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 gentlewoman 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 gentlewoman 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 gentlewoman 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

this business is closed, the IRS seized the assets, seized the bank accounts, put her out of business.

What justification did we have for a Federal agency that is supposed to be there for the benefit of taxpayers, to fund Federal agencies, of course, supposed to be a voluntary payment. Again we have involuntary agents going after Americans in this case where there was no probable cause. This was a fishing expedition. This was an act of retribution against a taxpayer trying to protect the rights of her son.

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She recently won in court a settlement on this matter, but if Carol Warden did not have attorneys and could not afford to go forward in this action, she would be like many others who were victims of the IRS whose businesses and personal assets were seized and who in fact felt the full awesome power, Mr. Speaker, of the IRS without fairness and without proper procedures.

So it is for those reasons that many of us in the House, both sides of the aisle, Republican and Democrat, are working on legislative initiatives to change that.

One of the issues I am introducing, Mr. Speaker, is the taxpayer bill of rights 3. This will require for the first time there will be no fishing expeditions by the IRS, no more quotas, as you have heard, from the Senate Finance Committee where they have to have so many cases where they bring investigations or fines and penalties against unwitting Americans who did nothing wrong. But the IRS for the first time under my legislation will be responsible for business and personal losses caused by the IRS actions, and, furthermore, the IRS will be responsible for the legal fees that are a part of this entire charade.

Moreover, we change the burden of proof so it would not require that the IRS would assume that the commissioner is correct and the taxpayer is guilty.

Furthermore, the bill calls for mediation service for those taxpayers that could not afford an attorney that there be a mediation service to settle the claims.

And finally for those taxpayers who come forward with violations by the IRS that they would not be subject to a special audit because they came forward to report wrongdoing or problems with the IRS.

We in Congress need to work together with BILL ARCHER, Congressman PORTMAN, Congressman LARGENT and also Congressman PAXON on all relative bills which deal with the same topic, reforming IRS, making the agency more fair and making sure the Tax Code we have is changed by the year 2000, one that may be flatter, fairer, not have special exemptions and make sure that working Americans have a fair shake from this system and that the agency that will succeed the IRS will be fair to all taxpayers.

I appreciate this time to address the taxpayer bill of rights, and I look forward to the support of my colleagues on this important legislation.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF NINE MEASURES RELATING TO THE POLICY OF THE UNITED STATES WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–379) on the resolution (H. Res. 302) providing for consideration of nine measures relating to the policy of the United States with respect to the People's Republic of China, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2676, IRS RESTRUCTURING AND REFORM ACT OF 1997

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–380) on the resolution (H. Res. 303) providing for consideration of the bill (H.R. 2676) to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RILEY (at the request of Mr. ARMEY), for today and the balance of the week, on account of medical reasons.

Mr. MCNULTY (at the request of Mr. GEPHARDT), for today, on account of personal reasons.

Ms. SLAUGHTER (at the request of Mr. GEPHARDT), for today, on account of medical reasons.

Mr. YATES (at the request of Mr. GEPHARDT), for today after 10:30 p.m., on account of personal reasons.

SPECIAL ORDERS GRANTED

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

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

Ms. BROWN of Florida, for 5 minutes, today.

Mr. MCNULTY, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. GREEN, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

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

Mr. SAXTON, for 5 minutes, today.

Mrs. LINDA SMITH of Washington, for 5 minutes each day, on today and November 5, 6, and 7.

Mr. KINGSTON, for 5 minutes each day, on today and November 5.

Mr. JONES, for 5 minutes, on November 6.

Mr. THOMAS, for 5 minutes, today.

Mr. GIBBONS, for 5 minutes, on November 6.

Mr. MCHUGH, for 5 minutes, on November 6.

Mr. BOEHLERT, for 5 minutes, on November 6.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. ADAM SMITH of Washington, for 5 minutes each day, on November 5, 6, and 7.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes today.

EXTENSION OF REMARKS

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

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

Mr. FORBES.

Mr. CALLAHAN.

Mr. GILMAN.

Mr. ROGAN.

Mr. GRAHAM.

Mr. YOUNG of Alaska.

Mr. SAXTON.

Mr. BEREUTER.

Mr. ADERHOLT.

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

Mr. HOYER.

Mr. KUCINICH.

Mr. ABERCROMBIE.

Mr. FRANK of Massachusetts.

Mr. PAYNE in two instances.

Mr. ACKERMAN.

Mr. VENTO.

Mr. TOWNS.

Mr. LANTOS.

Mr. VISCLOSKY.

Mr. ORTIZ.

Mr. GONZALEZ.

Ms. DELAURO.

Mr. MANTON.

Mr. BENTSEN.

Ms. LOFGREN.

Mr. OWENS.

Mr. STARK.

Mr. KIND.

Mr. MCGOVERN.

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