

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

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

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

RULE NO. 10

BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Whenever any hearing or meeting conducted by the committee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in clause 3 of House Rule XI, subject to the limitations therein.

RULE NO. 11

TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the committee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the chairman in writing the following:

- (1) the purpose of the travel;
- (2) the dates during which the travel will occur;
- (3) the locations to be visited and the length of time to be spent in each;
- (4) the names of members and staff seeking authorization.

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

- (A) the purpose of the travel;
- (B) the dates during which the travel will occur;
- (C) the names of the countries to be visited and the length of time to be spent in each;
- (D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and
- (E) the names of members and staff for whom authorization is sought.

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

(c) Members and staff of the committee performing authorized travel on official busi-

ness shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Oversight pertaining to such travel.

RULE NO. 12

POWERS AND DUTIES OF SUBUNITS OF THE COMMITTEE

The chairman of the committee is authorized to establish appropriately named subunits, such as task forces, composed of members of the committee, for any purpose, measure or matter; one member of each such subunit shall be designated chairman of the subunit by the chairman of the committee. All such subunits shall be considered ad hoc subcommittees of the committee. The rules of the committee shall be the rules of any subunit of the committee, so far as applicable, or as otherwise directed by the chairman of the committee. Each subunit of the committee is authorized to meet, hold hearings, receive evidence, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary, and to report to the full committee on all measures or matters for which it was created. Chairman of subunits of the committee shall set meeting dates with the approval of the chairman of the full committee, with a view toward avoiding simultaneous scheduling of committee and subunit meetings or hearings wherever possible. It shall be the practice of the committee that meetings of subunits not be scheduled to occur simultaneously with meetings of the full committee. In order to ensure orderly and fair assignment of hearing and meeting rooms, hearings and meetings should be arranged in advance with the chairman through the clerk of the committee.

RULE NO. 13

OTHER PROCEDURES AND REGULATIONS

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

RULE NO. 14

DESIGNATION OF CLERK OF THE COMMITTEE

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. CUMMINGS] is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. LEWIS] is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

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

THE DISMANTLING OF EQUAL OPPORTUNITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DAVIS] is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to express my extreme disappointment with the Supreme Court's ruling yesterday that allows the ban on affirmative action in California to stand. The Supreme Court's decision yesterday is consistent with its trend to reverse the gains of African-Americans, women, and minorities in this country. The Court's unwillingness to take this case and decide it on the merits will spur an all-out frontal attack on initiatives that seek to ensure that minorities receive equal opportunity and fairness in contracting, higher education, employment, and many other areas.

Campaigns to eliminate preferences based on race and sex are under way in several States. Today voters in Houston, the Nation's fourth largest city, had an initiative on the ballot to end affirmative action in the area of public contracts. Perhaps W.E.B. Dubois was right when he said that the problem of the 21st century will be the problem of the color line.

Proponents of dismantling affirmative action have argued that discrimination and isolation are no longer barriers to achievement. However, the statistics bear out a different result. The U.S. Department of Labor's Glass Ceiling Commission report, released March 16, 1995, shows that while white men are only 43 percent of the Fortune 2,000 work force, they hold 95 percent of the senior management jobs. In addition, this report revealed that women are only 8.6 percent of engineers, less than 1 percent of carpenters, 23 percent of practicing attorneys, 16 percent of police, and 3.7 percent of firefighters.

Women and minorities are 66 percent of the population in this country, but only 35 percent of physicians, 20 percent of tenured professors, and 6 percent of school superintendents. Minority enrollments in law school and other graduate programs are plummeting for the first time in decades. Women make up 80 percent of the health service professionals, but white males dominate the senior management positions. It is plain that America is still a society where race and sex play major roles in how far you can go.

The concept of affirmative action encompasses three fundamental principles of fairness: First, ensuring that every American has access to education; second, ensuring that every American has access to good jobs; and the third basic principle of affirmative action for which there can be no retreat is ensuring that every American

has the opportunity to advance as far in their field as their talents and hard work will take them.

Affirmative action is really all about our Nation's economic competitiveness. It is about being inclusive and not exclusive. In other words, it is about making sure that every American regardless of gender or race has an opportunity to live out the American dream. It is about trying to make sure that individuals do, in fact, have access to equal opportunity.

The Supreme Court's decision yesterday is a major setback for equal opportunity and diversity in this country. However, I urge all citizens who want to shatter the infamous glass ceiling, who want to make America's Statue of Liberty ring true when she says, I welcome your poor, tired, huddled masses of immigrants to our borders, to oppose efforts to end Federal affirmative action.

