MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 72. Concurrent resolution providing for an adjournment of the two Houses.

REGARDING THE ETHICS PROCESS IN THE HOUSE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 60 minutes as the designee of the minority leader.

Mrs. SCHROEDER. I thank the Speaker very much for yielding to me.

Mr. Speaker, I take the floor really rather sadly, because as we get ready to go home for Memorial Day break, I want to talk a bit about a letter that a group of us feel we have been forced to sign, and I think we would like to talk a bit about why we feel that we were forced to sign this letter. We certainly hope something is going to be done about this letter when we come back.

This letter was addressed to both NANCY JOHNSON and JIM MCDERMOTT, care of the Committee on Ethics, and it is about the issue of the pending matters in front of the Committee on Ethics that appear, according to news printed stores, to be in deadlock.

You know, we started this year with the big check, the big check that we saw from Rupert Murdoch going to the Speaker for $4.5 million. And then, all of a sudden the Speaker said oh, no, no, no, we tore up that deal, and it is only going to be $1, and he would not sign the contract until there was some agreement with the Committee on Ethics about this.

Well, we still have not heard anything from the Committee on Ethics that this has been approved, and yet today we saw announcements that he was going off on a 35 city tour come August break, sponsored, I assume, by the same company that is doing the book. And there are an awful lot of issues around that.

Congressman DOGGETT and I are going to talk a bit about this, because I think one of the real resources we have in this House is the gentleman from Texas, who I believe was not only on the supreme court, but was head of the Committee on Ethics.

Mr. DOGGETT. If the gentlewoman will yield, I do approach this whole issue from a little different perspective from some of my colleagues who have been here for a longer time, coming here new, having at the beginning of this year just finished up a 6-year period on the Texas Supreme Court, chairing its Ethics Task Force, wanting to be sure that this process is fair to the Speaker or to anyone else who might be accused in this body of ethical lapse, ethical wrongdoing.

I have not participated in any of the earlier letters or the press conferences, because it had been my hope that this ethics process, which is set up to be a nonpartisan and I think has been nonpartisan in the past, would operate, would provide due process.

Yet almost from the outset, the response to the complaints that have been filed there from the Speaker has been one of attempting, instead of really providing a reasonable defense, has been one of attacking the accuser, even to the point of intimidation, of saying well, we will pass legislation here that would require anyone who complains about ethics to pay the attorney's fees of the person against whom the complaint is made.

That seems to me to be the kind of special legislation that serves to intimidate, rather than to clarify and to ensure that this House meets the highest ethical standards that I think this Nation has a right to demand.

Then, leaving and entrusting this responsibility to the Committee on Ethics, we were first told they were just too busy, because they had their contract on America and they did not have time to look at the contract with Rupert Murdoch; that there was not time enough to pass the contract and consider that other contract, that $4.5 million book deal that was looming out there. They did not have time to consider that.

So we waited through the 100 days for the contract to be passed, and justice was really delayed. Then the congressional recess came along. Well, we are taking a little vacation. We do not have time to look at these very serious ethical charges against the Speaker over the book deal because of the fact that we are on recess. So justice was again delayed.

Now apparently justice is going to be delayed through another congressional recess with the chair of the committee saying that it will be sometime after Memorial Day, and I would inquire of the gentlewoman, apparently there is some discussion in the Washington Post that there is a deadlock and the goal may be justice delayed, justice denied by never giving us an answer on these very serious charges that we wanted the Speaker to have due process. But process is due now to respond to these charges, is it not?

Mrs. SCHROEDER. I thank the gentleman for his insight on this, because you are fresher from the outside, having dealt with these issues in other forums. I must say to those of us who have more gray hair and have been around this is puzzling, because for those of us on the inside, we have no idea whether this is justice denied or delayed, or is this justice totally deadlocked.

If it is totally deadlocked, and again we do not know, because all of these hearings are in secret and we only know what we read in the paper, if it is totally deadlocked, how do we move this off dead center? How does anything go forward? Does this then become a way that our ethics rules mean nothing if there is real deadlock? Does deadlock give you the right to go ahead and do anything you want to then?

So I am a little perplexed.

Mr. DOGGETT. May I inquire of the gentlewoman, since I am new to this body, concerning the way these matters have been handled in this House before? This is not the first Speaker against whom charges have been made, nor is it the first Member of this House against whom charges have been made. When those kind of events have happened in the past, might you inform the House today and the American people about how the House has assured that there would not be a biased investigation?

The Speaker charges bias, he says these are all politically motivated charges. Can you tell us what the best way is to get at those charges and determine whether they are blessed or whether they represent a selling of public office?

Mrs. SCHROEDER. The gentleman from Texas makes a very good point. Obviously, the Committee on Ethics is half and half of each party. No matter what the makeup on this floor is, it is half and half.

