H. RES. 41

Resolved, That the following named Members, be, and they are hereby, elected to the Committee on Standards of Official Conduct of the House of Representatives:

Mrs. Johnson of Connecticut, Chairman; Mr. Bunning; Mr. Goss; Mr. Hobson; and Mr. Schiff.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF DEMOCRATIC MEMBERS TO COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. VOLKMER. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 42) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 42

Resolved, That the following named Members, be, and they are hereby elected to the Committee on Standards of Official Conduct of the House of Representatives:

Mr. McDermott; Mr. Cardin; Ms. Pelosi; Mr. Borski; and Mr. Sawyer.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LINDER). Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA) is recognized for 5 minutes.

[Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LET US STRESS CRIME PREVENTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Speaker, the one thing that the Thirteen Colonies knew was that we were all in this together. One of the things that my constituents in the 18th Congressional District of Texas have asked is that I would come to this office and deliberate, cooperate, and consider the concerns of the Nation, but most of all represent them.

I hope that we will have an opportunity to deliberate and consider as we look toward H.R. 3, the take-back-your-streets bill that offers to the American people the suggestion of going forward, but actually it takes us back.

The 1994 bipartisan crime bill spoke to all of the people of America. It provided dollars for law enforcement, some $13 billion, it answered the questions for overcrowded prisons by providing for $9.8 billion and, yes, for the first time historically we committed to prevention. We recognized that we are in this together—hamlets and towns and cities and counties and States.

Rennie Click, the chief of police of Dallas, TX, recognized it when he testified how extensively he supports law enforcement, support of police but he realizes how important it is to address the social needs of those who perpetrate crime. And at the same time the chief of police from the city of Houston, Chief Nuchia, indicated that he is a strong advocate of law and order, like all of us, like I am, and he believed that we must protect ourselves like I had to do as a council member working with local law enforcement, as a former judge. But he was convinced that we could not arrest ourselves out of this situation. It was his belief that adequately funded community-based programs are an important component of the American goal of achieving a healthier, safer society.

What is wrong with prevention? What is wrong with supporting boys clubs and girls clubs? What is wrong with acknowledging the importance of in-school and after-school programs, acknowledging that there are latch-key children who are subject to abuse and or subject to inspiration by others that would not follow the way of law-abiding citizens?

One of our witnesses indicated that most people living in our communities are law-abiding and work every day to help assist the community to stay on a straight-and-narrow track. But yet, now we have a bill that wants to take away the prevention dollars, when a bipartisan Congress put together a package that talks about cops on the streets. No more in this new bill. It talked about prisons, it talked about prevention. No more in this new crime bill.

It is interesting that we would all support prenatal care, immunization, which has helped our children and helped this Nation be a healthier nation. We even joined Nancy Reagan and said, ''Just say no to drugs'' and there are so many youngsters who can talk about that, but live it every day because the message was pounded in. And how many of us grew up with Smoky Bear? ''Only you can prevent forest fires,'' so we know what not to do in our Nation's precious forests.

But yet do we treat crime differently? We do not want to prevent? We throw the baby out with the bathwater.

I simply ask the Nation to deliberate and consider that we are all in this together, that we are all crimefighters. But if we are going to go into the 21st century, we must focus on the prevention to be able to make this community, for police officers and sheriffs and constables and citizens and children and the elderly and all the towns and hamlets and counties and States and yes, our cities, to make them a safer place, we must have prevention. We must continue to go forward.

Let us go forward and enhance what we are doing. Reaffirm the omnibus crime bill of 1994. Let us have prevention.

COMMENTARY ON HOUSE PROCEEDINGS OF THIS WEEK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Missouri [Mr. VOLKMER] is recognized for 60 minutes as the designee of the minority leader.

Mr. VOLKMER. Mr. Speaker, on Wednesday of this week, the gentlewoman from Florida attempted to give a 1-minute speech in regard to the book deal of the Speaker of the House. During that speech, the gentlewoman was interrupted by the gentleman from Pennsylvania who asked that her words be taken down, the last two paragraphs of that 1-minute speech.

Following that taking down, the Chair at the time, the gentleman in the chair from Florida, ruled that the words were out of order and that they should be stricken.

Following that discourse, the following day in regard to that ruling, the Chair in its ruling on Thursday morning, the gentleman from California who was in the chair at the time, acting as Speaker pro tem, said:

> The Chair must reiterate that the principles of decorum in debate relied on by the Chair yesterday with respect to words taken down are not new to the 104th Congress.

Then it goes on, during that, which we can all find in the CONGRESSIONAL RECORD, where the Chair says:

> On occasion, however, the Chair has announced general standards of proper reference to Members, as was the case on June 15, 1988.

□ 1600

There, in response to a series of 1-minute speeches and special order debates focusing on the conduct of the Speaker as the subject of an ethical complaint and on the motives of the Member who filed the complaint, the Chair states as follows:

> Thus, the Chair would caution all Members not to use the 1-minute period or special orders, as has already happened, to discuss the conduct of Members of the House in a way that inevitably engages in personalities.

But the Chair did not rule in that ruling on that date that such language was not in order but cautioned the Members.

