

## HOUSE OF REPRESENTATIVES—Thursday, January 29, 1981

The House met at 2 p.m., and was called to order by the Speaker pro tempore (Mr. WRIGHT).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,  
January 29, 1981.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore on January 29, 1981.

Thomas P. O'Neill, Jr.,  
SPEAKER OF THE HOUSE OF  
REPRESENTATIVES.

### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

*We were like those who dream. Then our mouth was filled with laughter, and our tongue with shouts of joy; then they said among the nations, "The Lord has done great things for them." The Lord has done great things for us; we are glad.—Psalms 126: 2, 3.*

On this day of national thanksgiving we raise our voices in gratitude for those Americans who have returned from captivity. We offer this our prayer in the hopes you have nourished and sustained during these difficult and dangerous days. We specially remember with appreciation those brave men who died in the attempt to bring freedom to their countrymen.

O God, as we give thanks this day, so also breathe into us the spirit of reconciliation that we may put aside all that which would separate us or make us alien one from another. May your blessing and benediction enable people to live together in harmony and in peace. This we pray. Amen.

### THE JOURNAL

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

Pursuant to clause 1, rule I, the Journal stands approved.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of

the following title, in which the concurrence of the House is requested:

S. 304. An act to establish a national tourism policy and an independent Government agency to carry out the national tourism policy.

### RESIGNATION FROM HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication, which was read:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., January 27, 1981.  
Hon. THOMAS P. O'NEILL, Jr.,  
Speaker, House of Representatives,  
The Capitol, Washington, D.C.

DEAR MR. SPEAKER: I have this evening submitted my resignation from the United States Congress to Governor William Milliken of Michigan. I did so in order that I might assume the position of Director of the Office of Management and Budget.

I have enclosed a copy of my letter to Governor Milliken for your information with the hope that you will inform my friends and former colleagues of my decision.

I regard the opportunity to serve with you in the House of Representatives as an honor and I look forward to working closely with you in the future.

With all best wishes, I am,  
Very truly yours,

DAVID A. STOCKMAN.

HOUSE OF REPRESENTATIVES,  
Washington, D.C., January 27, 1981.  
Gov. WILLIAM MILLIKEN,  
State Capitol,  
Lansing, Mich.

DEAR BILL: Whereas the United States Senate this evening confirmed my nomination to serve as Director of the Office of Management and Budget, I herein resign my position as the Representative of the Fourth Congressional District in the United States Congress.

It has been a great honor to serve the people of southern Michigan for the last four years. I will always be grateful for this experience.

At the same time, I am proud to have this opportunity to serve our country at this critical time. My new responsibility provides a tremendous chance to put into practice many of the reforms we both know to be so important to the future of America.

I hope that I will continue to benefit from your guidance in my new capacity as I have in the past.

With warm personal regards, I am  
Very truly yours,

DAVID STOCKMAN.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4, rule I, the Speaker

signed the following enrolled bill today:

S. 253. An act to increase the number of members of the Commission on Wartime Relocation and Internment of Civilians.

### WRONG TIME TO LIFT GRAIN EMBARGO

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

Mr. PEYSER. Mr. Speaker, is it time for us in the Congress and in this administration to reward the Soviet Union for the invasion of Afghanistan? Evidently Secretary of Agriculture Block feels that this is the time. Very fortunately, the Secretary of State, Mr. Haig, does not share that opinion.

It is my hope, Mr. Speaker, that the Congress, the House of Representatives, will help President Reagan by letting him know that we also believe the embargo should stay in place. Just a few minutes ago, Mr. Speaker, I put in 60 additional names to the resolution calling for the keeping of the grain embargo.

To me, if we were to lift this grain embargo, it could be a clear signal to the Soviet Union that an invasion of Poland will also receive our approval.

### MARINE HOSTAGE OF HISPANIC DESCENT REFUSED RELEASE

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

Mr. GONZALEZ. Mr. Speaker, early last year, in the spring, I rose under similar circumstances of a 1-minute speech to address the House and point out that at least one of those held in captivity in Iran happened to be a marine of what I call Mexican descent, and that I happened to know that he too had been offered a chance to be released on the basis of the obvious Iranian leaders' attempt to try to divide Americans into ethnic components on the false theory that Hitler's geopoliticians used to espouse back before World War II, saying that the United States was so divided and had such a hatred among its component ethnic members that it could not work in case it ever got into a war.

Of course, they were dead wrong, but they may have been right in some other respects, because the Iranians have captured that idea. I announced this to the House, and said that the

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

marine private had bravely refused. Unfortunately, I was accused of untruthfulness, not backing up what I was saying. The AP reporter, a woman who interviewed me after that, said, "Well, what is your source?"

Of course, I could not give the source because even to this day I have not done so.

Last night, on the ABC series, it came out that indeed and in fact not only this gentleman but two of the other captives, a man of Indian descent and another of Hispanic descent, indeed and in fact, later than when I had spoken, had been part of a negotiation by intervenors, and that the deal had been worked that they would be released.

□ 1410

It failed only because one of the lawyers intervening in the deal talked to someone in Paris, France, and spoiled the deal. I happen to know that even if they had been offered, these gentlemen would not have taken up that offer because the release was again predicated on springing the Americans by the Iranians saying:

OK, we are going to release these down-trodden Americans who are victims of discrimination in the United States.

Mr. Speaker, I wanted to straighten that point out and say that I had confirmation last night in a nationwide documented TV show of these efforts on the part of the Iranians.

#### PROPOSAL FOR FOREIGN AID CUTBACK

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

Mr. SIMON. Mr. Speaker, let me say to my colleagues in the House that I picked up this morning's Washington Post and read on the front page a story that is hair-raising and is incredibly shortsighted. The heading is "Huge Cutback Proposed in Foreign Aid."

This OMB document, which I hope, for the sake of this Nation and other nations, will not become policy, calls for, among two things—and let me quote—a reduction in aid which "would mainly affect the poorer countries of Africa and the Asian subcontinent."

I hope that we do not want to adopt such a policy.

Second, it says that aid—and I quote again—"could be concentrated on a small number of countries of key importance to the United States, perhaps at the loss of influence in countries of lesser importance."

Now, what are countries of lesser importance? Well, a couple of years ago we might have said Afghanistan; a few years prior to that we would have said Vietnam. There is no such thing as a country of lesser importance.

The security viewpoint of the United States cannot be solely and simply that we build submarines and missiles and things like that. It has to be a much larger concept than that.

Let me just close by citing one instance. What is the chance, I ask my colleagues, that the Soviets will send their tanks through central Europe? Well, it is a fraction of 1 percent, but we cannot take a chance on it and so we devote approximately one-fourth of our defense budget to that fraction of 1 percent possibility.

But what is the chance that the Soviets will take advantage of hunger, desperation, and chaos in a developing nation? The chance, let me say to my friends, is 99 percent, and we are talking about cutting back in that area.

Mr. Speaker, I just think that it is an incredible policy if it is followed, and I hope the policy will be reversed.

#### ANOTHER AMERICAN REMAINS HOSTAGE IN IRAN

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

Mr. WAXMAN. Mr. Speaker, on this day of national thanksgiving for the safe return of our 53 fellow citizens from Iran, I must bring to the attention of the Nation the continued captivity in Tehran of Mohi Sobhani, a naturalized American citizen.

Mr. Sobhani was arrested at the Tehran airport last September 6, as he and his family were about to leave the country for the United States. The revolutionary authorities gave no reason at that time for his detention.

But Mr. Sobhani is a Baha'i—a member of a religious faith that has been marked for persecution by the Ayatollah Khomeini. Already seven Bahai's have been executed during the course of the revolution.

The arrest of Mr. Sobhani was broadcast on Iranian television and radio. People were invited to inform the authorities of any allegations against him. Iranians came and denounced him as a Baha'i. Others accused him, since he is a naturalized American citizen, of being an American agent—a spy for the "great Satan."

Mohi Sobhani has never had a trial. He has no means to defend himself or prove his innocence. His only crime appears to be that he is a member of a religious minority.

Mr. Sobhani's sister, brother, and son live in Los Angeles as did Mr. Sobhani. They are terribly afraid for his life. After my own inquiries on his behalf, I have every reason to believe Mr. Sobhani is in the gravest personal danger.

I have appealed to the State Department, and through them to the Swiss Embassy, which represents our inter-

ests in Iran, to ascertain the precise status of Mr. Sobhani, and to appeal for his freedom.

Mohi Sobhani is an American citizen. In this moment of rejoicing over the freedom for the 53, we must not forget the fate of an American who remains in captivity. Mr. Sobhani must be freed as well. I appeal to all to assist him.

#### INTRODUCTION OF GOVERNMENT CONTRACTORS' PRODUCT LIABILITY ACT OF 1981

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

Mr. McCLORY. Mr. Speaker, in 1977 the Supreme Court issued its decision in the case of *Stencel Aero Engineering Company v. United States*, 431 U.S. 666. The rationale espoused by the Court in that case underlines the unfair, counterproductive, and inequitable situation faced by Government contractors. The Stencel case stands for the principle that a Government contractor cannot obtain indemnification from the Federal Government, when the contractor is held liable for money damages to a service man for injuries caused by a defective design. This is so even if the Federal Government is responsible for and mandates the design of the defective product in question.

The problems presented by federally mandated design specifications have also recently received considerable press attention in connection with the so-called Flexible bus. Both the Grumman Corp. and General Motors manufactured these buses according to the exact requirements of the Department of Transportation's White Book. DOT, through its Urban Mass Transportation Administration, imposed this new bus design on both the manufacturers and their municipal customers as a prerequisite for receiving urban mass transit funds. The DOT design specifications have been an admitted failure, with the resulting buses being both unsafe and uncomfortable. Grumman recently notified 27 municipalities about a newly discovered problem that could cause drivers to lose control of the buses. But while the design defects are directly the fault of Federal bureaucrats, Grumman would solely be liable for any resulting injuries or damage.

Today, I am introducing legislation—the "Government Contractors' Product Liability Act of 1981"—which aims at rectifying this situation. Under the terms of this measure, a manufacturer-supplier could seek indemnification from the Federal Government for losses incurred unless the court determines that the contractor was guilty of willful negligence or that the injury

or loss was the result of the primary and active negligence of the contractor.

The legal vulnerability in which a private contractor finds himself, in part, can be traced to the application of the principle of sovereign immunity; that is, the Government is immune from suit absent its own consent. But, as we all know, the sovereign immunity doctrine has been significantly modified over the years. For example, Congress has enacted legislation removing the defense of sovereign immunity in contract claims asserted directly against the United States (28 U.S.C. 1491). The theory being that when the United States enters into the marketplace, it sheds somewhat the cloak of immunity and is treated legally as a private person.

In fact, Congress has already partially espoused the principle of Government contractor indemnification. Two statutes currently exist under which indemnification may be provided on defense contracts involving unusually hazardous risks (10 U.S.C. 2354; 50 U.S.C. 1431-5). But, unfortunately, the term "unusually hazardous" has been very narrowly construed by the agencies implementing these laws—it has been applied principally to explosives, nuclear materials, and rocket fuels. There are numerous products that involve genuinely unusual hazards and which present serious liability risks for contractors and, yet, have been deemed not to be indemnifiable. Included among these are: aircraft ejection systems, guidance and control systems for aircraft, rockets, and missiles, the manufacture of parachutes, and air traffic control and navigation systems.

Suffice it to say, existing statutory law in this area is inadequate. This conclusion is supported by the findings of the U.S. Government Procurement Commission. In its final report to the Congress, the Commission recommended the enactment of new, more comprehensive indemnification legislation.

The application of the legal theory of strict liability in tort has also posed severe problems for the Government contractor. Strict liability essentially means that negligence no longer has to be proven by a plaintiff in a product liability situation. All that must be shown is that the product was manufactured or sold by the defendant, and supplied in its defective state to the user so as to be the proximate cause of the injury or damage. Liability exists even though the defendant contractor has exercised all possible due care in the manufacture or sale of the product. But in a Government contract setting an injured party cannot sue the Government directly but, rather, can only seek recourse against the contractor.

It is important to remember that very often a manufacturer or supplier on a Government contract is not in control of the way his products are designed or used. The private contractor has no ability to unilaterally change the specifications in his contract. However, the Government through its contracting officer does have the power to require such unilateral changes. Very frequently these are single-use products and the Government is the only customer for such products. Consequently, a contractor in this instance cannot spread the risk of his potential loss among a group of buyers. For these reasons, it is my view that the application of the theory of strict liability in tort is inappropriate in Government contract liability situations. Liability without fault is patently unfair where the specifications are in control of the buyer rather than the seller.

The bill I am introducing today is based upon legislation (H.R. 5351) introduced in the 96th Congress by the Honorable Lamar Gudger. Hearings focusing on this problem were held in 1980 by the Subcommittee on Administrative Law and Governmental Relations of the House Judiciary Committee. I am pleased that the distinguished gentleman from California (Mr. DANIELSON), who is the chairman of the Administrative Law Subcommittee, has agreed to join me in cosponsorship of this important measure. The applicability provisions have been revised based upon recommendations made to the subcommittee by the public contract law section of the American Bar Association. I want to express my thanks to numerous members of the public contract law section who have been most helpful to myself and my staff in this effort.

Mr. Speaker, the Judiciary Committee and the Congress ought to take another, closer look at this situation. The merger of modern product liability law, with the doctrine of sovereign immunity, in the Government contracting process has resulted in unfairness and unnecessary cost. The result of the Stencel Aero case and the recent experience with the Flxible bus are graphic illustrations as to why a congressional reevaluation is badly needed.

#### GOVERNMENT REGULATIONS KILL ANOTHER SMALL BUSINESS

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

Mr. NELLIGAN. Mr. Speaker, I was distressed to learn that the Gensemer Co., which has operated in my congressional district for 80 years, has fallen victim to the demands of Feder-

al regulation. I submit for your information the text of a perceptive news article by Ted Fenstermacher, a correspondent for the Berwick, Pa., Enterprise, which discusses the unfortunate and unnecessary closing of this family-owned business.

#### GENSEMER MEAT, FOOD SERVICE TO END 80 YEARS IN BUSINESS

(By Ted Fenstermacher)

One of the region's oldest firms, Gensemer's Meats and Gensemer's Food Service will, as of Jan. 15, terminate its business. It means the end of an 80-year-old, four-generation firm.

Columbia County Commissioner and Mrs. George Gensemer's sons, Tom, John and Brad, who have been active in the operation of the business have no particular plans at present.

Principal cause for the cessation of the long-established firm are "increased pressure from the Federal Meat Inspection Program, DER, EPA and OSHA with their constantly changing and constricting regulations." A spokesman for the firm also points out, "It is becoming increasingly difficult for the small and independent businessman to survive in the climate of the present business world with rapidly rising costs and high interest rates" in addition to the seemingly endless and frustrating interference by bureaus and agencies.

Gensemer's is another in a series of meat firms that are giving up due largely to the frustrating regulations and orders. Just one of a great many such cases was the installation of a new \$1,200 ceiling in the meat cutting room, done in the past few weeks.

Another recent example was a visit by a federal inspector, Albert Eisvig. He saw 60 hams on racks in the Gensemer plant. It was explained to him that those hams had been smoked in a Millville plant because a needed part for Gensemer's smoking equipment was at the time unavailable. Eisvig immediately went to Millville—then returned and threatened to condemn all the hams—even though Gensemer explained an inspector's permission had been given for smoking the hams at Millville. That was too much for the Columbia County firm and two firm members went to Washington and explained the situation. Eisvig has been transferred to the west coast. Threats of fines and imprisonment faded.

According to the Gensemers, the firm was directed to use separate power saws for pork and beef and maintain a separate cutting room for poultry. Frequent regulations changes as to what type labels are to be used has resulted in heavy losses in the printing of the labels, the owners contend.

An OSHA agent recently visited the Gensemer plant and threatened fines of \$450. The "violations" were failure to have exit signs over doors leading from the cutting room (where only employees are permitted), having an uncovered bulb in the men's restroom and having an extension cord in use.