There have been some serious charges, as we all know, and we are not happy about them, but there have been serious charges in the past against major and senior Members around here, and everyone I remember, from the late 1970's on, ended up getting an outside counsel, because the idea was we needed to get it out of here.

I think if you flipped it and we stopped talking about how personal it was here, if you moved it from under this dome and took it to the other end of Pennsylvania Avenue and said that the President had some problems with his Cabinet or himself and he said he would let his own people decide that, that would not work. So they get outside counsel, too. In every prior case I remember getting outside, independent counsel when there has been someone of the gravitas of the Speaker.

I would also think that everybody always says these motives are politically driven, or whatever. I do not know if they are or are not. It would seem to me if you are so sure they were that politically motivated and there was nothing to them, you would be more happy to get an outside counsel, because that would then clear the air once and for all.

Mr. DOGGETT. If the gentlewoman will yield, if the real concern, the real motivation were to get away from politics and really get to the bottom and find out if public office has been sold, whether it was for $4.5 million or whatever the amount involved, whether there had been abuse of public office, whether there had been a violation of the ethics standards that the American people have every right to demand that this body, all the Members of this body, Democrat and Republican alike,

abide by, would not the best way to get to the bottom of that be to get someone, not a Member of this body, not owing allegiance to either party, but to get to the bottom of it, just as quickly as possible, and someone, of course, who would have the power not to take little snippets over the press or to take little sound bites over television, snidely attacking one's critics, but rather could put people under oath, ask them to raise their hand, ask them to place a hand on the Bible, and put them under oath, so we can know the truth, so that their veracity can be tested and get to the very bottom of the charges and determine whether they were justified or not.

Mrs. SCHROEDER. I totally agree with the gentleman from Texas. I am very glad that he is saying that, because that to me just seems to be the way to solve this once and for all. It has been the way we have traditionally solved it over and over again. There certainly is enough to do in this body without having all of these other issues swirling around and giving this place a taint. Certainly politicians do not need any additional taint.

So it seems to me that it would be very logical to get it out of here, so we could get on with the normal business of what is going on. But I must also say one of the things that I am troubled by and the gentleman kind of touched it, was that anyone who asked the questions we are asking gets attacked. That really puzzles me. Like we are not allowed to even speak about this. Free speech is now gone on this issue, that if you stand up and ask a question such as our distinguished whip has, there were implications that I read in some of the press clips today that there must have been something terribly wrong with the whip, that maybe he needed counseling or maybe he was psychologically fixated or whatever.

□ 1315

I do not think he is psychologically fixated. He is an officer of this House, trying to retain some dignity and ethical standards and have people look outside. So I suppose we are going to be accused of something tomorrow.

Mr. DOGGETT. Down in Texas, it is said that, if you do not have the facts on your side on a case, you argue the law. And if you do not have the law on your side either, then you attack the attorney or the complainant on the other side. That seems to be what is occurring here: That lacking the facts to support a position, to defend a position in public, lacking the law, since the ethical standards are set out for all Members in this regard, that instead of relying on the law or the facts, that the Speaker chooses to attack those that complain against him.

Mrs. SCHROEDER. That is right. And I would like to engage with some more colloquy with the gentleman from Texas.

Let me go back to this letter that he gentleman from Texas and I and other Members signed today, because I think it is important that we have the record very clear, what it is that we have put in there.

This is going toward the city tour that was being written up. We asked, No. 1, whether the ethics committee had approved the book deal as the Speaker said that they would before he did anything and, if not, then how can they organize these tours before they made that decision? We thought that was a very important issue.

No. 2, we were asking who pays for this tour. A 36-city tour is very, very expensive. Is it funded out of his advance. What is going on? We were told he was only going to get a dollar. I do not think a dollar is going get you to 36 cities. Do you know what? He has got another book. If you can figure out how to do 36 cities on one dollar, boy, has he got a book there.

Mr. DOGGETT. There are airlines down where I come from that advertise peanuts fares, that you can actually fly around the country for peanuts or you can take somebody else along. But you are going to get a dollar and you can fly to 35 cities around the country.

Mrs. SCHROEDER. Nobody has got that kind of fare. You cannot even buy a bag of peanuts most places for much less than a dollar. That is a real question that we have.

People will also answer, but he is doing it on his break, so what is your problem? The problem is, Members of Congress are not allowed to take corporate sponsors and have them do their vacation and are not allowed to do those kinds of tours without having some kind of an ethics signing off saying it is okay.

We are also asking questions about, are there any conflicts of interest? Who is paying for the tour and is there any conflict of interest vis-a-vis legislation in front of this body, because we understand, if it is Mr. Murdoch, Mr. Murdoch has some very, very important interests in this body on the telecommunications issues and many others.