Then the Chair continuing on Thursday, the gentleman from California, stated that:

> Third, longstanding precedents of the House provide that the stricture against personalities has been enforced collaterally with respect to criticism of the Speaker even when intervening debate has occurred. This separate treatment is recorded in volume II of Hinds' Precedents, at section 1248.

I have reviewed that, Mr. Speaker. At a later time I will ask that that be part of the CONGRESSIONAL RECORD following my comments.

Then the acting Speaker pro tempore continued on Thursday:

> Finally, a complaint against the conduct of the Speaker is presented directly for the action of the House and not by way of debate on other matters. As Speaker Thomas B. Reed of Maine explained in 1897, criticism of

past conduct of the presiding officer is out of order not because he is above criticism but, instead, because of the tendency of piecemeal criticism to impair the good order of the House.

Speaker Reed's rationale is recorded in volume 5 of Hinds' Precedents section 5188 from which the Chair now quotes as follows:

and the Chair made a quotation.

But the problem, Mr. Speaker, is that the Chair would lead us to believe that the following quote, which I will read that he quoted from Thursday morning, applied to actions by the Speaker similar to actions of our present Speaker, that was that Speaker Reed's actions were similar to those of Speaker GINGRICH's.

It said:

The Chair submits to the House that allusions or criticisms of what the Chair did at some past time is certainly not in order not because the Chair is above criticism or above attack but for two reasons; first, because the Speaker is the Speaker of the House, and such attacks are not conducive to the good order of the House; and, second, because the Speaker cannot reply to them except in a very fragmentary fashion, and it is not desirable that he should reply to them. For these reasons, such attacks ought not be made.

Then the Chair on Thursday said:

Based on these precedents, the Chair was justified in concluding that the words challenged on yesterday were in their full context out of order as engaging in personalities.

Mr. Speaker, Members of the House, general public, press, anybody else who cares to listen, I have a copy of Hinds' Precedents right before me, and the incident that occurred on May 13, 1897, did not have anything to do with conduct of Speaker REED outside the Chambers of this body. It only had to do with conduct of Speaker Reed's acting as Speaker. They are two different things. The comments that were made by the gentlewoman from Florida on Wednesday in regard to Speaker GINGRICH were because of his conduct outside of this Chamber, actually preceded his becoming Speaker, before he was ever Speaker, when he was still just a member of the delegation of the delegation from Florida in a previous Congress.

I would like to read, and then I will ask that it be put in the CONGRESSIONAL RECORD, the full context of the Hinds' precedent.

On May 13, 1897, the question before the House was the approval of the Journal, and Mr. Jerry Simpson, of Kansas, having the floor, was proceeding to comment upon the fact that the Speaker had not appointed the committees, and to discuss the general observance of the rules of the House.

Mr. Nelson Dingley, of Maine, having raised the point of order that the debate was not proceeding in order, the Speaker sustained it, saying that the question before the House was the approval of the Journal, not obedience to the rules; and under the rule directed the gentleman from Kansas to take his seat.

Mr. James D. Richardson, of Tennessee, moved that the gentleman from Kansas be allowed to proceed in order, and the House agreed to the motion.

Mr. Simpson was proceeding, when again, on a point of order made by Mr. Dingley, he was called to order; and the House voted that he be allowed to proceed in order.

Again Mr. Simpson was proceeding, discussing the alleged arbitrary way in which Members were deprived of their rights in the House and reflecting upon the Speaker, when Mr. Dingley again called him to order.

The Speaker, in ruling, said:

''The Chair desires to say to the House in regard to this matter that when an appeal is made to him on a question or order, it becomes his duty to make a ruling upon the question as he understands it. So far as the Chair is concerned, he has only requested the gentleman from Kansas to confine himself to the subject that is under discussion. The Chair submits to the House that allusions or criticisms of what the Chair did at some past time is certainly not in order.''

Then it goes on and Members can continue the quotes given to this House by the Speaker on Thursday. That is a lot different. That is when the Speaker was in the chair, operating the House as the Speaker. His actions were actions as Speaker that were questioned by a Member. It had nothing to do with actions of Speaker Reed. Speaker Reed never did anything wrong. Speaker Reed never wrote a book and got a million dollars for it. Speaker Reed never took any money and put it in his back pocket for his actions as Speaker. Speaker Reed never desired to be a millionaire. Speaker Reed was only being criticized for his actions as Speaker, and what he was doing in his job as Speaker.

The gentlewoman from Florida in her 1-minute speech on the floor of this House was only discussing what our present Speaker had done prior to his being Speaker in accepting a book deal, and now alleging that as a result of that book deal was going to get millions of dollars, and he very well may get those millions of dollars.

Before I forget, at this time I will include in the CONGRESSIONAL RECORD the Hinds' Precedents that I have alluded to and that were alluded to by the Speaker pro tempore on Thursday.

The documents referred to are as follows:

5188. When a Member is called to order for violation of the rules of debate, it is the practice to test the opinion of the House by a motion ''that the gentleman be allowed to proceed in order.''

Complaint of the conduct of the Speaker should be presented directly for the action of the House and not by way of debates on other matters.