Regulations have, for a long time, required a federal meat inspector to be at the Gensemer plant—as at all similar plants—from 7 a.m. to 3 p.m. daily. The federal regulations also demand the owners provide an office, desk, chair and locked file for the inspector. A family spokesman commented however that that inspector, Charles Jones, has always been fair and cooperative.

The Gensemer operation had its beginning in 1900, in charge of the late John Gensemer. In 1925 it became John Gen-

semer and Sons with Ira, Frank and Lester also in the firm. Ira was the father of George Gensemer.

The Great Depression dealt a severe blow to the firm four years later. Ira, unable to get a bank loan and faced with a sheriff sale took the keys to the four trucks and processing building to the bank, tossed them onto the cashier's desk and quipped, "You're in the baloney business now." Granting of the loan followed. Another important financial aid had been a \$500 loan from Ira's father-in-law, Postmaster Thomas Evans, of Audenreid.

In 1931 Ira Gensemer, who had been acting as "agent" for the firm became the sole owner. The business prospered, largely in the deliveries to the Hazleton and McAdoo areas, which accounted for about 70 percent of the business then. Ira's bilingual abilities—Polish, Russian, Italian and English were helpful.

The Gensemer Food Service was started a few years ago and has 1,100 members. A family spokesman commented, "It is with deep regret and great sorrow that we announce termination of the business."

This article points out the strength of the unelected bureaucrats who write the rules and regulations to which the citizens of this Nation must adhere. It gives us a case study of the unwarranted destruction of the great American entrepreneurial dream. No longer can an individual use his drive and ambition to start and develop a business; they must also have extraordinary resources to cope with unreasonable regulatory demands. Study after study has pointed out the cost of Federal regulations; however, little is written about the emotional devastation of having to close the doors to your business because you face a no-win situation with Federal inspectors and the faceless bureaucrats who sit in Washington drawing up rules and regulations that often far exceed the intent of the law passed by the Congress.

Mr. Speaker, I am pleased that President Reagan has appointed Vice President BUSH to head a Presidential task force to study and reform Federal regulation in an effort to fulfill his campaign promise to "get the Government off the backs of the people." This is a step in the right direction, and it is my hope that this task force will move expeditiously. If it does so perhaps there will be far fewer incidents similar to the sad story of Gensemer's Meats Gensemer's Food Service.

#### AUTHORIZING THE SPEAKER TO INTERVENE IN CASES AGAINST THE IMMIGRATION AND NATURALIZATION SERVICE AND THE FEDERAL ENERGY REGULATORY COMMISSION

Mr. FOLEY. Mr. Speaker, I send to the desk a privileged resolution (H. Res. 49) and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

#### H. RES. 49

Whereas, on February 27, 1978, a brief amicus curiae was submitted on behalf of the chairman of the Committee on House Administration in the United States Court of Appeals for the Ninth Circuit in the case of Chadha v. Immigration and Naturalization Service, No. 77-1702, in support of the constitutionality of the legislative review provision in section 244(c)(2) of the Immigration and Naturalization Act, 8 U.S.C. 1254(c)(2), and on December 22, 1980, the Court of Appeals ruled that this legislative review provision violated the principle of separation of powers and was unconstitutional, and the Department of Justice, although it prevailed before the Court of Appeals, has filed a notice of appeal to the Supreme Court;

Whereas, the United States Court of Appeals for the District of Columbia Circuit is now considering the case of Consumer Energy Council of America et al v. Federal Energy Regulatory Commission, Nos. 80-2184 and 80-2312 wherein the Department of Justice has submitted a brief amicus curiae urging that the legislative review provisions of section 202 of the Natural Gas Policy Act, 15 U.S.C. 3342, are unconstitutional, and the Attorney General has suggested that the House submit a brief amicus curiae in support of these legislative review provisions;

Whereas, it is essential that the House be given an opportunity to present fully its views to the appropriate court in both of these cases, either as amicus curiae or by intervention as a party: Now therefore be it

Resolved, That the Speaker is authorized to retain counsel and take any steps he considers necessary, including intervention or submission of briefs amicus curiae, to protect the interests of the House before the court in the case of Chadha v. Immigration and Naturalization Service and in the case of Consumer Energy Council of America et al v. Federal Energy Regulatory Commission.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, this resolution, which has been discussed by the leadership on both sides, is made necessary because of challenges to the constitutionality of certain sections of the Immigration and Naturalization Act and the Federal Natural Gas Policy Act, both of which acts provide for legislative review by either the House or the Senate and a so-called one-House veto of the regulations issued by the respective departments under the act.

The constitutionality of these particular sections has been challenged, and unfortunately the department and the petitioner agree in one case that the act is unconstitutional. So if the position of the legislative branches is to be protected here, it is necessary that we authorize the Speaker to intervene as a party in the case. Counsel, on behalf of the Committee on House Administration, I understand, has submitted an amicus brief, but that does not entitle counsel to petition for rehearing or for review or certiorari if the House

does not enter as a party. The purpose of the resolution is to authorize that act.

□ 1420

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

Mr. FOLEY. I yield to the distinguished minority leader.

Mr. MICHEL. I appreciate the distinguished whip yielding, and I would simply want to subscribe and embrace the explanation of the resolution as the gentleman from Washington has done so well, and I certainly support the passage of the resolution.

Mr. FOLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### THE STRANGE CASE OF LYNDON LAROUCHE, JR., ALSO KNOWN AS LYN MARCUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McCLOSKEY) is recognized for 15 minutes.

Mr. McCLOSKEY. Mr. Speaker, I want to alert the House today to a demoted and unprincipled individual, a three-time candidate for the Presidency, Lyndon LaRouche, Jr., who has been making false and scurrilous charges in materials distributed to Members of Congress. In particular, Mr. LaRouche has falsely charged Merchant Marine and Fisheries Committee staff member Charles Fager with being a Soviet KGB-linked mole. The FBI states that LaRouche's charges are without substantiation in FBI files. This kind of charge, smacking of the McCarthyism of the 1950's, justifies an inquiry into LaRouche's history.

Lyndon LaRouche campaigned as a Democrat in last year's Presidential campaign, winning 2.1 percent of the Democratic primary vote in New Hampshire after qualifying for Federal matching funds.

LaRouche campaigned on a platform of promoting free enterprise and capitalism, with grave warnings against the dangers of big government and liberalism. He sounded very much like a Republican of the ultraconservative school, and his articulate and persuasive monologs were broadcast on both television and radio programs throughout New England. I watched and listened to several such broadcasts and was struck by the apparent similarity between Mr. LaRouche's arguments and those of Republican conservative economists.

Mr. LaRouche, however, is apparently an actor of consummate skill and

capable of adopting almost any political coloration he deems appropriate.

In World War II, for example, Mr. LaRouche was originally a conscientious objector. Tiring of work in a Quaker camp in New Hampshire, he enlisted in the Army and ultimately served in a noncombatant role in the Burma theater.

In 1948, he joined the Socialist Workers Party (SWP), a Trotskyist group, and adopted the alias Lyn Marcus. He was an active member of the SWP until 1957.

In the 1960's, LaRouche, using the name Marcus, made several unsuccessful attempts to form new leftist organizations. In 1966 he cofounded the Village Committee for Independent Political Action, allied with the Students for a Democratic Society (SDS). He and a group of followers left the SDS in 1969 to form the National Caucus of Labor Committees (NCLC), subsequently known as the U.S. Labor Party. LaRouche spent the next several years developing his political theories and organizing European chapters of the NCLC.

In 1972, LaRouche ran for the Presidency as the U.S. Labor Party candidate, under the alias of Lyn Marcus.

In 1973, LaRouche initiated an effort through the NCLC to eradicate elements of the American Communist Party and other Marxist groups. He called his project Operation Mop-Up, with an announced goal to "destroy the last vestige of left hegemony of the Communist Party in the U.S.A. today."

Operation mop-up was in apparent retaliation for the Communist Party's opposition to LaRouche's founding of the National Unemployed and Welfare Rights Organization, and involved considerable violence in New York and other east coast cities, where LaRouche's goon squads broke up rallies and meetings of various leftist groups.

By 1976 the FBI was describing the NCLC as a "violence-oriented Marxist revolutionary organization."

LaRouche's earlier literature had referred to his tactics as necessary to create a Socialist revolution in America within 5 years—a goal which he asserted required the NCLC's dominance of all leftist organizations.

In 1974, the New York Times published a story describing an alleged NCLC kidnapping, in which a young member of the group, Ms. Alice Weitzman, had been held against her will in her apartment, finally alerting the police by way of a note dropped out of her window. The charges were denied by the NCLC who explained that the woman was being deprogrammed in order to free her from the influence of alleged KGB brainwashing. In what was to become an increasingly marked preoccupation with possible assassination attempts on LaRouche, the NCLC put out a press release to announce

that it had hard evidence of a plot by the KGB and the CIA to assassinate Lyn Marcus, using brainwashed party members as zombie-like killers. LaRouche stated his belief that these party members had been hypnotically programmed to kill him when they received a secret verbal command from their CIA-KGB masters.

The importance of deprogramming became an integral part of the LaRouche political philosophy.

In an NCLC internal discussion paper dated August 16, 1973, entitled "The Politics of Male Impotence," LaRouche stated that—

To the extent that my physical powers do not prevent me, I am now confident and capable of ending your political- and sexual-impotence; the two are interconnected aspects of the same problem.

Tracing the root of all personnel difficulties to the sadistic possessiveness of the sexually impotent mother—which reaches its apogee in the black ghetto mother—and purporting to establish a link between sexual and political impotence, LaRouche proposed a type of deprogramming requiring one to break with your mother's love and become real human beings. Then—

By application of such clinical knowledge and techniques to mass work, we shall systematically evoke from our audiences precisely that sense of inner terror which must be evoked to absolutely compel them to become revolutionaries.

He concluded:

"In Germany, I am Der Abscheulicher." (The "Bestial one", the "Horrible one.") "I shall soon be regarded similarly here."

This self-appraisal was corroborated in a statement by one NCLC member, Christine Berl, who, having left the organization, and fearing for her safety, gave a detailed statement about LaRouche's psychosexual political theories, and his use of those theories through sessions as a means to completely dominate his followers.

Ms. Berl stated, on April 2, 1974:

According to Marcus, the purpose of the sessions was to create a new kind of leadership based on the capacity to withstand psychological terror; but in reality the content of the sessions themselves was pure psychological terror \* \* \* Marcus located the origin of psychological terror, as the 8th century church had done, in the image of the witch-mother who prevented the individual from acting on the basis of self-consciousness by reducing him to an impotent and banalized ego-state. And to this bestialized image of the ego Marcus counterposed himself; for it was never disputed during the course of the sessions that all true self-consciousness emanated from his own person. \* \* \*

"The obsession with [excrement], and the endless stream of scatological and sadistic humor issuing from Marcus around this obsession, successfully and repeatedly reduced all the individuals in the sessions to the level of animals. . . . Women were hit particularly viciously with this form of reductionism, even to the point of tracing their sexuality to the proximity of the anus and the vagina with only the thin strip of the

perineum distinguishing between the two. Marcus claimed that this anatomical peculiarity was the origin of women's feelings of degradation, since it gave rise to the confusion of the sexual act with the act of excretion. It is hardly an exaggeration to say that this was a radical departure from classical Marxism since it located identity not within the matrix of social-reproductive relations, but in bestialized anatomical reductionism.

In 1976, LaRouche again ran for the Presidency as the U.S. Labor Party candidate; this time, however, under his true name, Lyndon LaRouche. By this time his platform had begun to shift toward those of rightwing organizations and conservative organizations and individuals. According to a former member, the NCLC, the dominant force in the U.S. Labor Party, now recognized that potential alliances could develop between the NCLC and the extreme right, based on shared beliefs in conspiracy theories. A security memorandum issued in the spring of 1975 by the NCLC stated:

Our success in beating back the Fang's (Nelson Rockefeller's) Endgame Scenario (thermonuclear war) shows the potential impact we can have among previously unpenetrated strata (right wing circles) \* \* \* Cadres should be firmly fixed on the politics underlying this move: the real enemy is Rocky's fascism with a democratic face, the liberals, and social fascists. We can cooperate with the Right to defeat the common enemy. Once we have won this battle, eliminating our rightwing opposition will be comparatively easy.

LaRouche included in his attacks the American Jewish community. He charged Jews and Jewish interests with controlling a worldwide drug traffic, creating and funding the American Nazi Party, and having conspired to help the Confederacy win the U.S. Civil War. LaRouche characterized the B'nai B'rith Anti-Defamation League as "The Bad Breath Anti-defecation League." He stated:

The little aunts who work the telephone for the Anti-Defamation League are fascists. They are working for the same people who are responsible for every Jew murdered by the Nazis during the 1930's and 1940's.

Following LaRouche's 1976 campaign, NCLC initiated efforts to work with Republicans and conservative groups, primarily through a front organization, the Committee for Fair Elections, which charged the Carter campaign with massive voter fraud. LaRouche had portrayed Gerald Ford as the lesser of two evils, who should be supported in the general election. The Washington Post called this "one of the year's strangest political alliances," stating:

The U.S. Labor Party, a self-described Marxist organization has joined forces with some Republicans in four states in lawsuits charging fraud in the November 2 election (emphasis added).

The NCLC also, like Father Moon's Unification Church, seeks to expand its influence on Capitol Hill through a variety of front organizations, one of

which is the New Solidarity International Press Service, or IPS.

An NCLC security memorandum dated April 28, 1975, had stated:

Our contact network on Capitol Hill has been firmly established, and the legitimacy of IPS as a press service is now generally recognized. (We can begin to cultivate some specific contacts in targeted Congressional offices through IPS. \* \* \* Our attack on Rocky's Endgame Scenario in Congress will provide us with an in into (sic) conservative Congressmen.

\* \* \* Special emphasis will be given to the offices and staffs of Senators Helms, Thurmond and Stennis. A full list of targeted offices is being prepared by the National Security Staff.

According to the Washington Post of November 28, 1976, an FBI memorandum described the NCLC as a clandestinely oriented group of political schizophrenics who have a paranoid preoccupation with Nelson Rockefeller and the CIA.

In 1976, LaRouche founded the Fusion Energy Foundation, a tax-exempt foundation which now publishes Fusion magazine. Fusion is a pronuclear, antienvironmentalist publication which combines accurate information on nuclear and fusion issues with political essays.

One such essay by PHIL CRANE on the Three Mile Island incident was published in the April 1980 issue of Fusion during the height of the Republican Presidential primary when CRANE was still an active contender.

While seeking to work and identify with Republicans, however, LaRouche also formed the National Democratic Policy Committee, a political action committee designed to support Democratic candidates and officeholders and to develop policies in the Nation's interest. The committee's first national policy initiatives include nuclear and fusion power, tax reduction, parity, and an end to Justice Department harassment such as Abscam. The NDPC repeatedly attacks Speaker O'NEILL and moderate or liberal Democrats. Among the advertisements which appear regularly in Fusion, including ads for LaRouche's companies, are ones for an economic analysis publication called Executive Intelligence Review (EIR), which features "economic analysis using the groundbreaking economic model developed by Lyndon LaRouche, the foremost economist of the century."

Checks for this service are payable to Campaigner Publications, Inc., publisher and distributor of NCLC and U.S. Labor Party materials.

Another of LaRouche's organizations is his Anti-Drug Coalition, which publishes a magazine, War on Drugs, which espouses the theory that drug use and the rock and roll counter-culture in America are the result of deliberately subversive efforts led by the British oligarchy through the so-called Zionist lobby.

While the NCLC's activities for the past few years seem to indicate a new conservatism, the group's real goals were made clear by the NCLC's chief of staff in New York in 1976:

We are socialist, but first we must establish an industrial, capitalist republic and thus rid this of the Rockefeller anti-industrial, antitechnology, monetarist dictatorship of today.

Once the capitalist republic is established, concurrent global economic development will occur and we will enter into a period of the highest prosperity the world has ever known.