And then we are also asking, what other kinds of activities will he be doing on this tour? My understanding is under the rules you cannot have someone else pay for your travel around America to do political events So that if the gentleman from Texas were to come to my State to speak at universities, for example, and they paid your fare to give your speech, you could not do a fund raiser for me or anything else because then the universities would be underwriting that. So we asked those kind of questions, too.

We went on to ask for more details to find out what is happening. It is very frustrating to have your constituents asking you these questions and all you can say is, well, I may be a Member but we are not allowed in. It is all in secret. We only know that we read in the paper, and we are very troubled by these things, too.

I wanted to ask the gentleman from Texas about what he can make out of all of this. I know he got so frustrated he signed a letter, too.

Mr. DOGGETT. Well, it is a very serious matter that we talk about. It is disturbing to not have action, to see justice delayed. But as I look over some of the news reports about this tour, on a lighter note, it sounds like one of these, a concert tour, the notion that Rupert Murdoch and the Speaker together have this joint venture and that this will be the biggest thing since the Eagles went on tour. I know they packed a whole stadium down in Austin, TX. I want to be sure that Austin gets included. I am sure you want Boulder and Denver included on the tour, especially if questions will be permitted so that the people these can ask questions about all this.

I do not know whether they will put out T shirts for the Speaker—Murdoch tour on not, so that everyone can share and know all the sites where this tour is being conducted. But it is a mighty strange thing to right in the middle of what is supposed to be a district work period to have, I guess, some major publishing company of Mr. Murdoch finance this 35-city tour with T shirts and promotions and whatever else might be involved, unless and lest anyone think as well that we lack humor in this or that we lack bipartisanship, I am wondering if the gentlewoman is familiar with today's New York Daily News.

Today's New York Daily News quotes Kevin Phillips, a Republican political analyst, who says, ''You have to wonder whether Gingrich is''——

PARLIAMENTARY INQUIRIES

Mr. PORTER. Mr. Speaker, I have a parliamentary inquiry.

Mrs. SCHROEDER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. PORTER] for a parliamentary inquiry.

The SPEAKER pro tempore (Mr. BURTON of Indiana). The gentleman will state it.

Mr. PORTER. Mr. Speaker, I would inquire as to whether this discussion is within the rules of the House or outside the rules of the House?

The SPEAKER pro tempore. Members should not engage in debate concerning matters that may be pending in the Committee on Standards of Official Conduct.

Mr. DOGGETT. Mr. Speaker, I have a parliamentary inquiry.

Mrs. SCHROEDER. Mr. Speaker, I yield to the gentleman from Texas [Mr. DOGGETT] for a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOGGETT. In March of this year, Speaker GINGRICH announced that under the speech and debate clause applying to this Congress that Members were free to speak on any subject at any time. I am wondering if that pronouncement does not control in a situation that applies to the Speaker as well.

The SPEAKER pro tempore. The ''Speech and debate'' clause does not

apply with respect to the subject of the parliamentary inquiry just asked by the gentleman from Illinois.

The Chair will again state that Members should not engage in debate concerning matters that may be pending in the Committee on Standards of Official Conduct.

Mr. DOGGETT. One aspect that we have not discussed thus far in the course of this colloquy about this very serious matter with reference to Mr. Murdoch are the interests that Mr. Murdoch has pending here in Congress and has had pending during this session of the Congress.

The gentlewoman will recall that there was a special provision passed here with regard to taxes, with regard to health insurance for the self-employed. And while that bill had a very important and salutary purpose, to try to help those who are self-employed with the cost of health insurance, since this Congress is doing little or nothing about the health needs of American citizens, there was a provision tacked into it to pay for that provision that concerned various deals with minority broadcasters. I am wondering if the gentlewoman recalls that there were 19 business transactions around this country that were encompassed by that provision. And when it went out of this House, the very body that we are speaking in, and over to the Senate, all 19 of those deals were disapproved.

Mrs. SCHROEDER. Yes. I am aware of that. The gentleman makes a very good point, because that was one of the many issues that made us all wonder what was happening.

As I recall, and let me ask the gentleman from Texas if this is right, when we went out of here, our assumption was in that bill it was totally clean, that we voted for a totally clean bill, and this body had made the decision there should be no special tax breaks vis-a-vis affirmative action deals that had been done like they had been done in the past, where people were really enriched that really were not benefiting by that. And then we were very surprised when it came back.

Mr. DOGGETT. Surprised, indeed. Because though there were 19 transactions that were disapproved, when it came back from conference committee, there was one deal that was approved and that one deal was for Mr. Rupert Murdoch. I guess just a coincidence perhaps with what had been going on in the dealings with Mr. Murdoch having been involved in book deals with the Saudis, with book deals with Margaret Thatcher, with book deals with the daughter of Deng Xiaoping in China, just a coincidence that one of the many deals that he would benefit from that are the subject of action in this House and this Congress of the United States at the same time that all of these concerns were raised about a book deal in this House, that he is the only one in the whole country who gets his special deal cut out.