The Speaker remained in the chair and ruled as to the relevance of language criticizing his conduct as Speaker.

On May 13, 1897,[1] the question before the House was the approval of the Journal, and Mr. Jerry Simpson, of Kansas, having the floor, was proceeding to comment upon the fact that the Speaker had not appointed the committees, and to discuss the general observance of the rules of the House.

Mr. Nelson Dingley, of Maine, having raised the point of order that the debate was not proceeding in order, the Speaker[2] sustained it, saying that the question before the House was the approval of the Journal, not obedience to the rules; and under the rule directed the gentleman from Kansas to take his seat.

Mr. James D. Richardson, of Tennessee, moved that the gentleman from Kansas be allowed to proceed in order, and the House agreed to the motion.

Mr. Simpson was proceeding, when again, on a point of order made by Mr. Dingley, he was called to order; and again the House voted that he be allowed to proceed in order.

Again Mr. Simpson was proceeding, discussing the alleged arbitrary way in which Members were deprived of their rights in the House and reflecting upon the Speaker, when Mr. Dingley again called him to order.

The Speaker, in ruling, said: The Chair desires to say to the House in regard to this matter that when an appeal is made to him on a question of order, it becomes his duty to make a ruling upon the question as he understands it. So far as the Chair is concerned, he has only requested the gentleman from Kansas to confine himself to the subject that is under discussion. The Chair submits to the House that allusions or criticisms of what the Chair did at some past time is certainly not in order. Not because the Chair is above criticism or above attack, but for two reasons: First, because the Speaker is the Speaker of the House, and such attacks are not conducive to the good order of the House; and, second, because the Speaker can not reply to them except in a very fragmentary fashion, and it is not desirable that he should reply to them. For these reasons such attacks ought not to be made.

If there be any complaint of the conduct of the Speaker it ought to be presented directly for the action of the House, but this continual making of attacks with no proper opportunity for reply every Member must see, whatever may be his relation to the pending question, is not suitable and ought not to be indulged in. If there be any objections to the acts of the Speaker they are not above criticism.

1248. A Member having used words insulting to the Speaker, the House, on a subsequent day and after other business had intervened, censured the offender.

An insult to the Speaker has been held to raise a question of privilege not governed by the ordinary rule about taking down disorderly words as soon as uttered.

When the House was considering a resolution censuring a member for an alleged insult to the Speaker, the Speaker called another Member to the chair.

On July 9, 1832,[3] during debate on a question of order, Mr. William Stanbery, of Ohio, in criticising a ruling of the Chair, said: I defy any gentleman to point me to a single decision to the contrary, until you presided over this body. And let me say that I have heard the remark frequently made, that the eyes of the Speaker are too frequently turned from the chair you occupy toward the White House.

Mr. Stanbery being called to order by Mr. Franklin E. Plummer, of Mississippi, sat down; and the debate proceeded.

The pending question being disposed of, Mr. Thomas F. Foster, of Georgia, moved that the rules be suspended in order to enable the House to consider[4] the following resolution: *Resolved*, That the insinuations made in debate this morning by the honorable William Stanbery, a Member of this House from Ohio, charging the Speaker of

[1] First session Fifty-fifth Congress, Record, pp. 1067, 1068.

[2] Thomas B. Reed, of Maine, Speaker.

[3] First session Twenty-second Congress, Journal, p. 11113; Debates, pp. 3876, 3877, 3887.

[4] The pressure of business had at this date become such as not to permit the regular order to be interrupted except by unanimous consent or by a vote to suspend the rules; but the system had not been instituted yet of admitting such resolutions as matters of privilege—or at least not in cases of this kind.

the House with shaping his course, as presiding officer of the House, with the view to the obtainment of office from the President of the United States, was an indignity to the Speaker and the House, and merits the decided censure of this House.

The vote being taken there were yeas 95, nays 62; so the House refused to suspend the rules.

On July 10,[5] when the States were called for the presentation of resolutions,[6] Mr. James Bates, of Maine, presented the resolution again, with the slight modification of ''words spoken'' instead of ''insinuations made.''

Mr. Charles F. Mercer, of Virginia, made the point of order against the resolution that the words of the gentleman from Ohio, were not taken down at the time they were spoken, nor at the close of the speech of the Member; because other business had occurred since the imputed insinuations were made; and because a day has elapsed since the words were used, without any action or proceeding of the House in relation thereto. Jefferson's Manual was quoted in support of this contention.[7]

The Speaker pro tempore[8] decided that the resolution was in order. This was a question concerning the privileges of the House; therefore the rules of ordinary debate did not apply.

Mr. Mercer appealed; but pending the discussion the hour expired, and although Mr. George McDuffie, of South Carolina, insisted that the pending question had precedence, because it related to the dignity and privileges of the House, the House voted to proceed to the orders of the day. On the next day, however, when the question arose again, the Speaker pro tempore corrected his decision of the day before, and decided that a question of order involving the privileges of the House took precedence of all other businesses.