With society expanding and material progress being made, you win over the people's minds, and under an advanced technology, including fusion power, there will be a trend toward government of a socialist state.

Our former colleague, Mike McCormack, must be truly delighted with this kind of motivation for support of his landmark fusion bill—Public Law 96-386.

Mr. Speaker, you may wonder why I have taken this time and trouble to detail the strange history of Lyn Marcus/Lyndon LaRouche. The man is clearly a paranoid and demented megalomaniac, and would ordinarily be a curiosity rather than a subject of proper congressional concern.

His new efforts to influence Congress, however, justify a careful attention to his work on the part of each of us. In November he distributed to every office on the Hill a so-called "National Security Memorandum" from the New Solidarity International Press Service (IPS) alleging that House Merchant Marine and Fisheries Committee minority staff member Charles "Chuck" Fager, was a "Soviet KGB-linked Mole" connected with Soviet KGB Gen. Kim Philby. A five-page dossier on Fager was also distributed.

Upon receipt of this document, I asked Mr. Fager to respond, and forwarded both LaRouche's charges and Fager's response to the FBI and CIA for investigation.

The CIA deferred to FBI jurisdiction, and after review of FBI files, FBI Director Webster responded on January 15 as follows:

DEAR CONGRESSMAN McCLOSKEY: Reference is made to your letter dated December 11, 1980, which advised of allegations made by one Lyndon H. LaRouche, Jr., concerning your staff employee Charles Fager, and which requested this Bureau to initiate whatever investigation was deemed appropriate regarding the allegations, i.e., that Fager is a "longstanding close collaborator of Philip Agee's immediate patrons and mole \* \* \* linked to Soviet KGB General H. Kim Philby.

Federal Bureau of Investigation records have been reviewed and nothing was located which would substantiate the allegations by Mr. LaRouche. No additional inquiries are contemplated by this Bureau.

Sincerely yours,

WILLIAM H. WEBSTER,  
Director.

The FBI obviously has fairly complete files on Mr. LaRouche in order to be able to respond so quickly and with such clarity, but I think it essential that each Member of the House and Senate be fully aware of the nature and extent of Mr. LaRouche's background, obsessions and connection with the International Press Service (IPS), National Democratic Policy Committee, Fusion magazine, Anti-Drug Coalition, possibly several other organizations working for LaRouche's announced goal of a socialist state.

It appears that LaRouche's charges against Charles Fager stem from Fager's work as a reporter in 1973, which revealed for the first time that Lyn Marcus, former SDS member and founder of the NCLC, was, in fact, Lyndon LaRouche, Jr. After Fager's discovery was published, Marcus dropped the alias and in subsequent elections ran for the Presidency on the U.S. Labor Party ticket under his real name.

Fager also discovered that Lyndon LaRouche/Lyn Marcus was born of Quaker parents in Lynn, Mass. Fager is also a Quaker, and was at that time a reporter for the Real Paper in Cambridge, Mass.

LaRouche's reaction to Fager's work was to characterize Fager in 1973 as a harasser whose employer and colleagues were CIA agents.

Quakers and Quaker groups have been the targets of LaRouche's charges on other occasions as well. In a two-part 1978 essay on the American Friends Service Committee (AFSC) in his publication New Solidarity, LaRouche called the Committee the "American Friends of Sodomy Committee," stating:

The AFSC is not only an evil organization, which this writer has known since adolescent first acquaintance with that entity; it is currently linked to certain of the vilest of the operations deployed under the cover of the environmentalist and proterrorist "left" in the USA and abroad.

Typically, Mr. LaRouche finds the AFSC to be a tool of the international conspiracy centered in British Secret Intelligence Service, stating: "What they represent, is pure evil."

In conclusion, Mr. Speaker, it seems to me our staff member, Charles Fager, is entitled to an absolute presumption of innocence, considering LaRouche's checkered history and the FBI's statement that their files have nothing to substantiate the allegations by Mr. LaRouche.

More than that, I hope every Member of the House and Senate will retain a wary skepticism with regard to future communications from LaRouche, his New Solidarity International Press Service, the National Democratic Policy Committee, the Anti-Drug Coalition, Fusion magazine, the Fusion Energy Foundation and any other organization led or founded

by Lyndon LaRouche/Lyn Marcus. Demented though he may be, LaRouche clearly has the financial means, organization, ability, and determination to attempt to cause major changes in U.S. law and policies. His words and actions should be followed with care.

#### UNSUNG HEROES OF THE HOSTAGE CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. JEFFORDS) is recognized for 10 minutes.

● Mr. JEFFORDS. Mr. Speaker, at a time when all Americans share a sense of joy at the return of the hostages and sorrow at the conditions they were forced to endure, it may appear that every aspect of the hostage drama has been extensively reported by the news media.

There are, however, thousands of dedicated young Americans who played a crucial role in the success of the negotiations, Americans whose selfless efforts have gone widely unacknowledged.

I am referring to the men who manned our Nation's battle groups in the Persian Gulf. I was privileged to be able to spend the 2 weeks prior to the release of the hostages with these men, fulfilling my commitment to the Naval Reserve. I would like today to share with my colleagues some of the insights I was able to gain from the vantage point of the U.S.S. *Ranger*.

There is no question that our military presence in the gulf provided the backdrop—and the clout—behind the success of the negotiations.

Most of the men serving there were very young. On the U.S.S. *Ranger*, the average age was 19. They were serving under the most difficult of circumstances. Many have been aboard ships for 150 days or more, working 12-hour days, 7 days a week. The constant presence of military planes and ships from the Soviet Union and other nations serve as a constant reminder that they are in the area of the greatest international tension in the world today.

Despite the exhausting pace and tense atmosphere of their work, the morale of these men was exceptionally high. Their spirits were boosted by their recognition of the importance of their mission.

Many, however, wondered whether anybody back home really cared. They wanted assurances that their fellow Americans knew they were there, and why.

Although the outcome will continue to be analyzed at length, I believe history will attribute the success of the negotiations to three factors: Iran's war with Iraq, America's military presence, and the deadline established by the inauguration.

The war obviously made Iran more vulnerable to the economic sanctions

by the United States and to the implied threat of limited military action. Beyond the well publicized shortage of spare parts, Iran has become increasingly dependent upon shipping activity in its two open ports. Vital supplies continue to come in from other nations, including some which are not overtly friendly to Iran's cause. Meanwhile, Iran's economy is kept alive by continued sale of oil off Kark Island.

In that context, it has long been clear that the United States had the option of setting a deadline for release of the hostages, and enforcing it by outlining specific actions which would be taken if the deadline were not met.

The first such action would most likely have been mining of the harbor where Iranian warships are parked, neutralizing the Iranians' threat to mine the Oman Straits. The second would probably have been mining of the harbor where oil is sold, a step which would have greatly stepped up the economic pressure. The third, to be carried out only if the hostages were harmed, endangered, or not released would have been to undermine the Iranian Air Force by knocking out radar control stations. Such actions would be devastating to Iran, economically and militarily in its war with Iraq, without any direct U.S. aggression against the people of Iran.

No American would want to carry out such threats. But the knowledge that our Nation had the option of setting a deadline and enforcing it, without direct aggression against the Iranian people, provided the only real clout we had at the bargaining table.

Without such a deadline, the Iranians clearly were prepared to drag out the crisis interminably. They even bypassed the deadline which could have been worked to their greatest advantage politically, the U.S. election. Without question, Iran could have received greater concessions prior to the election than afterward.

The deadline ultimately accepted by the Iranians was set by events, not by initiatives of the Carter administration. The Iranians perceived that the new administration would be less reluctant to use the threat of limited military action as a bargaining chip, and that they would get their best deal before that chip was laid on the table. The deadline, therefore, was the inauguration.

As it turned out, the role of the Americans manning the battle groups in the Persian Gulf was only an implied factor in the success of the negotiations. But there is no question about the importance of their mission, and their contribution to the successful outcome. These young men are the unsung heroes of the hostage crisis. They deserve to be honored alongside the other heroes: the U.S. negotiators, the Algerian intermediaries, the brave men who died in the unsuccessful

rescue attempt, and of course the hostages themselves.

Without the dedicated service of these thousands of Americans under the most difficult of circumstances, the hostages would not have been freed.●

#### THE OBSTETRIC CARE INFORMATION ACT

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

● Mr. BINGHAM. Mr. Speaker, on the opening day of this session, I introduced a bill which would, if passed, help to insure that women will be able to make more informed decisions about the use of drugs and procedures during pregnancy and delivery, and which could help prevent injury to untold numbers of infants. I introduced the bill in the last Congress. It is called The Obstetric Care Information Act.

Our growing experience with the adverse effects of obstetric-related drugs, which often do not become apparent until long after the drugs have been administered to the mothers, has made us more sensitive to the need for legislation which would help prevent these tragic occurrences.

The Obstetric Care Information Act would do three things. First, it would require States to provide women access to their obstetric medical records and current information on obstetrical procedures. Second, it would require the dissemination of information on the effects and risks of women who are pregnant or in labor and of prospective and developing children. Third, it would provide for a study on the delayed long-term effect on child development of obstetrical drugs and procedures administered to or used by women who are pregnant or in labor.

The tragic and devastating effects of the use by mothers of the drug diethylstilbestrol—DES—on their offspring are well known. This is just one example of the kinds of potentially harmful effects the careless use of drugs may have. The fact of the matter is that health professionals have all too little information on the hazards or potential hazards of the use of obstetric drugs and procedures.

I call the attention of my colleagues to a report issued by the General Accounting Office on September 24, 1979, entitled "Evaluation Benefits and Risks of Obstetric Practices—More Coordinated Federal and Private Efforts are Needed." This report confirms that, with few exceptions, drugs and procedures employed in obstetric care have never been properly evaluated and found to be in the best interest of mothers and their babies.

Mr. Speaker, I was first made aware of the need for this kind of legislation by my courageous and persevering constituent, Mrs. Estelle Cohen, who herself had a tragic experience in the case of a child of her own. Mrs. Cohen has become a knowledgeable and dedicated opponent of the use of harmful or possibly harmful drugs and procedures before, during, and after childbirth.

Mrs. Doris Haire, president of the American Foundation for Maternal and Child Health, who has also been trying for years to call attention to the need for this kind of legislation, made significant contributions to the writing of this bill. Senator Javits of New York, former member of the Subcommittee on Health and Scientific Research of the Senate Committee on Human Resources, helped call attention to questionable obstetrical practices in the United States by conducting hearings on the subject in April 1978.

There is so much information that needs to be developed and so many questions that need to be answered about just what effects the use of certain drugs and procedures have on the fetus and mother. The futures of our newborn may be inadvertently altered for the worse in ways we have not yet even begun to comprehend. We must begin to take a systematic look at this area and I urge that hearings be held by the appropriate subcommittees.

Following is the text of the bill and an article published in the September 14, 1978, issue of the Co-op City News, published in my congressional district, about Mrs. Cohen's experience. It is a poignant story and I hope my colleagues will read it.

This is a matter of grave importance and I hope it will receive the attention it deserves. The text of the bill and the article follow:

H.R. 138

A bill to amend title V of the Social Security Act to require States to provide women access to their obstetric medical records and current information on obstetrical procedures, to amend the Federal Food, Drug, and Cosmetic Act to require the dissemination of information on the effects and risks of drugs and devices on the health of pregnant and parturient women and of prospective and developing children, and to provide for a study on the delayed long-term effect on child development of obstetrical drugs and procedures administered to or used by pregnant and parturient women.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Obstetric Care Information Act".

ACCESS OF WOMEN TO THEIR OBSTETRIC (AND THEIR INFANTS') MEDICAL RECORDS AND PROVISION OF CURRENT INFORMATION REGARDING OBSTETRICALLY RELATED DRUGS AND PROCEDURES

SEC. 2. (a) Section 505(a) of the Social Security Act (42 U.S.C. 705(a)) is amended (1) by striking out "and" at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon, and (3) by adding after paragraph (15) the following new paragraphs:

"(16) provides that the State has a law under which any health care practitioner or provider of services (as defined in section 1861(u)) who furnishes health services in the State to a woman during pregnancy or parturition must provide the woman, upon her request, with—

"(A) the opportunity to inspect and copy any medical records which the practitioner or provider maintains relating to the condition or treatment of the woman and her infant during the pregnancy, parturition, and post partum, and

"(B) a reasonable explanation of any portion of such medical record which is not comprehensible to a layperson.

and under which there are appropriate procedures (as determined by the Secretary) to ensure the provision of the opportunity for inspection and explanation specified in subparagraphs (A) and (B); and

"(17) provides that the State has a law under which any health care practitioner or provider of services (as defined in section 1861(u)) in the State who performs a medical procedure on, or administers a drug or medical device to, a woman during pregnancy or parturition must (except under emergency and other extraordinary circumstances established by the Secretary)—

"(A) inform the woman, before performing the procedure or administering the drug or device, of the side effects, risks, contraindications, and effectiveness, with respect to the health of the woman and of her prospective children, of the procedure, of not performing the procedure or administering the drug or device, and of performing other medically recognized procedures (and of administering other drugs or devices) instead of the procedure, drug, or device involved, and

"(B) after being so informed, receive her consent to the performance of the procedure or administration of the drug or device."

(b)(1) Except as otherwise provided in paragraph (2), the amendments made by the subsection (a) shall apply on and after August 1, 1981.

(2) In the case of any State plan which the Secretary of Health and Human Services determines requires State legislation in order to meet the additional requirements imposed by section 505(a) (16) and (17) of the Social Security Act, the State plan shall not be regarded as failing to comply with those requirements until the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act.

INFORMATION FOR PREGNANT WOMEN ON SIDE EFFECTS, RISKS, CONTRAINDICATIONS, AND EFFECTIVENESS OF DRUGS AND DEVICES

SEC. 3. (a) Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding after paragraph (t) the following new paragraph:

"(u)(1) If it is a drug or device distributed or offered for sale in any State and intended

for the use of any woman during pregnancy or parturition, unless its label or a written insert accompanying the drug bears an explanation, meeting guidelines established by the Secretary under subparagraph (2), of the side effects, risks, contraindications, and effectiveness of the drug or device on the health of women during pregnancy and parturition and on the health of prospective and developing children.

"(2) The Secretary shall, by regulation, establish guidelines with respect to the explanation of the side effects, risks, contraindications, and effectiveness of drugs and devices intended for the use of women during pregnancy or parturition."

(b)(1) Subparagraph (1) of section 503(u) of the Federal Food, Drug, and Cosmetic Act (added by subsection (a) of this section) shall only apply to drugs distributed in commerce on or after the first day of the sixth month beginning after the date of the enactment of this Act.

(2) The Secretary of Health and Human Services shall establish the guidelines required under section 503(u)(2) of the Federal Food, Drug, and Cosmetic Act (added by subsection (a) of this section) not later than the first day of the third month beginning after the date of the enactment of this Act.

STUDY OF DELAYED LONG-TERM EFFECTS OF OBSTETRICAL DRUGS AND PROCEDURES ON MATERNAL HEALTH AND CHILD DEVELOPMENT

SEC. 4. (a) The Secretary of Health and Human Services (hereinafter in this section referred to as the "Secretary") shall arrange, in accordance with subsection (b), for the conduct of a study (hereinafter in this section referred to as the "study") to determine the long-term side effects, risks, contraindications, and effectiveness of the use of obstetrical drugs, devices, and procedures with respect to maternal health and child development, including child development through the age of seven years. The study shall be developed and carried out in consultation with behavioral psychologists, pediatric neurologists, obstetricians, and other appropriate professionals and knowledgeable consumer representatives whose expertise would enhance the conduct of the study.

(b)(1) The Secretary shall provide for the conduct of the study by a public or nonprofit private entity under an arrangement whereby the actual expenses incurred by the entity conducting the study will be paid by the Secretary.

(2) The arrangement entered into under paragraph (1) shall require that the study be designed and completed and reports thereon be submitted within such period as the Secretary may require to meet the requirements of subsections (c) and (d).

(c) The design of the study shall be completed not later than six months after the date of the enactment of this Act and the study shall be completed, and the final report described in subsection (d)(3) submitted, not later than eight years after the date the design of the study has been completed.

