chamber of the House of Representatives on any resolution to impeach the President of the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HELSTOSKI:

H.R. 12479. A bill for the relief of Jack George Makari; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 12480. A bill for the relief of M. Sgt. Thomas J. Reid, Jr., U.S. Air Force (retired); to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

341. By the SPEAKER: A memorial of the Senate of the Commonwealth of Massachusetts, relative to the energy crisis; to the Committee on Foreign Affairs.

342. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to research into sudden infant death syndrome; to the Committee on Interstate and Foreign Commerce.

SENATE—*Thursday, January 31, 1974*

The Senate met at 10 a.m. and was called to order by Hon. FLOYD K. HASKELL, a Senator from the State of Colorado.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, as the leaders of this Nation assemble for prayer, we ask Thee to teach us how to pray, when to pray, and for what to pray. Make us to know that the answer to every prayer is the awareness of Thy presence, and that we may pray at work as well as at worship. Give us grace to listen as well as to speak. Make us a praying nation mindful of Thy word:

The effectual fervent prayer of a righteous man availeth much.—James 5: 16. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 31, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FLOYD K. HASKELL, a Senator from the State of Colorado, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HASKELL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, January 30, 1974, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations placed on the Secretary's desk.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations placed on the Secretary's desk on the Executive Calendar will be stated.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The second assistant legislative clerk proceeded to read sundry nominations in the Public Health Service which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

TRIBUTES TO THE LATE J. EDGAR HOOVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 647, Senate Concurrent Resolution