On July 11[9] debate on the appeal of Mr. Mercer was resumed. Mr. John Quincy Adams, of Massachusetts, said that this seemed to be a case of punishment for disorderly words spoken in debate. But in such a proceeding the words should be taken down, which had not been done in this case, although the Manual specifically provided such a course of procedure. That course was founded in reason and justice, and was, as expressly declared, ''for the common security of all.''

The decision of the Chair, on Mr. Mercer's appeal, was finally sustained, yeas 82, nays 48.

The question recurring on agreeing to the resolution of censure, Mr. Stanbery justified what he said as parliamentary by quoting Lord Chatham's words, which had passed without a call to order in open Parliament, ''the eyes of the Speaker of that House were too often turned toward St. James's.''

Mr. Samuel F. Vinton, of Ohio, raised a question as to whether or not interrogatories should not be propounded by the Chair to the Member about to be censured, to ascertain whether he admitted or denied the fact charged in the resolution; but the Speaker declined to do so.

The question being taken,[10] the resolution of censure was agreed to, yeas 98, nays 44.

Several Members asked to be excused from voting, on the ground that they had not heard the words spoken by Mr. Stanbery, but the House declined to excuse them. Mr. Adams, however, refused to vote.

1249. A Member in debate having declared the words of another Member ''a base lie,'' the Speaker declared the words out of order and the House inflicted censure on the offender.

The Speaker having, by order of the House, censured a Member, the words of censure were spread on the Journal.

On January 26, 1867,[1] during debate on the bill (H.R. 543) for restoring to the States lately in insurrection their full political rights, Mr. John W. Hunter, of New York, was called to order by Mr. Ralph Hill, of Indiana, for the use of the following words: ''I say that, so far as I am concerned, it is a base lie,'' referring to a statement by Mr. James M. Ashley, of Ohio.

The Speaker[2] decided the words out of order.

Thereupon Mr. Hill submitted the following resolution:

Resolved, That the gentleman from New York, Hon. Mr. Hunter, in declaring during debate in the House, in reference to the assertions of the gentleman from Ohio, Hon. Mr. Ashley, ''I say that, so far as I am concerned, it is a base lie,'' has transgressed the rules of this body, and that he be censured for the same by the Speaker.

The resolution having been agreed to—yeas 77, nays 33—Mr. Hunter appeared at the bar of the House and the Speaker administered the censure. This censure by the Speaker appears in full in the Journal.

1250. A Member having explained that by disorderly words which had been taken down he had intended no disrespect to the House, a resolution of censure was withdrawn.—On June 1, 1860,[3] on the request of Mr. John Sherman, of Ohio, the following words spoken in debate were taken down:

By MR. CHARLES R. TRAIN, of Massachusetts: ''I am not in the habit of troubling the House much, and I never insist upon speaking when I am clearly out of order. I should consider myself guilty of gross impropriety, not only as a Member of the House, but as a gentleman, if I insisted upon addressing the Chair, and interpolating my remarks when I had no right to the floor.''

By MR. GEORGE S. HOUSTON, of Alabama: ''I wish to know if the gentleman from Massachusetts applied that remark to me?''

By MR. TRAIN: ''I mean exactly what I did say, and I stand by what I said.''

By Mr. HOUSTON: ''I mean to say that if he applied that remark to me, he is a disgraced liar and scoundrel.''[4]

Mr. Sherman submitted this resolution: *Resolved,* That the gentleman from Alabama, Mr. Houston, be censured for disorderly words spoken in debate.

During the discussion of the resolution the point of order was made that the gentleman from Ohio did not call the gentleman from Alabama to order before asking that the words be taken down.

The Speaker[5] overruled the point of order.

So I want everybody in the House to know that the precedent that was cited was only for actions of the Speaker while in the House, and, therefore, was not for actions of the Speaker outside the House, and what he had done on a question of ethics as it applies to him or any other Member.

My perusal of all of the precedents of the House, not only Hinds' but Cannons', Deschler's, Deschler-Brown, Jefferson, all the way back, there has never been an instance when a person such as the gentlewoman from Florida's words were taken down and ruled out of order for discussing activities of any Member, not just the Speaker, any Member in the past, in over the 200-year history of this House. And what that tells me and other Members is that we now have a rule, new ruling and a new way of deciding what you can say in this body and what you can say about other Members. And what it tells me is that another Member can do a completely illegal activity that is freely reported in the press, outside of these Chambers, and you cannot comment on it here.

□ 1610

You cannot talk about it. We cannot discuss it. I do not see why not.

This is to me, in my many years here, is something that I believe that we should preserve and protect and maintain as a body in which all Members are above reproach.

We serve the public. We are not here to serve ourselves. We are not here to become millionaires as a result of our actions in this body.

We get a salary, and that should be enough for anybody. And I think it is wrong for any Member who uses his office, any Member who uses this office, this, to me, most sacred office, office of the public, to make himself wealthy.

But we are seeing that happen, and yet we are told we cannot comment on it.

I say to you, Mr. Speaker, I believe that if a Member feels that the criticism that comes from other Members of this body as a result of that Member's activities, whether on this floor, in the committees or outside of this, whether back in his home State or anyplace else, he has the opportunity to come down to this body and say anything he wants to say. If it calls for information, he can provide that information. He should feel free to do so.