(d) The Secretary shall provide to the appropriate committees of Congress—

(1) a preliminary report on the design of the study, after the development of the study design and before the study itself has been undertaken;

(2) a report on the progress of the study, including any preliminary results of the study, not less often than once every Congress during the period the study is being undertaken; and

(3) a final report on the results of the study, including any recommendations for

legislative or administrative action on the State or Federal level.

(e)(1) There are authorized to be appropriated for the fiscal year ending September 30, 1982, such sums as may be necessary to carry out the study. Sums appropriated to carry out the study shall remain available until expended, but in no case shall they remain available after the submission of the final report described in subsection (d)(3).

(2) The authority of the Secretary to enter into any contract for the conduct of the study shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

#### RESIDENT WINS DRUG REFORM

(By Patrick McDonnell)

On July 12, 1951, a proud Estelle Cohen left Columbia Presbyterian Hospital with a "beautiful" and seemingly healthy baby boy, born several weeks before her due date.

The child, Ben, was born early because Mrs. Cohen was given an injection of the hormone drug Pitocin, which artificially starts labor.

Mrs. Cohen hadn't sought the early birth, but the obstetrician had insisted. "And I figured the doctor knew best," the Co-op City resident explains.

Today, 27 years later, Mrs. Cohen thinks differently.

Her son, Ben, was born with brain damage which Mrs. Cohen believes was brought on by the injection of the labor-inducing Pitocin (oxytocin)—commonly called "Pit."

#### LONELY CRUSADE

Mrs. Cohen's life has since been dominated by her son's inability to lead a normal life, and she and a few others have waged a lonely crusade to inform the public about the dangers of Pitocin and other drugs given to pregnant women by physicians.

Finally, on Sept. 1, largely through Mrs. Cohen's efforts, a new law became effective in New York State, requiring that physicians or nurse-midwives warn expectant mothers of possible harmful effects of obstetric drugs on the mothers and their babies.

The bill was ceremoniously signed into law by Gov. Carey last Tuesday, at a meeting in New York attended by Mrs. Cohen and Bronx State Sen. Abraham Bernstein, the bill's sponsor. Mrs. Cohen had first informed Sen. Bernstein three years ago of the potential harm of obstetric drugs.

#### AMERICAN HEROINE

Doris Haire, president of the American Foundation for Maternal and Child Health and an outspoken critic of many current obstetrical practices, called Mrs. Cohen "one of America's heroines," and said the new bill would "dramatically" alter the way pregnant women were treated by doctors.

Because New York is a major center for medical education, Mrs. Haire said in an interview, the "ripple effect" of the new law may soon be felt throughout the United States and abroad.

Mrs. Haire noted that the new regulation also requires that physicians inform expectant mothers that the delayed, long-term effects of certain drugs on human development are unknown.

Labor-stimulating drugs such as Pitocin may cause brain damage in infants by sparking stronger, longer and more frequent uterine contractions, thus decreasing the ability of the fetus to restore its supply of needed oxygen. If the fetus is deprived of oxygen long enough, brain damage can result.

The severe contractions may also result in brain damage to the infant by causing cerebral hemorrhaging in the fetus.

Mrs. Haire and her group also note that the strong contractions often present during induced labor make it more likely that mothers will need pain-killing drugs—which can further harm infants, depressing their respiratory ability.

#### NO EXACT STATISTICS

Although no precise figures are available documenting how widely labor-inducing drugs are used, it was estimated in 1975 that labor in one of ten births in the United States is induced—or actually started—by drugs, usually Pitocin. In addition, it was estimated that in one-fifth of all births, labor is stimulated—or speeded up—by drugs, and Pitocin is the most widely used labor-stimulant.

Mrs. Haire and her group concede that at times there are clear medical reasons for the use of labor-inducing drugs, such as when the mother has diabetes or toxemia or other conditions that may result in the death of the fetus if the pregnancy is continued.

Regarding labor-stimulation, Mrs. Haire and Mrs. Cohen point to warnings by many experts that labor should be stimulated only when uterine contractions are too weak or infrequent to result in the normal progression of the fetus through the birth canal. Ironically, one factor that may hamper the fetus' progression is the presence of pain-relieving medication in the mother.

#### EXPERT SPEAKS

Dr. Caldeyro-Barcia, president of the International Federation of Gynecologists and Obstetricians, has said that if labor were induced and stimulated only when it was absolutely necessary, these practices would be used in only about three percent of all U.S. births—instead of the estimated 20 percent of the births that may now involve elective induction and drugs-stimulated labor.

These procedures are used so often, Dr. Caldeyro-Barcia was quoted as saying on April 9, 1975, "Because the doctor wants to finish earlier so he can do something else, or because he wants to go away for the weekend—all at the expense of the fetus."

An editorial in the prestigious British medical journal, *The Lancet*, on Nov. 16, 1974, stated: "... Induction on the grounds of social convenience is a pernicious practice which has no place in modern obstetric care. The mother's holiday, the calls of the obstetrician's private practice, must not influence, for the sake of even a few days, an event which for the child may affect the outcome of its entire life."

In a recent interview with the News, Mrs. Cohen, who works for obstetrical reform with an almost religious fervor, recalled the birth of her abnormal son, Ben, and the subsequent events that resulted in her current obsession with the issue.

#### ROUTINE VISIT

On July 10, 1951, she says, she went for a "routine visit" to her obstetrician at Columbia Presbyterian Medical Center; it was still several weeks before she was due to give birth.

The doctor, to whom she had been referred by her regular obstetrician, who was on vacation, informed her that she should return in two days and have labor "induced."

"I didn't even know what induction meant at that point," says Mrs. Cohen, a round-faced, brown-eyed woman who is now 57.

"I wasn't in any hurry to have the baby, I wasn't impatient . . . Some women, they feel very uncomfortable at that stage of pregnancy and they want their labor to be started artificially. I didn't mind waiting until my time came . . . There wasn't a single sign of imminent labor."

Mrs. Cohen already had one son—who is now a 29-year-old department store executive—and that birth had gone smoothly.

#### SHE WAS AFRAID

When Mrs. Cohen went home after conferring with the obstetrician, she says she was "upset and frightened."

"I had a feeling there was something wrong that the doctor wasn't telling me," she explained.

Years later, Mrs. Cohen says, she discovered what the doctor was allegedly holding back from her: That he was a research obstetrician and he was then experimenting with a new method of administering the labor-inducing drug Pitocin.

On the afternoon of July 10, Mrs. Cohen says, her husband Irving, an auditor, called the obstetrician.

"The doctor said I might have the baby on the street. He asked my husband if he wanted his wife to have her baby on the street? . . . He told my husband not to interfere."

#### MAKES DECISION

Mrs. Cohen then made the decision that has haunted her the rest of her life: She agreed to have labor induced, as the doctor had ordered.

"In my day," she recalls, "the doctor's word was law. The women of my generation never questioned a doctor's motives. It was taken for granted that what the doctor advised must be the right thing . . . We were wrong."

On July 12, 1951, Mrs. Cohen says she entered Columbia Presbyterian and she was given the Pitocin intravenously by an assistant. Her obstetrician, she was informed, was busy with another patient.

For a long time after the injection, she says, there were only faint contractions, "But suddenly I had a contraction so painful and sustained—it was completely different from my first birth. I expected pain, but not that . . . I was convinced that I'd never leave that hospital alive."

#### LEAVES HOSPITAL

But her beautiful baby Ben was born, weighing a healthy six pounds ten ounces. Five days later, Mrs. Cohen left Columbia Presbyterian with her "seemingly beautiful" child.

Before Ben was one year old, however, she began to notice that something was wrong with him.

"It was during that time after the war when everybody was having babies," says Mrs. Cohen, who then lived in Washington Heights.

"We'd all meet in the park, and Ben was different from all the other children. There were one or two retarded kids . . . But there weren't any other children like Ben."

Doctors told Mrs. Cohen they were baffled by Ben's problem, and they could find no physiological damage.

As Ben grew older, he had difficulties relating to other children.

#### RAN OTHER WAY

"Every day, there must have been 75 kids playing on 170th Street near our house," Mrs. Cohen recalls. "But Ben just couldn't seem to understand how to play. To the other children, and to my older son, it was

easy to learn that when you hit the ball you were supposed to run to first base. But when Ben hit the ball, he'd run the other way."

School was another obstacle for Ben.

"He didn't want to go to kindergarten. I had to drag him out of bed every morning and dress him from scratch. At first, I even had to carry him there. It looked awful, a mother carrying a great big kid to school."

Ben spent his entire first week of kindergarten "spread-eagled on the floor," refusing to participate, says Mrs. Cohen.

#### BUTT OF JOKES

In elementary school in Washington Heights, she says, "he was the butt of the jokes of every tease in the class." His adjustment problems were exacerbated by his hyperactivity and by his occasional violent temper tantrums—sometimes aimed at his parents and other times at his classmates.

As doctors still insisted there was no physiological damage, Mrs. Cohen began to blame herself for her son's ailments.

"Every day I used to ask myself, 'What did I do to this poor boy to bring this on?' I felt very guilty."

Years later, Mrs. Cohen's guilt was replaced by rage when she obtained a copy of an official Columbia Presbyterian Medical Center report, dated Dec. 8, 1955, which concluded that her then four-year-old son may have sustained damage to his central nervous system—although the mother was never informed of this fact.

#### HE'S UNPREDICTABLE

Ironically, Mrs. Cohen thinks it may have been easier for her if Ben were born completely retarded. "Life would have been more predictable if he were retarded. As it was, the only thing that was predictable about Ben was that he was unpredictable."

Such unpredictability was illustrated by his frequent, sudden outbursts of temper, as well as by the occasional good marks he received in school, especially in science courses.

Finally, when Ben was 9, it was diagnosed that he had suffered brain damage, probably at birth. Ben's particular ailment warps his sense of time and space, as well as making it difficult for him to grasp concepts and think abstractly.

#### LEARNING DISABILITY

Ben's problem, which used to be referred to as "minimal brain dysfunction," is nowadays grouped under the catch-all phrase of "learning disability." Some 10 million children in the United States are thought to be suffering learning disabilities to some extent, many of them more subtle than Ben's.

Although there is little definitive proof, Mrs. Cohen and others contend that expectant mothers' increasing reliance on drugs has contributed to the postwar explosion of children with learning disabilities.

The learning problems are generally thought to be brought on by brain dysfunction, which experts believe can be caused by, among other factors, poor diet, injury or illness of the mother during pregnancy, and inadequate oxygen during birth—which can be an effect of unnecessarily-used obstetric drugs.

Consequently, Mrs. Cohen believes her crusade against the liberal use of obstetrical drugs has ramifications far beyond her own personal cause.

"We're part of an enormous problem," she says. "We don't even know how many kids are walking around with damaged brains brought on by these drugs . . . It's easy to

see the problem in my Ben, but how many other kids are going around with much more subtle damage because of the drugs? What right have we to reduce someone's intelligence by even one iota by using these drugs?"

#### OTHER HARMFUL DRUGS

Besides the damage done by medications given to mothers during childbirth, Mrs. Cohen notes that abnormalities have resulted in children when expectant mothers took other drugs, such as Diethylstilbestrol (DES), which was prescribed to prevent miscarriages and Thalidomide, a tranquilizer.

In addition, Mrs. Cohen says, the accepted obstetrical practice in the United States of keeping women lying on their backs during labor and delivery has been criticized by many experts, who maintain that lying on one's side, sitting or squatting during childbirth is healthier for both the mother and the fetus.

But before Mrs. Cohen ever became aware of these larger issues, her son attended several different schools, until his inability to adjust persuaded her to withdraw him from George Washington High School while he was in tenth grade.

Three years earlier, in 1966, Mrs. Cohen read a magazine article entitled "Babies by Appointment?" which first led her to suspect that she had been a "guinea pig" for a research obstetrician.

#### ALWAYS CONTROVERSIAL

The article stated that Pitocin, the drug Mrs. Cohen had been given to induce labor, had always been controversial—not "absolutely safe and routine," as she says the doctor assured her. The article further explained how the prolonged contractions brought on by Pitocin may "clamp down on the blood vessels of the placenta, thus depriving the fetus of oxygen-carrying blood for longer periods than with a slower labor."

Mrs. Cohen was outraged.

In testimony presented last year to the Obstetrics and Gynecology Committee of the Food and Drug Administration, Mrs. Cohen related her reaction to this new found information: "I began to ask many questions. I began to suspect that a frightening situation existed in obstetrics, that people who were supposed to be protecting the welfare of our children were not aware of what was developing in our school population."

#### MALPRACTICE SUIT

In 1969, Mrs. Cohen started the process of filing a malpractice suit against Columbia Presbyterian Medical Center and the obstetrician who delivered her son.

In October, 1975, a jury in Manhattan State Supreme Court ruled that there was no malpractice.

Shortly before that verdict, Mrs. Cohen says, she and her husband turned down an offer from hospital attorneys to settle for \$100,000 in damages.

Mrs. Cohen rejected the cash settlement, she says, because she was "absolutely convinced" of the suit's justice, and had she accepted the money she probably would have been obligated to remain silent about her complaint.

"I think that would have choked me," Mrs. Cohen says.

#### SHE'S ENCOURAGED

Despite her frustrating experiences, Mrs. Cohen was cheered by her successful effort to have the obstetrical-warning bill passed—even though she warns that the new law "is only a start."

She says she would like to see the movement culminate in a realization on the part of all parents that, "The protector of the child are its mother and father—not the medical profession."●

#### PRESIDENT'S OIL DEREGULATION COSTS ALL AMERICANS

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

● Mr. ECKART. Mr. Speaker, President Reagan yesterday issued an Executive order that immediately ended Federal price and allocation controls on U.S. oil, gasoline, and petroleum products.

The Reagan administration estimates that the effect of this price decontrol will be to raise retail gasoline prices by only 3 to 5 cents per gallon.

Other estimates, however, have projected the impact of full decontrol at anywhere from 6 to 12 cents per gallon.

Mr. Speaker, the only thing that we can be sure of is that Americans will soon be paying higher prices at the gasoline pump as a direct result of the President's order. This is the same man who railed against inflationary governmental actions during the recent Presidential campaign.

The President issued this Executive order with the hope that it would stimulate domestic oil production. This is a forlorn hope indeed. Oil industry officials agree that nearly every promising exploration and production project is already being pursued, and that the extra revenues from decontrol, while they will be quite substantial, will not make much difference.

Mr. Speaker, with all price controls on oil removed, the price of virtually all the U.S. supply of oil, whether produced domestically or abroad, will now be set by OPEC decisions.

While higher fuel prices will undoubtedly lower total energy consumption, placing domestic fuel prices at the world market level will also amplify the effect of OPEC price increases on the American economy. If there is a disruption in the world oil market, Americans will be paying even higher prices with no effective recourse open to them.●

#### PROPOSED OMB FOREIGN AID REDUCTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ZABLOCKI) is recognized for 30 minutes.

● Mr. ZABLOCKI. Mr. Speaker, I would like to bring to your attention and that of the other Members of the House a matter of the utmost importance, the OMB proposal to cut U.S. foreign assistance programs by \$777

million in fiscal year 1981 and by \$1.530 billion in fiscal year 1982.

The proposed cuts are not merely the work of an overzealous budget cutter who has been in office barely a week. They are irresponsible in terms of the U.S. national interest. They could have been conceived only by persons who do not comprehend the role and interests of the United States in world affairs and how they are served by U.S. assistance programs.

The fact is that our military and economic aid programs overseas are just as necessary to America's security and well being as our defense spending. It makes no sense to put taxpayer's dollars into building up our military might, without at the same time promoting aid programs which make the world a safer place to live in. Our foreign assistance levels already have been subjected to excessive cuts over the past 2 years. We should not be cutting them again where it hurts our own best interests.

The Stockman/OMB redraft of the Carter budget reported in the newspapers today would drastically reduce U.S. assistance funds for the food-for-peace program—Public Law 480—the Peace Corps, economic development in Third World countries, international financial institutions, and international organizations. By 1985 the cut would be 50 percent of earlier projected budget figures.