Does the gentlewoman remember the debate about that measure here on the floor of the House and the fact that when you say surprise, surprise indeed, because there was never one word mentioned. And again, had it not been for careful journalism, we would never have known it was even in there, because it did not say Rupert Murdoch. It simply changed a date in the bill, tucked away a hidden provision in secret, done in secret, never mentioned on the floor of this House, to benefit Rupert Murdoch and no one else.

Mrs. SCHROEDER. The gentleman remembers it very well. And I also remember the very distinguished Senator who had put it in who believes in those programs. He was very candid. He said I believe in these programs, that is why I have put this special thing in. Being totally surprised it was the only one that survived and said it survived because she heard there had been someone pressuring for it besides herself that had much more prominence.

I want to ask the gentleman from Texas, I am still not sure what was just said to us. I guess we are not allowed to talk about anything in front of the blank committee. Can we say the word?

PARLIAMENTARY INQUIRIES

Mrs. SCHROEDER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Mrs. SCHROEDER. Can we say ''ethics committee'' on the floor? Can we say the words ''ethics committee'' on the floor? Can we say the name of committee?

The SPEAKER pro tempore. It is the mention of the conduct that may be under consideration within that committee that is questionable.

Mrs. SCHROEDER. So we can say ''ethics committee'' on the floor?

I have another parliamentary inquiry. Can we put the content of our letter to the committee in the RECORD at this point?

The SPEAKER pro tempore. The Chair is not aware of the content of that letter.

Mrs. SCHROEDER. So the Chair would have to preapprove. How would I make a motion? Would I ask unanimous consent for the Chair to read the letter?

The SPEAKER pro tempore. The content of the letter would be judged on the same basis as the conduct of speech on the floor of the House.

Mrs. SCHROEDER. So how would I make my unanimous-consent request then? I would ask unanimous-consent to put in the RECORD the letter that we have drafted, but you are telling me it is subject to approval of the Chair?

The SPEAKER pro tempore. The response that was made earlier stated quite clearly, Members should not engage in debate concerning matters that may be pending in the Committee on Standards of Official Conduct. And the letter would have to meet the same requirement; that is, if the letter addresses conduct of another Member.

Mrs. SCHROEDER. Mr. Speaker, if I may go one step further. I am still a little confused, because there is no way the gentleman from Texas and I can discuss conduct or anything going on in the committee because it is all quiet, it is all silent, and we are not allowed in. What the Chair is saying is, this would be about anything going to the committee.

Clearly, we cannot discuss discussions that we are not party to, we have not seen, and we are not allowed to participate in, even as an audience or as a passive listener.

□ 1330

I am perplexed. Are these new rules?

The SPEAKER pro tempore (Mr. BURTON of Indiana). The Chair will read from an annotation of clause 1 of rule XIV:

> Members should refrain from references in debate to the official conduct of other Members where such conduct is not under consideration in the House by way of a report of the Committee on Standards of Official Conduct, or as a question of privilege of the House.

Mrs. SCHROEDER. I thank the Chair.

Mr. DOGGETT. Mr. Speaker, if I might make a related parliamentary inquiry, because I referred to it generally earlier, but I would like to be sure that the Speaker is clear about the nature of my inquiry, about the rights of Members on this floor, on March 8, right here, the Speaker, the gentleman from Georgia, NEWT GINGRICH, said, and I quote:

> The fact is Members of the House are allowed to say virtually anything on the House floor, routinely do. It is protected, and has been for 200 years. It is written into the Constitution under the speech and debate clause.

My inquiry to the Chair is whether the Speaker's pronouncement controls in the discussion that the gentlewoman from Colorado and I are having, and that others may choose to have about the Speaker, or was the Speaker just mistaken in his constitutional analysis?

The SPEAKER pro tempore (Mr. BURTON of Indiana). The Chair is unaware that the Speaker has ever uttered those pronouncements from the chair in the House of Representatives.

Mr. DOGGETT. I think they were just across the hall here in the Rayburn Room, Mr. Speaker. I am sure the Chair is aware that the Speaker, the gentleman from Georgia, until very recently gave daily pronouncements there. This is a transcript, verbatim. I would not misquote the Speaker. I would be glad to provide the Chair, in connection with my parliamentary inquiry, his commitment to freedom of expression, which surely must apply to discussion of his own conduct.

The SPEAKER pro tempore. The Chair has relied on past rulings and statements from the Chair regarding parliamentary inquiries and not on statements outside the Chamber.

Mr. DOGGETT. I thank the Chair.