If it means that there is a contract, let the contract, hold it out, let everybody see it. We owe that much to the public.

I will now yield to the gentleman from New York.

Mr. SOLOMON. Well, I thank the gentleman, and I am going to try to stay nice and calm.

Mr. VOLKMER. I have been nice and calm.

Mr. SOLOMON. Like the gentleman has.

But, you know, sometimes when I hear, you know, this continuation of this issue, it really does get me upset, because, you know, this Congress over the years has done everything in its power to drive businessmen out of this Congress, businessmen like me.

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[5] Journal, p. 1118; Debates, pp. 3888–3891.

[6] In the order of business at that time an hour was devoted to the presentation of resolutions, etc., before passing to the Speaker's table and the orders of the day.

[7] See Chapter XVII of Jefferson's Manual.

[8] Clement C. Clay, of Alabama, Speaker pro tempore. Mr. Speaker Stevenson had left the chair from motives of delicacy. Debates, p. 3898.

[9] Journal, pp. 1134, 1135; Debates, pp. 3899–3903.

[10] Journal, p. 1141; Debates, p. 3907.

[1] Second session Thirty-ninth Congress, Journal, pp. 271–273; Globe, pp. 785–787.

[2] Schuyler Colfax, of Indiana, Speaker.

[3] First session Thirty-sixth Congress, Journal, pp. 972–981; Globe, pp. 2546, 2548, and 2554.

[4] Those words appear in full in the Journal as taken down.

[5] William Pennington, of New Jersey, Speaker.

And, you know, I really do resent it. I can recall, you know, when I came here 16 years ago, and I owned an insurance firm, a stock brokerage firm and a real estate firm, and because all of those firms gained their revenue from commissions, I was forced to sell my businesses, and I had to sell them to junior partners at a reduced sum, about half what they were worth, just to come here so I could serve the people.

But you know, it was regulations like that that keeps people from coming into this Congress, people who have been successful in life and who can deal with the Mexican peso issue and know what it is all about.

But getting back to the other point, you know, you seem to be picking on our Speaker, and I really resent that, because when I look at the people that are picking on him, it is the same people that said it was all right to take book royalties 4 or 5 years ago when the now-Vice President of the country, and a former Senator, receives royalties. We have Republican Senators, as well. That happened to be a Democrat over in the Senate. We are not supposed to talk about the other body. He receives royalties. I think he is from Maine. We have my own Senator from the State of New York, PATRICK MOYNIHAN, a real decent guy. He receives royalties.

And the minority whip, the gentleman from Michigan [Mr. BONIOR], when he was a majority whip, served on a committee that was appointed by your Speaker, the Democrat Speaker, that said it was OK to accept royalties, you know, so all of a sudden because this is a large amount of money, all of a sudden you and others want to make issues about it.

Now, I am not impugning your integrity at all. You know that you and I side on a number of issues, especially some that are most important, and I have deep respect for you.

In no way would I impugn, you know, your integrity of why you are doing it. It just seems to me the continuing to let this go on is really just hurting the work of this House.

We have important work to do. We have got the second Reagan revolution to undertake where we are going to shrink this Federal Government, we are going to take away the power of this Federal Government, we are going to put it back into the hands of the people, back into the States, back into local governments and into the hands of the people. We are going to get this Government off the backs and out of the pockets of the American people, and when we see all of this going on, all of this nitpicking, all this does is slow it down.

We have seen it today. When I put out an open rule with the help of the acting Speaker in the chair, so that we could debate unfunded mandates, lo and behold, what do we end up with, 151 amendments were filed to this bill, most of them duplicative and here we spent all day on two or three amendments.

Now, how are we ever going to accomplish the successful passage of that bill if we continue to see these kinds of nit-picking delays take place?

So I again have deep respect for the gentleman from Missouri, but it is about time we got down to business and stopped this foolishness and get on with the people's work.

I really do thank the gentleman for yielding. I just had to get that off my chest.

Mr. VOLKMER. I might answer as far as, and I did not want to discuss the unfunded mandate bill. I had not planned to do that today. But my comment to that is that if the bill had been worked, what I call worked properly, and time had been spent on it in committee that should have been, we would not have all of these amendments.

Now, that is my answer as to why you got all of the amendments. It is in a rush to get here, and it got here, and now you have got all of these amendments. What else did you expect?

You have got people that did not get to offer those amendments in the committee. That is that.

I do not have all day, I will tell you, the gentleman from New York, that I want to finish up. I have got another matter to talk to; if you want to stay, if I have time, I will yield some more.

The gentleman is a friend. We do agree on many things.

But a little difference between the previous book deals. I know of no book deal that he has alluded to where you have a question, and I say a question, and that is why some of us are talking about it, because we do not know the answer, but I think it necessarily needs to be addressed.

The question is: There is a gentleman named Rupert Murdoch and how much influence did Rupert Murdoch have as far as the book deal is concerned in return, in return for possible legislation that would be favorable to Mr. Murdoch. Now, that is little bit different than writing a book and selling it out on the street. That is a heck of a lot different.