For an administration that campaigned on pledging to strengthen U.S. national defense, it is incredible that its budget czar could have such a narrow understanding of U.S. national security as to think that it translates only into guns and money for the Defense Department, without any appreciation of the critical role that is also played by U.S. economic/political interests around the world.

Objective and responsible students of U.S. foreign policy and national security are well aware that the threat to U.S. security comes, not just from the Soviet Union, but also from political/economic instability that creates fertile pastures for the sowing of radical ideologies and the type of disruption that the Soviet Union and Cuba like to foment. What is happening in Central America and the Caribbean today, for example, illustrates how U.S. national security must be defined, not just in terms of military hardware, but also in economic and social terms.

The OMB proposal, among other things, would phase out the concessional sales portion of Public Law 480, the food-for-peace program, which has served the United States so well abroad since its enactment by Congress more than a quarter century ago. This overseas use of U.S. farm surpluses not only feeds millions of poverty-stricken people and helps in economic development of poor countries, but it also helps develop U.S. agricultural

markets abroad, furthers U.S. foreign policy interests, and improves prices for U.S. farmers at home. As the OMB document admits, one consequence of the cut would be to force Egypt to seek help from elsewhere, for example, at this delicate point in the Middle East peace process.

Stockman's drastic reductions in U.S. contributions to the World Bank and the International Development Association and other multilateral development banks would include reneging on some commitments the United States previously indicated it would enter into. The big cut is argued on the grounds that the United States should focus assistance on a few select countries. Again, such a cut can only be premised on the misperception that the U.S. interests involve only a few developing countries and that those interests can be secured through manipulating a small amount of bilateral assistance. In reality, we have a long-term interest in the economic growth and stability of many if not all developing countries, and in the multilateral development banks. One U.S. dollar can leverage 60 to 70 additional developmental dollars because of the contributions made by others. Contributing to an international development bank clearly is a cost effective way to promote our interests—one would think that a budget "expert" would be particularly appreciative of that fact.

Furthermore, the OMB proposal ignores the many positive political and economic benefits that multilateral bank programs contribute to our country. For example, U.S. participation in the general capital increase of the World Bank, at a budgetary cost of \$635 million spread over several years, will result in procurement in the United States of over \$8 billion, an increase in U.S. export activity which will more than pay for the costs of our participation. Moreover, continued U.S. economic growth is closely related to economic growth in developing countries, which are the largest and most rapidly increasing market for U.S. exports. Developing countries bought 39 percent of U.S. manufacturing products and a quarter of U.S. agricultural produce in 1979.

As I mentioned, the Stockman proposal would force the United States to renege on legal financial commitments already made to international organizations pursuant to international agreements and treaties. Not only would this damage America's credibility and honor, it would also contribute to the collapse of essential activities such as those carried out by the World Health Organization—WHO—and the U.N. peacekeeping forces which have been of direct benefit to the United States.

With respect to the World Bank, the OMB cut would reduce the U.S. contribution below 20 percent and thus

would lose for the United States the power it has held to veto any bank charter amendments, a power we have had ever since the bank was created after World War II.

Again, what rationale can there be to propose a 25-percent cut in the Peace Corps? The Peace Corps is composed of thousands of volunteers among America's young men and women and includes some older volunteers as well. They are among our finest citizens. They serve abroad with little pay, at considerable self-sacrifice and often hardship. They constitute a low-budget, highly cost effective U.S. program in developing countries. What program brings the United States more good will in countries around the world than the Peace Corps?

While the Stockman document repeats the Reagan position that bilateral aid should take priority over U.S. participation in multilateral programs, it is ironic that most of the outlay savings will come almost exclusively from bilateral programs, especially the very effective food-for-peace program—Public Law 480.

I am confident that once those in the new administration responsible for U.S. national security and foreign policy have looked at this proposed budget retrenchment, there will be a return to sensibility and more reasonable budget figures. To assist in that process and to inform the Congress and the public of the extent and variety of U.S. interests around the world, I anticipate that the Committee on Foreign Affairs will begin its review of the fiscal year 1982 foreign assistance budget by first hearing from the officials who developed the Carter budget proposals and then from the Reagan officials when they complete their budget review. The committee will take a fair and balanced look at the two budgets. It will approach the matter from the perspective that budget cutting clearly is desirable, but not to the extent that it jeopardizes important U.S. national security and foreign policy interests. ●

#### FIRST HOMEOWNERSHIP ACT OF 1981

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

● Mr. PANETTA. Mr. Speaker, today I am reintroducing legislation which I introduced in the 96th Congress to aid citizens of our country in purchasing a first home. This legislation, the First Homeownership Act of 1981, will provide a tax-free savings account for individuals purchasing a first home, and tax credits for contributions to that account.

We are all aware of the present difficulties facing the housing industry. During the past year, housing starts hit an alltime record low, while interest rates spiraled to record highs. This economic roller coaster has devastated the housing industry. Persons interested in purchasing a home for the first time, particularly young couples, have been most affected. With high mortgage rates, monthly mortgage payments are so expensive that young couples are finding them unaffordable, and the dream of homeownership is being destroyed.

This tragic situation is not unique to residents in populous States like California or New York, but persons all across the Nation who are experiencing similar difficulties. Housing statistics indicate that in 1977 median home prices were around \$44,000. Today, that price is up almost 35 percent to nearly \$65,000 with many areas ranging from \$75,000 to \$100,000. At the same time, median monthly housing costs, including the mortgage payment, taxes, utilities, and insurance, have also increased 35 percent to over \$600 per month. During this period, the percentage of first-time home buyers have declined from 36 percent to less than 18 percent of all buyers.

In view of this situation, Congress must recognize the need for action in this area. I believe my legislation is an effective approach to addressing this problem, by targeting assistance to low- and moderate-income people, the hardest hit by increased home prices.

My legislation offers three basic features: A tax-free individual housing account; a tax credit for contributions to that account; and, an income scale that limits the size of the tax credit for contributions to that account. These features are intended to provide incentives to encourage homeownership as well as increase the savings availability of mortgage funds.

The option to establish an individual housing account would be made available only to those interested in purchasing their first home. Like the individual retirement account (IRA), interest income on an individual housing account would be exempt from Federal income tax. As an added incentive to save, this legislation would provide for a tax credit of up to \$500 based upon income level and the amount contributed to the account.

The tax credit would range from 1 to 20 percent of a person's annual contribution to the individual housing account with a maximum contribution of \$2,500 in any given year. People earning under \$25,000 would be eligible for the full 20-percent credit. Each additional \$1,000 of income would reduce the allowable tax credit by 1 percentage point. My legislation places a 10-year limit on the life span of these accounts, and provides strict penalties for using the funds for any purpose

other than the purchase of a first home.

With the housing industry in the midst of an economic recession, there is an obvious need to assist first-time home buyers. By providing assistance to the housing industry, it will surely benefit our overall economy. More importantly, it will help renew the hope that many Americans can share in the dream of owning a home. I urge my colleagues to support this legislation.

The bill follows:

H.R. 1490

A bill to amend the Internal Revenue Code of 1954 to provide a credit for amounts contributed to an individual housing account

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "First-Home Ownership Act of 1981".

SEC. 2. ALLOWANCE OF CREDIT.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by inserting after section 44E the following new section:

"SEC. 44F. CONTRIBUTIONS TO INDIVIDUAL HOUSING ACCOUNTS.

"(a) CREDIT ALLOWED.—In the case of an individual who has never owned a principal residence (within the meaning of section 1034) by himself or with one or more other individuals, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the product of—

- "(1) the applicable percentage, and
- "(2) the sum of the amounts paid in cash by such individual to an individual housing account during the taxable year before the purchase of such a principal residence.

"(b) LIMITATIONS.—

"(1) MAXIMUM ANNUAL CREDIT.—The amount which may be taken into account under subsection (a)(2) by an individual for any taxable year shall not exceed \$2,500. In the case of a married couple filing separate returns, the sum of the amounts which may be taken into account by each of them under subsection (a)(2) for the taxable year shall not exceed such amount.

"(2) MAXIMUM LIFETIME CREDIT.—The amount which may be taken into account under subsection (a)(2) by an individual for all taxable years shall not exceed \$10,000. In the case of a married individual, such \$10,000 amount shall be reduced by an amount equal to the sum of the amounts taken into account for all taxable years by his spouse.

"(3) MINIMUM DEPOSIT PERIOD.—Any amount paid into an individual housing account which is paid or distributed out of the account less than 12 months after it was paid into the account shall be treated as if it were not contributed. For purposes of this paragraph, any amount paid or distributed out of such an account shall be treated as having been distributed out of the most recently contributed amounts.

"(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) INDIVIDUAL HOUSING ACCOUNT.—The term 'individual housing account' means a trust created or organized in the United States for the exclusive benefit of an individual, or in the case of a married individu-

al, for the exclusive benefit of the individual and his spouse jointly, but only if the written governing instrument creating the trust meets the following requirements:

"(A) No contribution will be accepted unless it is in cash, and contributions will not be accepted for the taxable year in excess of \$2,500 on behalf of any individual or in excess of \$10,000 on behalf of an individual for all taxable years.

"(B) The trustee is a bank (as defined in section 401(d)(1)) or another person who demonstrates to the satisfaction of the Secretary that the manner in which that person will administer the trust will be consistent with the requirements of this section.

"(C) No part of the trust funds will be invested in life insurance contracts.

"(D) The interest of an individual and the balance in his account is nonforfeitable.

"(E) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

"(F) The entire interest of an individual or married couple for whose benefit the trust is maintained will be distributed to him, or them, not later than 120 months after the date on which the first contribution is made to the trust.

"(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means a percentage determined in accordance with the following table:

	The applicable percentage is:
"If adjusted gross income is:	
Not over \$25,000.....	20
Over \$25,000 but not over \$26,000.....	19
Over \$26,000 but not over \$27,000.....	18
Over \$27,000 but not over \$28,000.....	17
Over \$28,000 but not over \$29,000.....	16
Over \$29,000 but not over \$30,000.....	15
Over \$30,000 but not over \$31,000.....	14
Over \$31,000 but not over \$32,000.....	13
Over \$32,000 but not over \$33,000.....	12
Over \$33,000 but not over \$34,000.....	11
Over \$34,000 but not over \$35,000.....	10
Over \$35,000 but not over \$36,000.....	9
Over \$36,000 but not over \$37,000.....	8
Over \$37,000 but not over \$38,000.....	7
Over \$38,000 but not over \$39,000.....	6
Over \$39,000 but not over \$40,000.....	5
Over \$40,000 but not over \$41,000.....	4
Over \$41,000 but not over \$42,000.....	3
Over \$42,000 but not over \$43,000.....	2
Over \$43,000 but not over \$44,000.....	1
Over \$44,000.....	0

"(3) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—In the case of a married couple filing separate returns, the applicable percentage shall be determined by multiplying each dollar amount in the table in paragraph (2) by one-half.

"(d) TAX TREATMENT OF DISTRIBUTIONS.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, if any amount is paid or distributed out of an individual housing account for any purpose other than the purchase of a principal residence, then the tax under this chapter for the taxable year shall be increased by an amount equal to 20 percent of the amount so paid or distributed. The basis of any person in such an account is zero.

"(2) EXCESS CONTRIBUTION RETURNED BEFORE DUE DATE OF RETURN.—Paragraph (1) does not apply to the distribution of any contribution paid during a taxable year to an individual housing account to the extent that such contribution exceeds \$2,500 if—

"(A) such distribution is received on or before the day prescribed by law (including

extensions of time) for filing such individual's return for such taxable year.

"(B) no credit is allowed under subsection (a) with respect to such excess contribution, and

"(C) such distribution is accompanied by the amount of net income attributable to such excess contribution.

Any net income described in subparagraph (C) shall be included in the gross income of the individual for the taxable year in which it is received.

"(3) TRANSFER OF ACCOUNT INCIDENT TO DIVORCE.—The transfer of an individual's housing account to his former spouse under a divorce decree or under a written instrument incident to a divorce is not to be considered a taxable transfer made by such individual notwithstanding any other provision of this subtitle, and such interest, at the time of the transfer, is to be treated as an individual housing account of the spouse, and not of such individual. After the transfer, the account is to be treated, for purposes of this subtitle, as maintained for the benefit of the spouse.

"(4) AMOUNTS NOT MEETING MINIMUM DEPOSIT PERIOD REQUIREMENT.—Paragraph (1) does not apply to any amount to which subsection (b)(3) applies.

"(e) TAX TREATMENT OF ACCOUNTS.—

"(1) EXEMPTION FROM TAX.—Any individual housing account is exempt from taxation under this subtitle unless such account has ceased to be an individual housing account. Notwithstanding the preceding sentence, any such account is subject to the taxes imposed by section 511 (relating to imposition of tax on unrelated business income of charitable, etc., organizations).

"(2) EFFECT OF PLEDGING ACCOUNT AS SECURITY.—If, during any taxable year, the individual for whose benefit an individual housing account is established uses the account or any portion thereof as security for a loan, the portion so used is treated as distributed to that individual.

"(f) ADDITIONAL TAX FOR CERTAIN AMOUNTS DISTRIBUTED.—

"(1) DISTRIBUTION NOT USED TO PURCHASE RESIDENCE.—If a distribution from an individual housing account to an individual for whose benefit such account was established is made, and such distribution is not used in connection with the purchase of a principal residence for such individual, the tax liability of such individual under this chapter for the taxable year in which such distribution is received shall be increased by an amount equal to 10 percent of the amount of the distribution.

"(2) DISABILITY CASES.—Paragraph (1) does not apply if the payment or distribution is attributable to the taxpayer becoming disabled within the meaning of section 72(m)(7).

"(g) COMMUNITY PROPERTY LAWS.—This section shall be applied without regard to any community property laws.

"(h) CUSTODIAL ACCOUNTS.—For purposes of this section, a custodial account shall be treated as a trust if the assets of such account are held by a bank (as defined in section 401(d)(1)) or another person who demonstrates, to the satisfaction of the Secretary, that the manner in which he will administer the account will be consistent with the requirements of this section, and if the custodial account would, except for the fact that it is not a trust, constitute an individual housing account described in subsection (c). For purposes of this title, in the case of a custodial account treated as a trust by reason of the preceding sentence, the custo-

dian of such account shall be treated as the trustee thereof.

"(i) REPORTS.—The trustee of an individual housing account shall make such reports regarding such account to the Secretary and to the individual for whom the account is maintained with respect to contributions, distributions, and such other matters as the Secretary may require under regulations. The reports required by this subsection shall be filed at such time and in such manner and furnished to such individuals at such time and in such manner as may be required by those regulations.

"(j) REDUCTION OF BASIS.—The basis of any residence acquired with funds withdrawn from an individual housing account shall be reduced by an amount equal to the amount of expenditures made in connection with the acquisition of the residence out of such funds."

(b) TAX ON EXCESS CONTRIBUTIONS.—Section 4973 of such Code (relating to tax on excess contributions to individual retirement accounts, certain section 403(b) contracts, certain individual retirement annuities, and certain retirement bonds) is amended—

(1) by inserting "INDIVIDUAL HOUSING ACCOUNTS," after "ACCOUNTS," in the caption of such section.

(2) by redesignating paragraphs (2) and (3) of subsection (a) as (3) and (4), and by inserting after paragraph (1) the following:

"(2) an individual housing account (within the meaning of section 44F(c)(1)), and

(3) by adding at the end thereof the following new subsection:

"(d) EXCESS CONTRIBUTIONS TO INDIVIDUAL HOUSING ACCOUNTS.—For purposes of this section, in the case of an individual housing account, the term 'excess contributions' means the amount by which the amount contributed for the taxable year to the account exceeds \$2,500 for such taxable year or, for all taxable years, exceed \$10,000. For purposes of this subsection, any distribution to which section 44F(d)(2) applies shall be treated as an amount not contributed."