Mrs. SCHROEDER. A parliamentary inquiry, Mr. Speaker. So the only thing

we can look to are statements said inside the Chamber about Members' rights to discuss these issues?

The SPEAKER pro tempore. Decorum in debate is governed by rule XIV, and there are countless annotations under that rule in the House Rules Manual. Those are the sources on which the Chair has to rely.

Mrs. SCHROEDER. Further parliamentary inquiry, Mr. Speaker. Where would the gentleman and I go to be able to have this discussion? Are we allowed to have this discussion anywhere? The gentleman and I, as I understand, are not allowed to go to the committee, because we are not members. Is that correct?

The SPEAKER pro tempore. The Chair, unfortunately, cannot treat that as a parliamentary inquiry.

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, I must say to the gentleman, I am perplexed, because apparently we cannot talk about an entity that oversees the rules that supposedly govern us, but we cannot go there and we cannot talk abut it. I am a little troubled by what we have just learned.

Mr. DOGGETT. It does seem to be peculiar, Mr. Speaker, because one would hope and one would think that we could rely on the official pronouncements of the Speaker of the House concerning the right of Members, that he says has been protected for 200 years under the U.S. Constitution, to discuss matters, and that those matters ought to apply to him as well as to other people. In compliance with the ruling of the Chair, I would hope that the gentlewoman might discuss with me a little bit this whole question of freedom of expression.

I certainly do not want to leave the topic of Mr. Murdoch, because that is clearly not covered by the Chair's rulings. I think that needs to be explored further, given the nature of the letter that has been submitted today.

Mr. Speaker, I would ask the gentlewoman, is it not truly vital to this institution that we be able to engage in discussions, in debate and colloquy, about the standards of conduct that people express? I know, I heard many people say last year, before I ever came to this body, they were not content with business as usual, that they wanted real change here; that they wanted constructive change, that they wanted Members of this Congress, certainly the Speaker of the House, to abide by the same ethical standards that they expected of the people that they went to church with and went to temple with, that they should have to meet those standards.

If we cannot debate that here on the floor of the House, and we cannot go into the secret committee meeting that the public does not get a chance to observe, how can we really fulfill that responsibility that the American people have said ''Change business as usual''?

Mrs. SCHROEDER. I stand here shaking my head with the gentleman from Texas, because I do not know. I must say, I am very troubled by this. I have never, never wanted to violate the rules of the House. I have never heard of this type of thing coming out, saying ''Oh, no, no, you cannot do that.''

I remember when I was studying law, they used to have these things called the star chamber and things like that in England, and that was one of the things that our forefathers and foremothers came over to say ''We are not going to do that.''

I thought the speech and debate clause was in the Constitution, and it said on the House floor we could all engage in speech and debate about issues. However, I would certainly think issues governing the body that we are part of would be very important. It would almost be like saying to doctors, or to lawyers, ''You cannot talk about the ethics procedure governing lawyers or doctors.'' I hope they do, and I hope they as a profession are out there policing themselves.

Mr. Speaker, I would like to ask the gentleman from Texas [Mr. DOGGETT], did he have those kinds of laws when he was on the Supreme Court and when he was in the ethics—what kind of laws did he have about people being able to discuss issues?

Mr. DOGGETT. To be candid with the gentlewoman, Mr. Speaker, there has been a tendency across this country for people to protect their own. One of the concerns that I had about our process in Texas was that it was not open enough. Our commission, the task force that I headed, actually recommended that the process be opened up more in Texas, because people would lose confidence in their judiciary, in the impartiality of their judiciary, if they could not see the process transpiring. There may be some situations with a frivolous complaint, where it is appropriate initially to evaluate it in secrecy. I do not say secrecy has no place.

However, with matters of this type dragging on for months without due process, it seems to me that the public is entitled to know a little more, and surely the Members of this House ought to be able to come here in front of the American people and have a legitimate debate, given the history of this country and its commitment to freedom of expression, given the pronouncement of the Speaker himself right here in this building on March 8 that Members of Congress could say anything, and that they usually do about these matters; an intelligent, an incisive discussion of how it is that we can assure the highest ethical standards, which are demanded of the Speaker and demanded of me and the gentlewoman from Colorado and of every Member of this House.

Mrs. SCHROEDER. I am totally agreeing with the gentleman. I am very saddened, because I always remember the things about Caesar's wife and so forth; if you are in public office, you are held to a higher standard. Therefore, I think it is incumbent upon all of us to engage in that, and to have a little sunshine.

Government is not a fungus, it can thrive in sunshine. What we are saying, we cannot even get into that. I almost feel like it is deja vu. I am back to where I came. When I joined this body 22 years ago this was going on in the committee I was assigned to. It was all closed. Nothing ever went on in public. All sorts of things transpired. I remember a young freshman and myself would try to sit in on those Members, and they would call the Sergeant at Arms and threaten to drag us out, and all sorts of things. We got all that kind of opened up, and now I see things closing back down in a limited fashion. I do not think that is what the American people wanted to see here.