Now, if you say, now, wait a minute, that is going too far, well, I suggest that the gentleman from New York go back and look in the CONGRESSIONAL RECORD back in 1988 and see when the gentleman from Georgia who now is our Speaker was talking about Rupert Murdoch and what had to be done and what was being done to Rupert Murdoch, why that was being unfair, all of these other things, I suggest to the gentleman that he look into it a little bit further than just taking on carte blanche that everything is aboveboard.

Mr. SOLOMON. Would the gentleman yield on that point?

Mr. VOLKMER. Very briefly.

Mr. SOLOMON. You know, in other words, we have the rules of the House provide for an ethics committee which we are trying to get appointed.

Mr. VOLKMER. That was done today, done today, done today.

Mr. SOLOMON. That is an issue for the ethics committee to look into it, not for us to waste our time on the floor of this body. We have more important issues to take care of.

Does the gentleman agree?

Mr. VOLKMER. Now that we have the ethics committee and a formal complaint can be filed, I hope it will be done.

And wait a minute though, we have got another little problem, because those of us who see how the ethics committee is structured with the same amount of numbers that—and who appointed the ethics committee on your side? The speaker.

Now, are those people going to find against the Speaker?

Maybe we ought to have an outside counsel, independent outside counsel.

Mr. SOLOMON. The Speaker did not appoint those people.

Mr. VOLKMER. Pardon?

Mr. SOLOMON. The Speaker did not appoint anybody.

Mr. VOLKMER. Yes, but it was done today. It was done today.

Mr. SOLOMON. But it is the same old Members. He has not added anybody to it.

Mr. VOLKMER. Either way, I just say that if we get an independent counsel, I will be feeling a heck of a lot better about it all.

Now, the other thing I want to talk about, and I think it is another thing that again comes back to our Speaker, but this has nothing to do with ethics, and it has nothing to do with personalities. It has to do with a little thing called Social Security and income taxes.

Now, we all know that the Contract on America and that the Speaker says that we are going to exempt Social Security from any cuts; we are not going to raise anybody's taxes.

But then I find that just the other day when I read a newspaper, day before yesterday, that there is an article in there about the CPI.

□ 1620

Now, that is the Consumer Price Index. And that the Speaker, and your floor leader, Mr. ARMEY, especially, says we have got to hold down the CPI, we are going to hold it down. We are going to cut it. We need to get it down at least 1 or 1 percent. And do you know why, folks? Do you know what happens when the CPI goes down and is not at its normal rate? Then the people on Social Security do not get the increases that they are entitled to by law. Yes. And guess what happens to your income tax, because the personal exemption does not go up as much as it should by law and your income taxes go up because you do not have as much of a deduction?

And who does it hit the worst? Well, folks, as far as the family-friendly people, children, families with children, have to pay more taxes because you are

getting an exemption for each child. So your taxes, if you make $50,000 or $20,000 and you are by yourself, your taxes will not go up as much as if you have got a wife and four kids or three kids or two kids or 1 kid.

Mr. SOLOMON. I have five.

Mr. VOLKMER. Your taxes will go up. That is the same thing I want to talk about very briefly: When you all talk about in the rules that you are going to make a change, make it three-fifths before you can raise taxes. That is what I kept hearing over there on taxes, before we can raise income taxes. Well, that is not true, folks; here is an example of how you do it. You just change the CPI. It has nothing to do with raising income tax rates, that is what you are saying, three-fifths to raise income tax rates. And here is the Speaker and here is your floor leader saying we change the CPI, reduce Social Security payments to our elderly, and we raise income taxes on everybody, and especially those with children. The more children you have the more you pay.

Mr. SOLOMON. Will the gentleman yield so I can discuss it with him?

Mr. VOLKMER. Surely, in just a moment.

Now, this is just another way by the back door. Where did this idea come from? This idea came from a guy named Greenspan, yes, Chairman Greenspan. He is the one giving the idea. It would save about $200 billion over about 5 years. Now, that is about the amount that you need for the tax cuts for the wealthy.

So we are going to take away Social Security from the recipients, we are going to cut them, we are going to make people who make $25,000, $30,000, who have got two or three kids, pay more taxes. Then for people who make over $200,000, we are going to give them a tax break. Hey, folks, no way do I think that is very fair. That does not sound like a very good Contract With America to me.

Now I will read along that line—and I have one more thing to comment on. I am reading now from an article in just yesterday's USA today.

House Republicans are considering a plan to pay for $200 billion in tax cuts by taking the biggest amount of cash from programs for the poor and elderly, like Medicare.

The document being circulated quietly among Republicans—is only one of several options. But it indicates the areas the GOP have targeted to pay for tax cuts promised in the GOP Contract with America:

$125 billion would come from programs known as entitlements—Medicare, Medicaid, welfare, food stamps and student loans.

$75 billion would come from programs requiring annual appropriations, such as defense, education, housing and transportation.

So the vast majority is going to come from the elderly, going to come from the poor, and who are they going to give it to? The wealthy.

That is Robin Hood in reverse.