(c) REFUND OF EXCESS CREDIT.—

(1) Subsection (b) of section 6401 of such Code (relating to amounts treated as overpayments) is amended—

(A) by striking out "and 43 (relating to earned income credit)", and inserting in lieu thereof the following: "43 (relating to earned income credit), and 44F (relating to contributions to individual housing accounts)", and

(B) by striking out "sections 31, 39, and 43" and inserting in lieu thereof the following: "sections 31, 39, 43, and 44F".

(2) Paragraph (4) of section 6201(a) (relating to erroneous credit under section 39 or 43) is amended—

(A) by striking out "section 39 or 43" in the caption and inserting in lieu thereof the following: "section 39, 43, or 44F", and

(B) by striking out "or section 43 (relating to earned income)," and inserting in lieu thereof the following: ", section 43 (relating to earned income), or section 44F (relating to contributions to individual housing accounts)".

(d) FAILURE TO PROVIDE REPORTS ON INDIVIDUAL HOUSING ACCOUNTS.—Section 6693 of such Code (relating to failure to provide reports on individual retirement account or annuities) is amended—

(1) by inserting "OR ON INDIVIDUAL HOUSING ACCOUNTS" after "ANNUITIES" in the caption of such section, and

(2) by adding at the end of subsection (a) the following: "The person required by sec-

tion 44F(i) to file a report regarding an individual housing account at the time and in the manner required by such section shall pay a penalty of \$10 for each failure unless it is shown that such failure is due to reasonable cause."

(e) ADJUSTMENT OF BASIS OF RESIDENCE PURCHASED THROUGH USE OF AMOUNTS IN ACCOUNT.—Section 1016(a) of such Code (relating to adjustments to basis) is amended by striking out "and" at the end of paragraph (21), by striking out the period at the end of paragraph (22) and inserting in lieu thereof "and", and by adding at the end thereof the following new paragraph:

"(23) in the case of a residence the acquisition of which was made in whole or in part with funds from an individual housing account, to the extent provided in section 44F(j)."

(f) CLERICAL AMENDMENTS.—

(1) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 44E the following new item:

"Sec. 44F. Contributions to individual housing accounts."

(2) The table of sections for chapter 43 of such Code is amended by striking out the item relating to section 4973 and inserting in lieu thereof the following:

"Sec. 4973. Tax on excess contributions to individual retirement accounts, individual housing accounts, certain 403(b) contracts, certain individual retirement annuities, and certain retirement bonds."

(3) The table of sections for subchapter B of chapter 68 of such Code is amended by striking out the item relating to section 6693 and inserting in lieu thereof the following:

"Sec. 6693. Failure to provide reports on individual retirement accounts or annuities or on individual housing accounts."

(g) EFFECTIVE DATE.—The amendments made by this section apply to taxable years beginning after December 31, 1980.●

## IMPROVEMENTS FOR NATIONAL GUARD AND RESERVES

The SPEAKER pro tempore. Under a previous order of the House, the gentlemen from Mississippi (Mr. MONTGOMERY) is recognized for 5 minutes.

● Mr. MONTGOMERY. Mr. Speaker, I am introducing with Mrs. Holt 10 bills to provide essential improvements for the National Guard and Reserves in this country. Each is designed to correct inequities or weaknesses that exist in our current system.

I am compelled by my concern for the manpower problems in the armed services to work toward a return to a partial draft. The bill I have introduced today would assure a continuation of the registration with the Selective Service established last summer, provide for classification and a partial draft into the Individual Ready Reserve. The legislation would assist the military services in meeting the manpower needs that we are unable to attain with the All-Volunteer Forces. There is no question that

our Active Forces have fallen short qualitatively as well as quantitatively of our personnel needs. My bill is designed to help assure our armed services with adequately trained replacement troops to meet national emergencies.

An amendment to title 38, United States Code, would increase the maximum amount of servicemen's group life insurance to \$40,000. Under current law the maximum is \$20,000, and this figure is long overdue an adjustment for inflation. The \$40,000 figure accomplishes an equitable increase. This would be at no extra expense to the Government; the insurance program is self-sustained with the premiums covering the benefits.

Next, I have written a bill amending the fiscal year 1981 Department of Defense Authorization Act to extend the educational loan repayment in behalf of persons serving as officers in pay grade O-1 and O-2 in the Selected Reserves. Section 902 of the Authorization Act authorizes partial repayment of certain federally guaranteed or insured educational loans in behalf of persons who enlist or reenlist for service on active duty in the Selected Reserves. The repayment is limited to \$500 or 15 percent of the loan for each year of service. This was designed as a very effective incentive for enlistment into the Selected Reserves, but its success has been met with the unintended result of deterring participation in Officer Candidate School accessions in the National Guard. Officer candidates would, upon appointment, cease to accrue entitlement to loan repayment under this law. The amount of loan repayment available to the enlisted personnel can be substantial and the large amount of money lost with the acceptance of a commission serves as a prohibitive factor in enrollment of potentially skillful leaders in the OCS program. With this legislation extending the same entitlement to members of the Selective Reserves serving as officers in pay grades O-1 and O-2, enlisted members who subsequently accept a commission would continue to accrue entitlement long enough to allow maximum benefits under the law.

I am introducing two measures to correct inequities for members of the Reserve components serving in hazardous duty and aviation positions. Currently these men and women by law are entitled to hazardous duty incentive pay and aviation career incentive pay: First, only when they are entitled to basic pay, and second, on the basis of one-thirtieth of the monthly entitlement for each unit training assembly. This method is unfair to members of the National Guard and other members of the Selected Reserves who may perform hazardous duties or aerial flights to virtually the same extent as their active-duty counterparts but

who, because the activities are concentrated into a few training assemblies, receive far less incentive pay than members on active duty. This bill would allow members of the Selected Service who qualify for the pay on the same basis as active duty personnel to draw the incentive pay in full.

My bill to amend section 1333 of title 10, United States Code relates to retirees point credit for nonregular service. The purpose is to eliminate the 60-point-per-year ceiling which prevents members of the Reserve components from receiving retirement credit for more than 45 days in any one year for attendance at drills. This bill would authorize a member of the Reserve component who attends in excess of 45 drills or equivalent periods of instruction per year to be awarded retirement point credit for the excess performances after June 30, 1975.

I am also introducing three measures to provide currently unavailable medical and dental benefits to members of the National Guard and Reserves:

A bill to amend titles 10, 32, and 37 authorizing medical and dental care and related benefits for reservists and members of the National Guard under certain conditions. This would provide coverage to members for all travel to and from Guard/Reserve duty. Such full coverage is not now available to the member while he is en route to or returning from a required training assembly. There have been cases of injuries for which there should have been compensation but none was authorized. This bill corrects this oversight in current law.

A bill to amend title 10, United States Code, to authorize additional medical and dental care for dependents of reservists and members of the National Guard, under certain conditions. Current death gratuity available to Guard members does not provide CHAMPUS and other related medical and dental care for their survivors. My bill would extend such benefits to survivors of guardsmen and reservists who are killed in the line of duty during an authorized training period.

A bill to authorize medical and dental care for reservists and members of the National Guard who become ill while on duty for 30 days or less. The current assumption that any illness contracted by a member of the Guard or Reserves was from other sources due to the brevity of duty time. This is an erroneous assumption and my bill would provide for coverage for illnesses that are legitimately contracted while the member is on authorized military duty.

My final bill would amend title 10 of the United States Code so as to permit members of the Reserves and the National Guard to receive retired pay at age 55 for nonregular service. This

provides for early retirement to those men and women who have 20 years of acceptable military services in the Reserve and National Guard and gives them treatment more in line with that available to other members of the armed services.●

#### TRIBUTE TO THE MEMORY OF RONALD W. CHURCHILL

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

● Mr. HUBBARD. Mr. Speaker, it is my privilege today to offer a tribute to the memory of Ronald W. Churchill, who died at the age of 81 on Friday, January 2, at Murray in Kentucky's First Congressional District.

Not many people achieve the measure of admiration and respect that Ronald Churchill enjoyed. He earned that admiration and respect because he genuinely cared about people and about the welfare of his community.

He was a rarity—a man who had the vitality and know-how to be extremely effective in getting things done, yet warmth and sensitivity that made him a beloved leader.

A licensed funeral director for more than a half century before his retirement in 1973, Mr. Churchill was a devoted family man, a tireless community worker, and active member of the First Baptist Church of Murray, and an avid sportsman.

He became a member of the Murray Rotary Club in 1925, the year after it was chartered, and maintained a perfect attendance record for many years. In December, he was named a Paul Harris Fellow, the highest honor that can be awarded to a Rotarian.

Mr. Churchill also served on the Murray Board of Education, as a member of the Murray Chamber of Commerce, and was a founder and had held every office in the Western Kentucky Funeral Directors Association.

His knowledge of local history, his skill as a raconteur, his ready sense of humor, and his magnetic personality gave him a charm that endeared him to many.

Surviving are his wife of more than 57 years, Rebecca Wear Churchill of Murray; two daughters, Mrs. Martha Imes of Almo, Ky., and Mrs. Minnie Lee Walker of Brentwood, Tenn.; a son, Ronald W. Churchill, Jr., of Middleburg Heights, Ohio; a brother, Max Churchill of Murray; nine grandchildren; and eight great-grandchildren.

This Member of Congress considered Ronald W. Churchill to be an esteemed friend and truly an outstanding gentleman. He will be missed by me and by many.●

**RULES OF PROCEDURE FOR THE COMMITTEE ON HOUSE ADMINISTRATION—97TH CONGRESS**

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

Mr. HAWKINS. Mr. Speaker, in accordance with the rules of the House governing standing committees, I ask unanimous consent to insert in the RECORD at this point the rules of procedure for the Committee on House Administration—97th Congress.

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

There was no objection.

The rules of procedure for the Committee on House Administration—97th Congress—are as follows:

**RULES FOR THE COMMITTEE ON HOUSE ADMINISTRATION, 97TH CONGRESS**

**RULE NO. 1—GENERAL PROVISIONS**

(a) The Rules of the House are the rules of the committee and subcommittees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees and subcommittees. Each subcommittee of the committee is a part of the committee, and is subject to the authority and direction of the committee and to its rules as far as applicable.

(b) The committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X of House Rules and (subject to the adoption of expense resolutions as required by Rule XI, clause 5 of House Rules) to incur expenses (including travel expenses) in connection therewith.

(c) The committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of the committee shall be paid from the contingent fund of the House.

(d) The committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under Rule X and XI of House Rules during the Congress ending at noon on January 3 of such year.

(e) The committee's rules shall be published in the Congressional Record not later than 30 days after the Congress convenes in each odd-numbered year.

**RULE NO. 2—REGULAR AND SPECIAL MEETINGS**

(a) The regular meeting date of the Committee on House Administration shall be the first Wednesday of every month when the House is in session in accordance with Clause 2(b) of Rule XI of the Rules of the House. Additional meetings may be called by the chairman as he may deem necessary or at the request of a majority of the members of the committee in accordance with Clause 2(c) of Rule XI of the House of Representatives. The determination of the business to be considered at each meeting shall be made by the chairman subject to Clause 2(c) of Rule XI of the House of Representatives. A regularly scheduled meeting need not be held if there is no business to be considered.

(b) If the chairman of the committee or subcommittee is not present at any meeting

of the committee or subcommittee the ranking member of the majority party on the committee or subcommittee who is present shall preside at the meeting.

(c) The committee may not sit, without special leave, while the House is reading a measure for amendment under the 5-minute rule.

**RULE NO. 3—OPEN MEETINGS**

As required by Clause 2(g), Rule XI, each meeting for the transaction of business, including the markup of legislation, of the committee or its subcommittees, shall be open to the public except when the committee or subcommittee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public: *Provided, However*, that no person other than members of the committee, and such congressional staff and such departmental representatives as they may authorize, shall be present in any business or markup session which has been closed to the public. This provision does not apply to any meeting that relates solely to internal budget or personnel matters.

**RULE NO. 4—RECORDS AND ROLLCALLS**

(a) The result of each rollcall vote in any meeting of the committee shall be made available for inspection by the public at reasonable times at the committee offices, including a description of the amendment, motion, order or other proposition; the name of each member voting for and against, and whether by proxy or in person, and the members present but not voting.

(b) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as a chairman of the committee; and such records shall be the property of the House and all members of the House shall have access thereto.

(c) In order to facilitate committee compliance with Paragraph (e)(1) of Clause 2, Rule XI, each subcommittee shall keep a complete record of all subcommittee actions which shall include a record of the votes on any question on which a rollcall vote is demanded. The result of each such rollcall vote shall be promptly made available to the full committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order or proposition, and whether by proxy or in person, and the names of those members present but not voting.

(d) All subcommittee hearings, records, data, charts, and files, shall be kept distinct from the congressional office records of the member serving as chairman of the subcommittee. Such records shall be coordinated with the records of the full committee, shall be the property of the House, and all members of the House shall have access thereto.

**RULE NO. 5—PROXIES**

A vote by any member in the committee or in any subcommittee may be cast by proxy, but such proxy must be in writing and in the hands of the chief clerk of the committee or the clerk of the subcommittee, as the case may be, during each rollcall in which such member's proxy is to be voted. Each proxy shall designate the member who is to execute the proxy authorization and shall be limited to a specific measure or matter and any amendments or motions

pertaining thereto; except that a member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the member assigning his vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum. The member does not have to appear in person to present the proxy.

**RULE NO. 6—POWER TO SIT AND ACT; SUBPOENA POWER**

(a) For the purpose of carrying out any of its functions and duties under House Rules X and XI the committee, or any subcommittee thereof, is authorized (subject to subparagraph (b)(1) of this paragraph)—

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. The chairman of the committee, or any member designated by the chairman, may administer oaths to any witness.

(b)(1) A subpoena may be authorized and issued by a committee or subcommittee under subparagraph (a)(2) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. The power to authorize and issue subpoenas under subparagraph (a)(2) may be delegated to the chairman of the committee pursuant to such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by any member designated by the committee.

(2) Compliance with any subpoena issued by the committee or subcommittee under subparagraph (a)(2) may be enforced only as authorized or directed by the House.

**RULE NO. 7—QUORUMS**

No measure or recommendation shall be reported to the House unless a majority of the committee is actually present. For the purposes of taking any action other than reporting any measure, issuance of a subpoena, closing meetings, promulgating Committee orders, or changing the Rules of the Committee, the quorum shall be one-third of the members of the Committee. For purposes of taking testimony and receiving evidence, two Members shall constitute a quorum.

**RULE NO. 8—AMENDMENTS**

Any Amendment offered to any pending legislation before the committee must be made available in written form when requested by any member of the committee. If such amendment is not available in written form when requested, the chair will allow an appropriate period of time for the provision thereof.

**RULE NO. 9—HEARING PROCEDURES**

(a) The chairman, in the case of hearings to be conducted by the committee, and the appropriate subcommittee chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least 1 week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date. In the latter event the chairman or

the subcommittee chairman whichever the case may be shall make such public announcement at the earliest possible date. The clerk of the committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) Unless excused by the chairman, each witness who is to appear before the committee or a subcommittee shall file with the clerk of the committee, at least 48 hours in advance of his appearance, a written statement of his proposed testimony and shall limit his oral presentation to a summary of his statement.

(c) When any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(d) All other members of the committee may have the privilege of sitting with any subcommittee during its hearing or deliberations and may participate in such hearings or deliberations, but no such member who is not a member of the subcommittee shall vote on any matter before such subcommittee.

(e) Committee members may question witnesses only when they have been recognized by the chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended only with the unanimous consent of all members present. The questioning of witness in both full and subcommittee hearings shall be initiated by the chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority. The chairman may accomplish this by recognizing two majority members for each minority member recognized.

(f) The following additional rules shall apply to hearings:

(1) The chairman at a hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) If the committee determines that evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, it shall—

(A) afford such person an opportunity voluntarily to appear as a witness;

(B) receive such evidence or testimony in executive session; and

(C) receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

#### RULE NO. 10—PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a)(1) It shall be the duty of the chairman of the committee to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, the report of the committee on a measure which has been approved by the committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request.