If we end Federal affirmative action, we are likely to see the gap between the haves and the have-nots widen. We are likely to see contracting for minorities, women and small businesses severely decline. In addition, we are likely to see opportunities for higher education continue to be reduced. Therefore, I urge the masses to mobilize and defeat those who would take us backwards rather than forward. Affirmative action must remain a reality in America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON. addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GREEN] is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

[Mrs. MINK addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. STRICKLAND] is recognized for 5 minutes.

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

SUPREME COURT WRONG IN LETTING AFFIRMATIVE ACTION BAN STAND

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to associate my remarks with that of the gentleman from Illinois in raising concerns about the recent Supreme Court decision that allowed to stand Proposition 209 in California.

I think it is very clear that many have misinterpreted the concept of affirmative action. Affirmative action simply provides an opportunity for those qualified. It is unfortunate that the proponents of 209 and the Supreme Court now in its refusal to hear the decision have denied the rights of women and minorities to address discriminatory practices. And so as we see in California, with the initial impact of Proposition 209, a decided decrease in the schools of medicine and law with respect in particular to Hispanics and African Americans.

We have seen as a result of 209 a chilling effect on qualified minority students leaving in droves the State of California because they find no opportunity for civil rights or the opportunity to be educated in their own schools because they have been denied those opportunities through the biased and unfair implementation of 209.

The question becomes, well, these individuals are not qualified. Evidence shows that graduate students in law and medicine who may have come in under an affirmative action program and scholarship program passed their medical boards and law boards equal to those who were admitted in another manner.

Additionally, I come from the State of Texas, and in particular represent the 18th Congressional District in Houston, TX. It is very clear that the Hopwood decision in Texas has been extremely chilling. In fact, I would say to you that Cheryl Hopwood, the petitioner in that case, which has now eliminated any opportunity for minority students to be accepted on what we call affirmative action goals-directed programs in the State of Texas, should have gotten into the University of Texas. In fact, she was far more qualified than many white males who got in under normal circumstances. So, in fact, I would have supported the admission of Cheryl Hopwood.

Unfortunately, her challenge was misdirected. It was directed at a program that sought to diversify a school system that had been born in segregation. Texas Southern University is a school that was organized in the State of Texas because Herman Sweat was not allowed to go to the law school at the University of Texas. Now we find ourselves having come full circle to deny now the best and the brightest of Texas from particularly Hispanic, African-American, and women populations along with Asians because of the implementation of the Hopwood decision. Now we find ourselves with a clone of 209 on the ballot as I speak in the city of Houston.

First I would like to thank all of those who worked in good faith to maintain the diversity and the international persona of the city of Houston. Mayor Bob Lanier was one of the leaders in this effort. I would suggest to Members that the people of good will know what is best for Houston, and that is to remain with an open door policy.

In this instance, proponents of the elimination of affirmative action directed their hostility toward the city's NWBE Program. Let me share with my colleagues the irony of such a rejection or opposition to the program. Our program was started in 1984, simply a goals aspiration program, simply saying to the majority community, which heretofore took 95 percent of city contracts, again paid for by city tax dollars of which all citizens pay for. After 1984, when the NWBE Program was carefully carved not to be a quotas program, not to be a preference program, we began to see 20 percent of the contracts going to women and minorities, 17 percent in construction and another percentage in professional services.

Now, the proponents of a clone of 209 say that that, in fact, is too much, say that Houston has preference, says that Houston has quotas. Absolutely absurd. What Houston has is the opportunity to promote minority businesses and women-owned businesses that have created jobs.

Mr. Speaker, as I close, let me simply say the Supreme Court was misdirected and unfortunately wrong in their opinion. I would encourage those who will be seeing these particular mechanisms on their ballot to fight hard to oppose allowing individuals to have a remedy for discrimination. That is all that affirmative action is, and we should join with colleagues of good will to likewise defeat any effort by the United States Congress to pass Federal legislation on affirmative action. That certainly will be the commitment that I offer, and I ask my colleagues to join me as well.

IRS IN NEED OF REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise to address the House this evening on an issue which is really front and center for all the American people, and that is the issue of tax reform and the issue of reforming the IRS. We only have to look to Carol Ward in Colorado Springs, CO, to look to the centrality of this problem. Here we have a young lady who was questioning for her son the way the IRS handled his particular return. Here the agent felt that she was being a little bit defensive or being a little bit actually helpful and he thought overly helpful in asking questions to the IRS agent. Her thanks for being watchful as to her son had her business closed by the IRS, signs placed on it saying that