The gentleman earlier said that he wants to get on with Reaganomics II, he wants to get on with Reaganomics. That is old-hand Reaganomics. Take from the poor and give to the wealthy.

Gentleman, ain't no way I am going to agree with you on that one.

Mr. Speaker, I yield to the gentleman from New York.

Mr. SOLOMON. You know what? I think the gentleman is going to agree with me, and I thank him for yielding. I am reading from the Contract With America now as it deals with senior citizens. The Senior Citizens Equity Act will raise the earnings ceiling for recipients of Social Security benefits and lower the portion of benefits that they can be taxed. That is what the senior citizens I represent want.

You know, I come from the Adirondack Mountains in upstate New York, where, incidentally, unemployment is as high as 15 percent today. That is problems, my friend.

You know, those senior citizens want me to do everything in my power to keep inflation down, not to raise it up so they get a little bit more in their Social Security check. They want to take the earnings that they have and they want to be able to at least survive on them. That is what they want.

Here is what Reaganomics is—let me just finish. It will take 3 minutes.

Reaganomics is eliminating 150 programs like the Interstate Commerce Commission, privatizing Government agencies like the Federal Aviation Administration, consolidating 35 Government functions like the Bureau of Indian Affairs, downsizing the Department of Education, which has not done anything to increase education in this country; abolishing the Department of Energy, with 16,000 employees who have never produced a gallon of oil; convert the Department of Commerce down to a bureau, eliminate those 36,000 employees, which has not done anything for the economy of this Nation, and make them a consulting body for business and industry.

We are going to means test things like Medicare, school lunches, and wheat and dairy programs.

This is Reaganomics, this is what the first part of the Reagan administration never could accomplish because we did not have the votes. Now we are going to attempt it.

I will bet you that the gentleman is going to vote for a lot of it.

Mr. VOLKMER. I doubt very much if I vote for some of that, especially if I go back to letting the senior citizens work and still draw their Social Security. Not a bad idea.

But I will tell you why, the reason the gentleman from New York and the Republicans are proposing it, it is very simple: All you have to do is go back and look at what they are proposing to do in the budget, because they are going to cut Medicare. Senior citizens are going to pay more for their health and hospital bills. Where are they going to get the money? They are not going to get it from Social Security, they will have to go out and work for it.

What they are saying is, ''Hey, we are not going to help you anymore because we are going to cut you back and you had better go out and work for that minimum wage in order to pay for your own health care.'' That is what they are saying to you. They are going to make you work in order to get—in order to get paid for what you are now getting paid for.

Mr. SOLOMON. But those are only for people with incomes over $100,000, that is the only Medicare that we are going to cut.

Mr. VOLKMER. Not according to this.

Mr. SOLOMON. Yes, according to that. I have the same thing.

Mr. VOLKMER. Well, I doubt very much if you are only going to cut Medicare expenses for people over $100,000, even though I might agree with that——

Mr. SOLOMON. I thought the gentleman would.

Mr. VOLKMER. And that would be all if those people would pay their full share of Medicare part B. That would be a little better.

I still do not see cutting the rest from the poor and the elderly, especially my students.

You know, I think one of the best benefits we have had in this country over the past few years—the gentleman degrades the Department of Education as not having educated anybody. I agree that it is true they do not go out and educate people. It is not an educational system. but we do have student loans, we have student grants, we have work study.

Now, work study is one of the programs which support the most because I think it is the best because it does not put anybody into debt like a student loan does. It is different from a grant.

But all three of those programs have enabled many Members, I know, in my opinion, and I say there are probably Members of this body right here today who have benefited from a student loan, grant, or work study program who would not have been able to get the higher education elsewhere. I have in my district many people in business, farmers——

Mr. SOLOMON. Those are good programs.

Mr. VOLKMER. Everybody, that is a good program. Why do they want to cut it?

Mr. SOLOMON. We do not.

Mr. VOLKMER. You are talking about Reaganomics now. Reagan's first budget and the second budget, way back in 1981–82, zeroed out, zeroed it out. Oh, yes, yes, go look at it, go look at it. I well remember it because I know what it would have done. What that does, when you cut those student loans, you are telling our young people you get a high school education—unless you are wealthy, and you are the

only one that does get a higher education—you get a high school education, you have got to live with it. You try to make a living today with it, you cannot do it. The gentleman from New York would agree with that.

Mr. SOLOMON. I would agree, yes, because some of those are good programs and we would not want to hurt those programs, we would want to continue those programs. And that was all we wanted to do in Reaganomics, that was to take all those categorical aid programs where we here in Washington, big brother government in Washington, was micromanaging education and saying to the local school districts back home, ''If do you this, we will give you the money.''

We did away with those. We folded all those categorical grant programs into a block grant, gave it to the State of Missouri, and said, ''State of Missouri, you will give 80 percent of that money to your local school districts, and you, local school districts, will set the curriculum because you know what is best for the people in the Missouri school districts,'' just like I know best about the schools in upstate New York school districts.

□ 1630

That is Reaganomics. That is what we are going to do now. We do not want to bounce those programs, turn it into a block grant, give it to the States, or that the State of Missouri—and your Governor, who I debated on ''Good Morning America'' the other day, agrees with that. He can do it better he says, and I agree with him.