(b)(1) No measure or recommendation shall be reported from the committee unless a majority of the committee was actually present.

(2) With respect to each roll call vote on a motion to report any bill or resolution of a public character, the total number of votes cast for, and the total number of votes cast against, the reporting of such bill or resolution shall be included in the committee report.

(c) The report of the committee on a measure which has been approved by the committee shall include:

(1) the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X of the House separately set out and clearly identified;

(2) the statement required by section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority or new or increased tax expenditures;

(3) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of such Act, separately set out and clearly identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted such estimate and comparison to the committee; and

(4) a summary of the oversight findings and recommendations made by the Committee on Government Operations under clause 2(b)(2) of Rule X of the House separately set out and clearly identified whenever such findings and recommendations have been submitted to the legislative committee in a timely fashion to allow an opportunity to consider such findings and recommenda-

tions during the committee's deliberations on the measure.

(d) Each report of the committee on each bill or joint resolution of a public character reported by the committee shall contain a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on prices and costs in the operation of the national economy.

(e) If, at the time of approval of any measure or matter by the committee, any member of the committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than 3 calendar days, commencing on the day on which the measure or matter(s) was approved, excluding Saturdays, Sundays, and legal holidays, in which to file such views, in writing and signed by that member, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(2) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (3) and (4) of subparagraph (c)) are included as part of the report. This subparagraph does not preclude—

(A) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; or

(B) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

(f) If hearings have been held on any such measure or matter so reported, the committee shall make every reasonable effort to have such hearings printed and available for distribution to the members of the House prior to the consideration of such measure or matter in the House.

#### RULE NO. 11—SUBCOMMITTEE OVERSIGHT

The standing subcommittees of the committee shall conduct oversight of matters within their jurisdiction in accordance with Rule X, clauses 2 and 3 of the Rules of the House of Representatives.

#### RULE NO. 12—REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS

(a) The committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in clause 7(c) of Rule XIII of House Rules.

(b) The committee shall review, from time to time, each continuing program within its jurisdictions for which appropriations are not made annually in order to ascertain whether such program could be modified so

that appropriations therefor would be made annually.

(c) The committee shall, on or before March 15 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Whenever the committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

#### RULE NO. 13—BROADCASTING OF COMMITTEE HEARINGS

The rule for the broadcasting of committee hearings shall be the same as Rule XI, clause 3 of the Rules of the House of Representatives.

#### RULE NO. 14—COMMITTEE AND SUBCOMMITTEE STAFF

Except as provided in Rule XI, clause 5(d) of the Rules of the House of Representatives, the staff of the Committee on House Administration shall be appointed as follows:

A. The subcommittee staff shall be appointed, and may be removed, and their remuneration determined by the subcommittee chairman within the budget approved for the subcommittee by the full committee;

B. The staff assigned to the minority shall be appointed and their remuneration determined in such manner as the minority party members of the committee shall determine within the budget approved for such purposes by the committee;

C. The employees of the committee not assigned to a standing subcommittee or to the minority under the above provisions shall be appointed, and may be removed, and their remuneration determined by the chairman within the budget approved for such purposes by the committee.

#### RULE NO. 15—TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the committee or any subcommittee thereof and meetings, conferences, and investigations which in-

volve activities or subject matter under the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the chairman in writing the following:

(1) The purpose of the travel;

(2) The dates during which the travel will occur;

(3) The locations to be visited and the length of time to be spent in each;

(4) The names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee or pertinent subcommittee, prior authorization must be obtained from the chairman. Before such authorization is given, there shall be submitted to the chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of the travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States shall be initiated by the chairman and shall be limited to members and permanent employees of the committee.

(3) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or members and staff attending meetings or conferences) shall submit a written report to the chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel.

#### RULE NO. 16—NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) There shall be five Standing Subcommittees. The ratio (majority/minority) and jurisdiction of the subcommittees shall be:

*Subcommittee on Accounts.* (7/5).—Internal budget matters; expenditures from the contingent fund.

*Subcommittee on Contracts and Printing* (3/2).—Matters pertaining to contracts for goods and services. Matters pertaining to cost of printing, Government Printing Office, depository libraries, material printed in Congressional Record, executive papers and authorization for printing Army Engineers' reports.

*Subcommittee on Services* (3/2).—Matters pertaining to parking facilities, restaurant facilities, barber and beauty shop facilities, and other House services.

*Subcommittee on Office Systems* (3/2).—Matters pertaining to furniture, electrical

and mechanical office equipment and other accoutrements for use in the office of members, officers or committees and matters pertaining to the development of management systems for such offices.

*Subcommittee on Personnel and Police* (3/2).—Matters pertaining to salary of scheduled House employees and Police, and number of positions.

(b) The chairman of the committee may appoint such ad hoc subcommittees as he deems appropriate.

(c) The chairman of the committee and the ranking minority member shall serve as ex-officio members without vote of all subcommittees of the committee unless either member is appointed as a voting member of any subcommittee.

#### RULE NO. 17—POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full committee on all matters referred to it. Subcommittee chairmen shall set meeting dates after consultation with the chairman of the full committee and other subcommittee chairmen, with a view toward avoiding simultaneous scheduling of committee or subcommittee meetings or hearings wherever possible. It shall be the practice of the committee that meetings of subcommittees not be scheduled to occur simultaneously with meetings of the full committee. In order to ensure orderly and fair assignment of hearing and meeting rooms, hearings and meetings should be arranged in advance with the chairman through the staff director of the committee.

#### RULE NO. 18—REFERRAL OF LEGISLATION TO SUBCOMMITTEES

All legislation and other matters referred to the committee shall be referred by the chairman to the subcommittee of appropriate jurisdiction within 2 weeks, unless by majority vote of the members of the full committee, consideration is to be otherwise effected. The chairman may refer the matter simultaneously to two or more subcommittees, consistent with House Rule X, for concurrent consideration or for consideration in sequence (subject to appropriate time limitations), or divide the matter into two or more parts and refer each such part to a different subcommittee, or refer the matter pursuant to House Rule X to an ad hoc subcommittee appointed by the chairman for the specific purpose of considering that matter and reporting to the full committee thereon, or make such other provisions as may be considered appropriate. The chairman may designate a subcommittee chairman or other member to take responsibility as "floor manager" of a bill during its consideration in the House.

#### RULE NO. 19—OTHER PROCEDURES AND REGULATIONS

The chairman of the full committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

#### RULE NO. 20—DESIGNATION OF CLERK OF THE COMMITTEE

For the purposes of these rules and the Rules of the House of Representatives, the staff director of the committee shall act as the clerk of the committee.

**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. CLINGER) to revise and extend their remarks and include extraneous material:)

Mr. McCLOSKEY, for 15 minutes, today.

Mr. JEFFORDS, for 10 minutes, today.

Mr. GOLDWATER, for 5 minutes, today.

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

Mr. WAXMAN, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BINGHAM, for 5 minutes, today.

Mr. WILLIAM J. COYNE, for 5 minutes, today.

Mr. ECKHART, for 5 minutes, today.

Mr. ZABLOCKI, for 30 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. HUBBARD, for 5 minutes, today.

Mr. STRATTON, for 60 minutes, February 3, 1981.

Mr. PEYSER, for 60 minutes, February 3, 1981.

**EXTENSION OF REMARKS**

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

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

Ms. FIEDLER.

Mr. PETRI.

Mr. MCKINNEY.

Mr. RINALDO.

Mr. SMITH of New Jersey.

Mr. MICHEL.

Mr. BEREUTER.

Mr. HOLLENBECK.

Mr. FINDLEY.

Mr. PARRIS.

Mr. DERWINSKI in two instances.

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

Mr. FITHIAN.

Mr. ATKINSON.

Mr. MAZZOLI.

Mr. GAYDOS.

Mr. REUSS.

Mr. HAMILTON.

Mr. APPEGATE.

Mr. ROSENTHAL.

Mr. MILLER of California in two instances.

Mr. DICKS.

**SENATE BILL REFERRED**

A bill of the Senate of the following title was taken from the Speaker's

table and, under the rule, referred as follows:

S. 304. An act to establish a national tourism policy and an independent Government agency to carry out the national tourism policy; to the Energy and Commerce Committee.

**SENATE ENROLLED BILL SIGNED**

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 253. An act to increase the number of members of the Commission on Wartime Relocation and Internment of Civilians.

**ADJOURNMENT**

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

The motion was agreed to; accordingly (at 2 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Friday, January 30, 1981, at 11 a.m.

**EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL**

Reports of various House committees, and delegations traveling under an authorization from the Speaker, concerning the foreign currencies and U.S. dollars utilized by them during the second, third, and fourth quarters of calendar year 1980 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1980

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Eugene F. Peters.....	10/23	10/26	Great Britain.....	210.60	515.97					210.60	515.97
	10/26	10/29	Belgium.....	10,459	117.00	727	24.40			11,186	141.40
	10/29	11/3	Germany.....	820.14	433.94					820.14	433.94
Roundtrip commercial air.....							1,065.00				1,065.00
Richard C. Barnes.....	10/23	10/26	Great Britain.....	210.60	515.97					210.60	515.97
	10/26	10/29	Belgium.....	10,459	117.00	727	24.40			11,186	141.40
	10/29	11/3	Germany.....	820.14	433.94					820.14	433.94
Roundtrip commercial air.....							1,065.00				1,065.00
David E. Holt.....	10/23	10/23	Great Britain.....	210.60	515.97					210.60	515.97
	10/26	10/29	Belgium.....	10,459	117.00	727	24.40			11,186	141.40
	10/29	11/11	Italy.....	404,950	455.00	55,051	61.98			460,001	516.98
Roundtrip commercial air.....							1,150.00				1,150.00
James L. George.....	10/23	10/26	Great Britain.....	210.60	515.97					210.60	515.97
	10/26	10/29	Belgium.....	10,459	117.00	727	24.40			11,186	141.40
	10/29	11/3	Italy.....	404,950	455.00	55,051	61.98			460,001	516.98
Roundtrip commercial air.....							1,150.00				1,150.00
Committee total <sup>3</sup> .....					4,309.76		4,651.56				8,961.32

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Enter committee totals on the last page of the report only.

January 21, 1981.

JACK BROOKS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1980

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Thomas S. Dunmire, staff	10/14	10/17	Australia								
	10/17	10/24	New Guinea	761.89	904.00					761.89	904.00
	10/24	10/28	Philippines	2,272.50	300.00			3,093.30		2,272.50	3,393.30
Committee total <sup>3</sup>					1,204.00			3,093.30			4,297.30

<sup>1</sup>Per diem constitutes lodging and meals.  
<sup>2</sup>If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup>Enter committee totals on the last page of the report only.  
 January 19, 1981.

MORRIS K. UDALL, Chairman.

AMENDED REPORTS OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Expended between April 1 and June 30, 1980: Rental car for study mission to Israel.	4/05	4/13	Tel Aviv, Israel	42,119.00	987.80						
Expended between July 1 and Sept. 30, 1980:											
Oliver, R. Spencer	9/11	10/5	Madrid, Spain	156,326.60	2,136.00						
Cosman, Catherine	10/3	10/7	London, England	160.74	387.00						
Wise, Samuel G.	9/6	9/21	Madrid, Spain	103,683	1,424.00						

<sup>1</sup>Per diem constitutes lodging and meals.  
<sup>2</sup>If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
 December 31, 1980.

DANTE B. FASCELL, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1980

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Blackburn, Barbara	11/8	11/23	Madrid, Spain to U.S.A.	89.00			*1,084.00			60,950.22	807.28
Boutin, George	11/20	12/4	Madrid, Spain to U.S.	89.00			1,084.00			102,839.00	1,335.00
Wise, Samuel G.	10/26	11/5	Madrid, Spain	89.00			*1,107.81			73,033.40	979.00
	11/6	11/8	Rome, Italy	91.00		36,580	484.50			246,519	273.00
	11/9	11/13	Madrid, Spain to U.S.A.	89.00						26,824.00	356.00
	11/22	12/20	Madrid, Spain to U.S.A.	89.00			*72,089.45			200,258.00	2,581.00
Pederson, M. Susan	11/9	12/20	Madrid, Spain to U.S.A.	89.00			*7,558.00			280,597.00	3,649.00
Brescia, Christopher	11/22	11/23	Madrid, Spain	6,853			*11,547.65			6,853	89.00
	11/23	11/28	Geneva, Switzerland	100.00			*34.68			1,035.00	600.00
	11/29	12/20	Madrid, Spain to U.S.A.	89.00			*749.10			145,479.00	1,869.00
Pennington, Paula	9/7		Madrid, Spain to U.S.A.	89.00			*982.00			645,527.00	8,633.00
Sletzinger, Martin	9/19	10/17	Madrid, Spain to U.S.A.	5,514.80			*1,218.00			182,884.00	2,492.00
	11/22	12/20	Madrid, Spain to U.S.A.	89.00			*72,101.35			193,334.00	2,492.00
Cosman, Catherine	11/9	12/20	Madrid, Spain to U.S.A.	89.00			*7,558.00			280,597.00	3,649.00
Hardt, John P., Library of Congress	12/12	12/16	Madrid, Spain to U.S.A.	6,853.00						27,839.00	356.00
Davidson, Lynne Ann	11/9	12/20	Madrid, Spain to U.S.A.	89.00			*7,558.00			241,949.33	3,149.64
Knisley, Elizabeth	11/8	12/20	Madrid, Spain to U.S.A.	89.00			*1,084.00			287,369.40	3,738.00
Oliver, R. Spencer	10/10	10/26	Madrid, Spain to U.S.A.	89.00			*2,410.00			105,553.40	1,424.00
	11/6	11/7	Brussels, Belgium	3,503		114.00	*1,703.40			3,503	114.00
	11/8	12/20	Madrid, Spain to U.S.A.	89.00						293,654.00	3,827.00
Donovan, Margaret Ann	11/9	12/20	Madrid, Spain to U.S.A.	89.00			*7,558.00			280,597.00	3,649.00
Fascell, Dante B.	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			47,971	623.00
Pell, Claiborne	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			41,837.00	517.36
Bingham, Jonathan	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			47,971	623.00
Yates, Sidney	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			47,971	623.00
Fenwick, Millicent	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			38,571.00	500.92
O'Regan, Charles Robert	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			47,971	623.00
Christianson, Gerald	11/22	11/29	Madrid, Spain to U.S.A.	6,853.00			*3,095.31			40,971.00	523.09
Other official expenses (including rental cars and transportation) of the congressional delegation.										343,792.00	4,418.00
Committee total <sup>3</sup>							41,579.11				56,825.29

<sup>1</sup>Per diem constitutes lodging and meals. <sup>2</sup>If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended. <sup>3</sup>Travel by military aircraft.  
<sup>4</sup>Special White House travel to Madrid with public members; return commercially. <sup>5</sup>Enter committee totals on the last page of the report only. <sup>6</sup>Round trip. <sup>7</sup>One way. <sup>8</sup>Train.  
 December 31, 1980.

DANTE B. FASCELL, Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

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

424. A letter from the Assistant Secretary of the Air Force (Research, Development and Logistics), transmitting notice of the proposed conversion to contractor performance of the military family housing maintenance function at Luke Air Force Base, Ariz., pursuant to section 502(b) of Public

Law 96-342; to the Committee on Armed Services.

425. A letter from the Acting Assistant Secretary of the Air Force (Research, Development and Logistics), transmitting notice of the proposed conversion to contractor performance of the family housing mainte-

nance function at Malmstrom Air Force Base, Mont., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

426. A letter from the executive vice president, Potomac Electric Power Co., transmitting the company's balance sheet as of December 31, 1980, pursuant to section 8 of the act of March 4, 1913; to the Committee on the District of Columbia.

427. A letter from the Secretary of Commerce, transmitting the fourth interim report on the Federal involvement in the 1980 winter Olympic games, covering fiscal year 1980, pursuant to section 5 of Public Law 94-427; to the Committee on Energy and Commerce.

428. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting a report on the Commission's activities under the Government in the Sunshine Act during calendar year 1980, pursuant to 5 U.S.C. 552(j); to the Committee on Government Operations.

429. A letter from the clerk, U.S. Court of Claims, transmitting the court's judgment order in docket No. 181-C, *The Confederated Tribes of the Colville Reservation v. The United States*; to the Committee on Interior and Insular Affairs.

430. A letter from the Comptroller General of the United States, transmitting a report on weapon system design (PSAD-81-17, Jan. 29, 1981); jointly, to the Committees on Government Operations and Armed Services.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BONKER (for himself, Mr. DICKS, Mr. FOLEY, Mr. LOWRY of Washington, Mr. MORRISON, Mr. PRITCHARD, and Mr. SWIFT):

H.R. 1486. A bill to establish the Protection Island National Wildlife Refuge, Jefferson County, State of Washington; to the Committee on Merchant Marine and Fisheries.

By Mr. BRODHEAD:

H.R. 1487. A bill to amend the Internal Revenue Code of 1954 to provide that certain trusts may be shareholders of subchapter S corporations; to the Committee on Ways and Means.

By Mr. CLINGER:

H.R. 1488. A bill to authorize the project for flood control at Lock Haven, Pa.; to the Committee on Public Works and Transportation.

By Mr. CORRADA:

H.R. 1489. A bill to permit the transportation of passengers between Puerto Rico and other U.S. ports on foreign-flag vessels when U.S. flag service for such transportation is not available; to the Committee on Merchant Marine and Fisheries.

By Mr. PANETTA:

H.R. 1490. A bill to amend the Internal Revenue Code of 1954 to provide credit for amounts contributed to an individual housing account; to the Committee on Ways and Means.

By Mr. MONTGOMERY (for himself and Mrs. HOLT):

H.R. 1491. A bill to amend titles 10, 32, and 37, United States Code, to authorize medical and dental care, and related benefits for reservists and members of the Na-

tional Guard under certain conditions, and for other purposes; to the Committee on Armed Services.

H.R. 1492. A bill to amend title 10, United States Code, to authorize additional medical and dental care for dependents of Reservists and members of the National Guard, and for other purposes; to the Committee on Armed Services.

H.R. 1493. A bill to amend title 10, United States Code, to authorize medical and dental care and related benefits for Reservists and members of the National Guard who contract a disease or become ill while on duty for 30 days or less, and for other purposes; to the Committee on Armed Services.

H.R. 1494. A bill to amend title 37, United States Code, to grant to members of the Selected Reserve full entitlement to aviation career incentive pay; to the Committee on Armed Services.

H.R. 1495. A bill to amend title 37, United States Code, to grant to members of the Selected Reserve full entitlement to hazardous duty incentive pay; to the Committee on Armed Services.

H.R. 1496. A bill to extend certain educational loan repayment benefits to officers in the Selected Reserve of any of the Armed Forces who are serving in pay grade O-1 or O-2; to the Committee on Armed Services.

H.R. 1497. A bill to amend title 38, United States Code, to increase the maximum amount of servicemen's group life insurance from \$20,000 to \$40,000; to the Committee on Armed Services.

H.R. 1498. A bill to amend section 1333 of title 10, United States Code, relating to retirees point credit for nonregular service; to the Committee on Armed Services.

H.R. 1499. A bill to amend title 10 of the United States Code so as to permit members of the Reserves and the National Guard to receive retired pay at age 55 for nonregular service under chapter 67 of that title; to the Committee on Armed Services.

H.R. 1500. A bill to amend the Military Selective Service Act to require registration and classification under such act, to provide authority for induction of not more than 200,000 individuals each year for training and service in the Individual Ready Reserve of the Army Reserve, and for other purposes; to the Committee on Armed Services.

By Mr. GIBBONS:

H.R. 1501. A bill to protect taxpayers' privacy regarding third-party recordkeepers summoned to produce records of taxpayers and at the same time to insure effective, efficient enforcement of Internal Revenue Service third-party summons; to the Committee on Ways and Means.

H.R. 1502. A bill to insure the confidentiality of information filed by individual taxpayers with the Internal Revenue Service pursuant to the Internal Revenue Code and, at the same time, to insure the effective enforcement of Federal and State criminal laws and the effective administration of justice; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 1503. A bill to amend the Communication Act of 1934 to provide that telephone receivers may not be sold in interstate commerce unless they are manufactured in a manner which permits their use by persons with hearing impairments; to the Committee on Energy and Commerce.

By Mr. McCLORY (for himself and Mr. DANIELSON):

H.R. 1504. A bill to provide Government indemnity for suppliers of products to the

Government in certain cases in which such suppliers become liable for loss with respect to those products, and for other purposes; to the Committee on the Judiciary.

By Mr. McCLOSKEY:

H.R. 1505. A bill to amend title 10, United States Code, to eliminate certain limitations imposed on excess profits arising from any contract with any military department of the United States for the construction or manufacture of all or part of any complete aircraft or any contract with the Secretary of the Navy for the construction or manufacture of all or part of any complete naval vessel, and for other purposes; to the Committee on Armed Services.

By Mr. MOAKLEY:

H.R. 1506. A bill to establish an Interagency Committee on Arson Control to coordinate Federal antiarson programs, to amend certain provisions of the law relating to programs for arson investigation, prevention, and detection, and for other purposes; jointly, to the Committees on the Judiciary, Banking, Finance and Urban Affairs, and Science and Technology.

By Mr. PETRI (for himself, Mr. PANETTA, Mr. DUNCAN, Mr. TAUKE, Mr. BRODHEAD, Mr. LAGOMARSINO, Mr. DANIEL B. CRANE, and Mrs. FENWICK):

H.R. 1507. A bill to amend the Internal Revenue Code of 1954 to encourage the production of alcohol for fuel use by repealing the occupational tax on manufacturers of stills and condensers; to the Committee on Ways and Means.

By Mr. RINALDO:

H.R. 1508. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize the Secretary of Transportation to require tire dealers or distributors to provide first purchasers with a form to assist manufacturers in compiling tire registration information and to require public notice of tire defects if the Secretary determines such notice is necessary in the interest of motor vehicle safety; to the Committee on Energy and Commerce.

By Mr. STUDDS (for himself, Mr. EDGAR, Ms. MIKULSKI, Mr. BRODHEAD, Mr. MOFFETT, Mr. ST GERMAIN, Mr. OBERSTAR, Mr. WASHINGTON, Mr. FRANK, Mr. HARKIN, Mr. MILLER of California, Mr. WOLPE, Mr. RATCHFORD, Mr. WEISS, Ms. OAKAR, Mr. SHANNON, Mr. FAZIO, Mr. LOWRY of Washington, and Mr. AU COIN):

H.R. 1509. A bill to amend the Foreign Assistance Act of 1961 to prohibit military assistance under that act, and to prohibit sales or credits, under the Arms Export Control Act, to El Salvador; to the Committee on Foreign Affairs.

By Mr. SYNAR (for himself, Mr. JONES of Oklahoma, Mr. WATKINS, Mr. ENGLISH, Mr. EDWARDS of Oklahoma, and Mr. McCURDY):

H.R. 1510. A bill to reform the Powerplant and Industrial Fuel Use Act of 1978 to encourage a reduction of air pollution and oil consumption by existing electric powerplants; to the Committee on Energy and Commerce.

By Mr. WEAVER:

H.R. 1511. A bill to insure the availability of Oregon National Forest lands for timber production and other multiple uses, and to establish an appropriate balance of multiple uses on the national forests of Oregon; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

By Mr. SOLOMON (for himself, Mr. DERWINSKI, Mr. COLLINS of Texas,

Mr. LEVITAS, Mr. MURPHY, Mr. BAILEY of Missouri, Mr. HINSON, Mr. SMITH of Alabama, Mr. WHITEHURST, and Mr. LAGOMARSINO:

H. Con. Res. 47. Concurrent resolution expressing the sense of Congress that the President should seek through appropriate international means the apprehension, trial, and punishment of those responsible for the takeover of the U.S. Embassy in Teheran and the subsequent holding of American hostages; to the Committee on Foreign Affairs.

By Mr. ROE:

H. Res. 50. Resolution expressing the sense of the House that the Congress take immediate action to reimpose price controls on home heating oil and gasoline, and that pending such action the President rescind his decontrol order of January 28; to the Committee on Energy and Commerce.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DAN DANIEL introduced a bill (H.R. 1512) for the relief of John W. Wilson, which was referred to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. AU COIN, Mr. BAILEY of Pennsylvania, Mr. BARNARD, Mr. BEDELL, Mr. BENNETT, Mr. BEVILL, Mr. BONIOR of Michigan, Mr. COELHO, Mr. CORCORAN, Mr. DERWINSKI, Mr. DWYER, Mr. DYSON, Mr. EDGAR, Mr. ENGLISH, Mr. EVANS of Georgia, Mr. FAZIO, Mr. GIBBONS, Mr. GORE, Mr. GREEN, Mr. GRISHAM, Mr. HEFNER, Mr. HIGHTOWER, Mr. HINSON, Mr. HORTON, Mr. HOWARD, Mr. IRELAND, Mr. JONES of Oklahoma, Mr. KOGOVSEK, Mr. KRAMER, Mr. LAGOMARSINO, Mr. LEVITAS, Mr. LOWRY of Washington, Mr. McEWEN, Mr. MOLLOHAN, Mr. MURPHY, Mr.

PARRIS, Mr. PICKLE, Mr. PRICE, Mr. SAWYER, Mr. STANGELAND, Mr. STARK, Mr. STENHOLM, Mr. STUMPF, Mr. WALKER, Mr. WHITEHURST, Mr. WON PAT, Mr. PANETTA, Mr. FORSYTHE, and Mr. MAZZOLI.

H.R. 1053: Mr. ALEXANDER, Mr. ANNUNZIO, Mr. ARCHER, Mr. AU COIN, Mr. BAILEY of Pennsylvania, Mr. BAILEY of Missouri, Mr. BARNARD, Mr. BARNES, Mr. BEARD, Mr. BEDELL, Mr. BENEDICT, Mr. BENJAMIN, Mr. BLANCHARD, Mrs. BOGGS, Mrs. BOUQUARD, Mr. BROOKS, Mr. BROWN of Ohio, Mr. BROWN of Colorado, Mr. BROYHILL, Mr. BUTLER, Mr. CAMPBELL, Mr. CHAPPELL, Mr. CLAUSEN, Mr. COATS, Mr. COELHO, Mr. CONTE, Mr. CORCORAN, Mr. COUGHLIN, Mr. COURTER, Mr. DANIEL B. CRANE, Mr. D'AMOURS, Mr. DAN DANIEL, Mr. ROBERT W. DANIEL, Jr., Mr. DANNEMEYER, Mr. DASCHLE, Mr. DAVIS, Mr. DE LA GARZA, Mr. DERWINSKI, Mr. DICKINSON, Mr. DICKS, Mr. DORNAN of California, Mr. DUNCAN, Mr. EMERY, Mr. ENGLISH, Mr. ERLENBORN, Mr. ERTLE, Mr. EVANS of Georgia, Mr. FAZIO, Mrs. FENWICK, Mr. FINDLEY, Mr. FORSYTHE, Mr. FOUNTAIN, Mr. FRENZEL, Mr. GEPHARDT, Mr. GINGRICH, Mr. GINN, Mr. GLICKMAN, Mr. GRADISON, Mr. GRAY, Mr. GREEN, Mr. GREGG, Mr. GRISHAM, Mr. GUARINI, Mr. GUYER, Mr. SAM B. HALL, Jr., Mr. HALL of Ohio, Mr. HAMMERSCHMIDT, Mr. HANCE, Mr. HARTNETT, Mr. HEFNER, Mr. HIGHTOWER, Mrs. HOLT, Mr. HORTON, Mr. IRELAND, Mr. JEFFORDS, Mr. JOHNSTON, Mr. JONES of Tennessee, Mr. KAZEN, Mr. KINDNESS, Mr. KOGOVSEK, Mr. KRAMER, Mr. LaFALCE, Mr. LAGOMARSINO, Mr. LATTI, Mr. LEHMAN, Mr. LONG of Louisiana, Mr. LOTT, Mr. LUJAN, Mr. LUNGREN, Mr. McCLORY, Mr. McCURDY, Mr. McHUGH, Mr. MADIGAN, Mr. MARKS, Mr. MARTIN of North Carolina, Mr. MARTIN of Illinois, Mr. MAVROULES, Mr. MAZZOLI, Mr. MICHEL, Mr. MITCHELL of New York, Mr. MONTGOMERY, Mr. MOTTL, Mr. MURPHY, Mr. MURTHA, Mr. NEAL, Mr. NELLIGAN, Mr. NICHOLS, Mr. NOWAK, Mr. PARRIS, Mr. PASHAYAN, Mr. PEPPER, Mr. PRITCHARD, Mr. QUILLEN, Mr. RAHALL, Mr. RICHMOND, Mr. RITTER, Mr. ROBERTS of South Dakota, Mr. ROE, Mr. ROSE, Mr. ROTH, Mrs. RUKEMA, Mr. ROUSSELOT, Mr. RUDD, Mr. SAWYER, Mrs. SCHNEIDER, Mr. SENSENBRE-

NER, Mr. SHELBY, Mr. SHUMWAY, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. STANTON of Ohio, Mr. STATON of West Virginia, Mr. STENHOLM, Mr. SWIFT, Mr. SYNAR, Mr. TAUKE, Mr. THOMAS, Mr. TRAXLER, Mr. WALGREN, Mr. WALKER, Mr. WATKINS, Mr. WEBER of Minnesota, Mr. WHITE, Mr. WHITEHURST, Mr. WHITTAKER, Mr. WINN, Mr. WON PAT, Mr. WORTLEY, Mr. YATRON, Mr. YOUNG of Missouri, and Mr. ZEFERETTI.

H.R. 1330: Mr. GINGRICH, Mr. LOTT, Mr. HARTNETT, Mr. HINSON, Mr. WHITEHURST, and Mr. ROBERTS of South Dakota.

H.J. Res. 131: Mr. YATRON, Mrs. FENWICK, Mr. GUARINI, Mr. WEAVER, Mr. DE LA GARZA, Mr. KASTENMEIER, Mr. DOWNEY, Mr. JENKINS, Mr. DYSON, Mrs. HOLT, Mr. BOWEN, Mr. KAZEN, and Mr. ANDERSON.

H. Con Res. 34: Mr. BARNARD, Mr. ROBERT W. DANIEL, Jr., and Mr. GARCIA.

H. Res. 30: Mr. ANNUNZIO, Mr. ASPIN, Mr. BARNES, Mr. BIAGGI, Mr. BRODHEAD, Mr. BROWN of California, Mr. D'AMOURS, Mr. DIXON, Mr. DOWNEY, Mr. DWYER, Mr. EDWARDS of California, Ms. FERRARO, Mr. FUQUA, Mr. GARCIA, Mr. GONZALEZ, Mr. HAWKINS, Mr. LaFALCE, Mr. LEVITAS, Mr. MATSUI, Mr. MAVROULES, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MURPHY, Mr. MURTHA, Mr. NOWAK, Mr. OTTINGER, Mr. PRICE, Mr. RATCHFORD, Mr. SCHEUER, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SOLARZ, Mr. STARK, Mr. STRATTON, Mr. VENTO, Mr. WALGREN, Mr. WEISS, Mr. WILSON, Mr. DERWINSKI, Mr. DORNAN of California, Mr. McDADE, Mr. RINALDO, Mr. MINETA, Mr. HERTEL, Mr. MINISH, Mr. GUARINI, Mr. WRIGHT, Mr. SEIBERLING, Mr. GEJENSON, Mr. ECKART, Mr. ZEFERETTI, Mr. SUNIA, Mr. BONKER, Mr. ROE, and Mr. ROSENTHAL.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

21. The SPEAKER presented a petition of the Common Council, Buffalo N.Y., relative to Northern Ireland; which was referred to the Committee on Foreign Affairs.