However, I want to ask the gentleman from Texas, Mr. Speaker, let us just think about this. I guess we have committed a great faux pas, and I know there are going to be people here tracking us for the next 10 days. We did not know we could not come here and have this discussion. What do you think you are going to be called, partisan, fixated? What do you think you are going to be called the next 10 days?

Mr. DOGGETT. It is hard to guess. I know some were supposed to need to see their analysts just for having the audacity to make ethical complaints. I do find all this—I am still trying to learn the rules here as a brand new Member, not having been a part of the system that existed.

If those are the rules, it seems to me we need, if within these very restrictive rulings it is permissible to do so, to look at those rules, to look at the way the ethics process is done here, and see whether we are really fulfilling our responsibility to the American people to assure the highest ethical standards.

I suppose if there is not another opportunity to do that, and we are precluded from doing that here, perhaps in the midst of this tour that is going to take place that we have written about today, this tour that is like a rock star tour to go gallivanting around the country, 35 or 36 different cities in your State I am sure, and in mine, that perhaps we could go out and talk with the American people ourselves during the course of that tour and ask them for their thoughts as to whether they think their elected representatives, Democrat and Republican alike, ought to be able to stand there on the floor of the House, ought to be empowered by the voters across this country to stand here on the floor of the House and at least be able to discuss the ethics of the Speaker of the House, the third most powerful person in the entire country, and who may think he is even more powerful than being No. 3.

Mrs. SCHROEDER. Mr. Speaker, the gentleman has just thought of the perfect symbol for this tour. How about a gag, with the 35 cities, and we could have a gag. I think we have had a gag

order. I guess we cannot talk about some of the issues that drove us to sit down and write this letter.

Mr. Speaker, we laugh about this, but I find it very sad, because we go around the world and talk about how great our country is and how wonderful it is, and we believe in free speech, and we believe that we are all big enough to be able to deal with these issues in the open, and we are finding, I guess, some backsliding on that; that anybody who asks questions gets called some names, or that all sorts of innuendo was made. I do not know how we are going to be able to police ourselves if that continues on.

Mr. DOGGETT. If the gentlewoman will continue to yield, I do not want to call names, but I do think, and I want to comply with the ruling of the Chair, I think it is within the ruling that we do have to go back and take up one name, and that is Mr. Rupert Murdoch. I am not talking about the $4.5 million book deal. I am talking about Mr. Murdoch and his legislative interest here.

We have talked about the fact that of all the people in the world, he is the one that got the special hidden tax break, the tax break this House was never told about. He made tens of millions of dollars that were at stake there. That has already happened this year. That is one gift that he has already gotten, with all the influence that he has with the Speaker and other Members of the House, is this special tax break, corporate welfare.

Mrs. SCHROEDER. The gentleman is absolutely correct. As the gentleman also knows, about telecommunications——

Mr. DOGGETT. I wanted to inquire of the gentlewoman about that.

Mrs. SCHROEDER. I can hardly get through the building where my office is for all the high-priced lobbyists.

Mr. DOGGETT. Is it true there are more telecommunication lobbyists here than there are Members?

Mrs. SCHROEDER. I think there are. You can tell them because they have better shoes. They have much better shoes.

Mr. DOGGETT. Is not one of those key issues in the telecommunications bill, which I believe is being marked up, perhaps, even as we speak for consideration there in the Committee on Commerce, one of the real issues about those foreign shoes that are there, about whether or not the media of America are going to be owned, foreign ownership, by people like Rupert Murdoch?

Mrs. SCHROEDER. That is exactly right. Let us face it. There are two things going on here that we understand he has a great interest in. No. 1, we understand that he has been talking about maybe being able to buy the Corporation for Public Broadcasting, or some of the programming, or whatever. I am not too sure I want him owning Big Bird. Big Bird was one of the few things that was on for my kids. That has been at least in the process as an interest, that he was interested in.

He has not come and talked to me. I am way low on the totem pole. My average campaign contribution is 50 bucks. Murdock does not bother with poor white trash like me.

The other thing that I understand that he is very interested in is the foreign ownership issues. We have not allowed foreign ownership of our communications, because we felt it was very, very important for national defense, for a lot of things. They are trying to change that, along with maybe other things that I am sure he has an interest in. When you get to be that big a guy, with that much money, megabucks and gigabucks all over the place, I am sure there are a lot of other interests that you and I do not know about, also. It just looks like a conflict, shall we say.