Mr. VOLKMER. At this time I still say that I guess the proof will be in the pudding when we see the budget as proposed by the majority in the future. I understand, and perhaps the gentleman from New York [Mr. SOLOMON] can correct me; is it going to be two budgets, one budget to make room for the money so you can do the tax bill, and then another budget to do the 5-year budget? Or are you going to try and do it all at one time?

Mr. SOLOMON. I say to the gentleman, ''The main thing is to develop a budget that will balance the budget over 7 years. Now, whatever that takes. Then, if there are going to be tax cuts in addition, then there ought to be additional spending cuts beyond that. It takes $800 billion to balance the budget over that 7-year period.''

Some of us on the balanced-budget task force that I am the chairman of introduced a budget last year, you know, back in March, that did just that. It balanced the budget. We did not get very many votes for it at the time, but we are going to have the same budget available, and we hope that the majority will accept that budget, and then, if there are going to be tax cuts, make additional spending cuts to go along with it to pay for the tax cuts. That is being fiscally responsible.

Mr. VOLKMER. There will not be any tax cuts without spending cuts; is that correct?

Mr. SOLOMON. Over my dead body will that happen, absolutely.

Mr. VOLKMER. I mean over your dead body there will be spending cuts?

Mr. SOLOMON. There will be no tax cuts without any spending cuts to go with them.

Mr. VOLKMER. I say to the gentleman, ''Thank you. We agree on something else.''

THE COURAGEOUS RESPONSE TO THE FLOODS IN CALIFORNIA

The SPEAKER pro tempore (Mr. LINDER). Under a previous order of the House, the gentlewoman from California [Ms. WOOLSEY] is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise today to commend the residents of Sonoma and Marin Counties in California for their courageous response to the floods which ravaged our communities and much of California last week. Law enforcement, county workers, emergency and rescue crews, and the National Guard worked double duty. Businesses, like the Bank of America and Safeway, donated space, clothing, and food, and finally volunteers and neighbors came together in a breathtaking effort to protect homes, streets, stores, and farms, and, most importantly, to save lives.

Mr. Speaker, nobody better exemplifies the spirit of the people of any district than John Alpin, a Red Cross volunteer and manager of the Sebastopol emergency shelter. John spent his first morning away from work after several 24-hour workdays setting up another shelter in Santa Rosa.

Mr. Speaker, the floodwaters may have risen quickly in my district in northern California, but they could not outpace the rapid and generous response of the brave people of Sonoma and Marin Counties.

WHAT WE HAVE ACCOMPLISHED AND WHAT WE WILL ACCOMPLISH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Virginia [Mr. DAVIS] is recognized for 60 minutes as the designee of the majority leader.

Mr. DAVIS. Mr. Speaker, I think what the American people have seen over the last 2 weeks is a Congress that has made some promises and has kept those promises. In the first day this institution instituted many reforms that have been talked about for a number of years but have never been acted on. I always said, ''Actions speak louder than words.'' I think the American people are starting to see some actions, and I am going to talk a little bit today and with some of my colleagues about the unfunded-mandates legislation before this House, but I think it is important that we go back and look back over the last couple of weeks and see what we already have accomplished together.

The reforms of this institution, the first day, included forcing Congress to live under the same laws that everybody else lives under. This is something that has been talked about in the previous Congress but the Shays Act has now been passed by both bodies and sent to the President for signature, and for the first time Congress and its employees are going to live under the same laws: OSHA, the Americans With Disabilities Act, and a number of other laws that we had specifically exempted ourselves from in the past. So, we have accomplished this. We have cut the committee staffs, as we promised, by one-third. We have opened up committee meetings to the general public. No longer are meetings going to be held in private, behind closed doors, where appropriations are going to be zeroed out, where tax bills are going to be marked up, without the full view of the American public and the press. Now there are going to be opened up to the people. Proxy voting is now abolished, so from now on Members are going to have to be there listening to the debate and the arguments before they cast their vote in committee, a recommendation that have been made in the past that has never been brought to fruition until we did this changing our rules in the first day of the Congress.

Over the coming weeks many issues that the American people want considered, but for so long have been blocked from even coming to the floor in many cases, are going to be considered and open to debate in this body:

A balanced budget amendment hopefully will be coming before this body next week with many different amendments and options, open for Members to debate and vote on before we vote on it here and send it to the other body; line-item veto, something that the administration endorses, and many of us in Congress want to work with the administration to being this needed change about, and for once the executive will have the opportunity to look at items of pork and appropriation bills and line those out, and I think this will be a needed check on spending and some of the excessive spending that has actually originated in this body in the past. We will see a real crime bill come before this body, something the American people badly want. Legal reforms are going to be coming before this body in the next couple of months, and congressional term limits, something that we have never brought to the floor of the House before for a recorded vote, will be coming here in several different versions of that.

But today and next week this body, in conjunction with actions in the other body, are considering H.R. 5, the Unfunded Mandate Reform Act. This bill is simply a modest effort to cost out the effects of decisions that we make here in Congress, in Washington,