Mr. DOGGETT. On the same day that the letter is filed that we are now, apparently, going to be denied an opportunity to talk about with one committee of this House, another committee of this House is there marking up a telecommunications bill, deciding whether Rupert Murdoch and other foreign interests can come in and can take over the media outlets which report what it is we can and cannot say on the floor of this House.

That is one very big interest, in addition to the great tax break that he got, that the gentleman from Australia has at stake here. In between signing book deals, there is the matter of a few tens of millions here, and then I guess with the telecommunications, we are not talking about tens of millions or hundreds of millions, we are talking about billions and billions of dollars that are at stake. That is why all these hundreds of lobbyists are around here, is that not correct?

□ 1345

Mrs. SCHROEDER. The gentleman is absolutely right. The very puzzling thing is there are areas where you know you should not go, the black areas and the white areas. Then there is this big gray area. When you look at this, if these lobbyists want to give you money, it must be in the open, it must be recorded, they must file it at the Federal Election Commission so you can see it. But the issue is can they give it to you in another way so it is way beyond the limits, like could they fund a tour for the gentleman from Texas of 35 cities, setting up public relations for him everywhere he goes. It would be worth zillions of dollars. Who knows what that is worth?

But obviously they would be way beyond a campaign limit, and could that possible influence the gentleman? We do not know those issues. But those are the things that are out there and those are the things that trouble an awful lot of us here.

We hear, well, people have not talked about this before. Maybe no one has been quite this creative, who knows? But I do not like it. I am frustrated by it.

Mr. DOGGETT. I would ask the gentlewoman, there may be some people, and I am sure that was a concern with this letter, who view themselves as little more than a butler for the super-rich, the kind of people who go around with a tray saying, ''Here, Jeeves,'' or ''Here, whoever it might be,'' and for whom $4.5 million is little more than a good tip.

When you have something at stake, and the gentlewoman mentioned the Public Broadcasting System, the only really quality children's programming in this country, and yet there are people right there in the well of the House who stood up and attacked it as socialist television, who criticized the Big Bird lobby, and yet are there not some of those super-rich from other parts of the world who if they can take over the Public Broadcasting System and can run it as a giant commercial enterprise instead of a truly publicly supported television system like we have in Texas and a public radio network, a national radio network that is public that all the people have a chance to participate in without commercial enterprise, should that happen, would $4.5 million for a book deal not be little more than a good tip?

Mrs. SCHROEDER. The gentleman makes a very interesting point. As you know the gentlewoman, I think, a couple of weeks ago was called a socialist by a Member on the other side of the aisle, and I said to them, ''You can call me whatever you want. I believe in free speech. It doesn't bother me.'' But the interesting thing is I thought he was for socialism of the rich. Socialism of the rich is a whole new concept but that is kind of what we are seeing. How do we give these benefits to the rich who already have more than they should ever have?

But I think the gentleman from Texas and I have probably been gagged and shut up and we probably cannot talk about too much more or they are going to put us away.

Mr. DOGGETT. I suspect that that is rather true. I know the gentlewoman shares my commitment to a truly free enterprise system. But that free enterprise system relying on private capital, relying on the hard work of millions of American families who have made this the greatest country in the world, that can be perverted when people get special favors here and they say they are for free enterprise and against socialism, but they do not really want free enterprise. They are willing to pay out substantial amounts of money to those who would peddle influence in the most sacred institution of this country, who would pay out millions of dollars because they have billions and trillions at stake.

That is the kind of thing that motivates a letter to say, let's not delay justice. The American people demand justice. They demand justice even if it involves a person who says he is the

third most important person in this entire country.

I thank the gentlewoman.

Mrs. SCHROEDER. I thank the gentleman from Texas. I just want to end this by saying, the gentleman that preceded us in this well was talking about many of our veterans. It is Memorial Day that we are breaking for. I must say they gave their lives for this wonderful, great Government and not for the best Government money can buy. All we want to make sure is that we are not finding a new way for people to be able to buy this Government.

We get frustrated with this Government, sometimes this Government makes us absolutely nuts, but I must say overall I will take this Government against any other one in the world. I am going to do everything I can to make sure everybody has a fair chance, everybody has a fair shot, and that we do not surrender to new clever ways that lobbyists find to get their time.

Mr. Speaker, I am now going to turn the podium over to my distinguished colleague, the gentleman from Colorado [Mr. SKAGGS].

I wish everyone also a happy Memorial Day.

The SPEAKER pro tempore (Mr. BURTON of Indiana). The gentleman from Colorado may control the balance of the hour designated by the leadership.

CONSTITUTIONAL RIGHTS OVERSIGHT ACT

Mr. SKAGGS. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, today, I am pleased to join Mr. SCHIFF, my colleagues from New Mexico and a former district attorney, in introducing a bill to safeguard our constitutional rights as we fight terrorism.

The tragic bombings in Oklahoma City, 2 years earlier in New York City, awakened all of us to the fact that America is not immune to terrorist acts. This has quite appropriately prompted the President and many Members of Congress to suggest additional steps to prevent terrorism and to make punishment for terrorist acts swifter and more certain. It is essential for Congress to see that we are doing all we should do to prevent the horror and tragedy of another Oklahoma City.

But talk about stepped-up counterterrorism efforts has also raised among the public the concern that law enforcement agencies may slip over proper constitutional boundaries in combating terrorism, that their actions to keep us safe may sometimes collide with the Constitution's wise restraints that keep us free.

The bill we are introducing today, the Constitutional Rights Oversight Act, responds to these concerns.

The bill would establish a top-level inspector general for counterterrorism activities to head a new independent office, to be responsible for ensuring that Federal counterterrorism activities comply with constitutional standards.

The most important feature of the new inspector general will be the cross-cutting scope of the authority of this office. Unlike the existing inspectors general of various departments, this new IG will have oversight authority for many different agencies. The new IG will review the counterterrorism activities of agencies as diverse as the Immigration and Naturalization Service, the Federal Bureau of Investigation, and the Bureau of Alcohol, Tobacco and Firearms.

In short, this new inspector general will have the authority not simply to review the actions of a Department, but to watch the counterterrorism activities of all agencies, to assure their adherence to the Constitution and their full respect for constitutional rights.

Besides the power to review, the new inspector general would have the power to act, in two significant ways.

First, agencies would be required to keep this new inspector general informed of requests for judicial or administrative authorization for searches wiretaps, and similar surveillance activities. The new inspector general would be kept similarly informed about deportation actions related to the right against terrorism.

In connection with all these proceedings, the new inspector general could make suggestions, or oppose the requested authorizations, to the extent appropriate in order to protect constitutional rights.

Second, the new IG would receive public complaints about alleged or potential violations of constitutional rights. Upon receiving these complaints, the IG could require relevant agencies to respond.

Finally, the new IG will be responsible for submitting periodic reports to the President and the Congress concerning the observance of constitutional requirements, and the protection of constitutional rights, in connection with Federal counterterrorism activities, and to make suggestions for improvements.

But just as important as these particular powers I think will be the restraining effect of the mere existence of this new IG. The requirements for immediate constitutional accountability that the office would impose on counterterrorism, investigations should serve to deter any tendency a Government official might have to be casual about constitutional safeguards.

Mr. Speaker, the American public has a very real stake in being protected from terrorism. It also has a high stake in seeing that the Government doesn't cut constitutional corner in providing that protection. We do not need to trade our constitutionally protected rights, including the rights to privacy, free assembly, and free speech, for enhanced protection from terrorists. If we should make that mistake, terrorism will have achieved a victory.

As with all other law enforcement efforts in our country, in fighting terrorism the Government must balance the need for security with the rights of the people. Sadly, our history provides several examples of the Federal Government compromising basic constitutional rights to thwart perceived national security threats.

The FBI's clandestine COINTELPRO Program provides but one stark example of such governmental arrogance. In the name of national security, then-Director J. Edgar Hoover presiding over a program of unauthorized surveillance and harassment of those who legitimately protested government policies. Given this history, there are serious concerns in the country about giving expanded investigative powers to Federal authorities.

We are introducing the Constitutional Rights Oversight Act to help ensure that protection of civil liberties is part of the counterterrorism debate. The House should consider this measure as part of any counterterrorism legislation that comes to the floor. By its enactment, Congress can demonstrate our commitment to protecting both public safety and personal freedom and will provide the right response to the public's fears both of violence and of Government abuse of civil rights. A nation which so reveres its constitution deserves no less from its Government.

MEDICARE AND THE FEDERAL BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 20 minutes.

RECOGNIZING OUR VETERANS

Mr. SHAYS. I thank the Speaker. I know the Speaker has appointments he has to make. I appreciate his willingness to stay and be here for these special orders, and also to thank those that are working on behalf of the House so that we have this opportunity.

I do not often seek the opportunity to address the House in a special order, but I do so today to talk about our Federal budget and what we as the Budget Committee have done to try to get our financial house in order.

But I first want to say that as I listened to the gentleman from California [Mr. DORNAN] in talking about the atrocities that took place with Americans under captivity by the Japanese during World War II, I just could not help but think how important it is that that story be told, as gruesome as it is, and that the families of those men know that we will not be silenced in making sure that the truth be told.

When I think of Memorial Day and the men and women who gave their life to this great country, I know, as someone who never served in the armed forces, that when I look at the flag behind me, that the flag means a great deal to me obviously as a Member of Congress and as an American citizen. But to someone who fought in battle, the American flag means something more than we could ever imagine.