□ 1834

Mr. BLUNT changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CERTAIN RESOLUTIONS IN PREPARATION FOR THE ADJOURNMENT OF THE SECOND SESSION SINE DIE

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–818) on the resolution (H. Res. 594) providing for consideration of certain resolutions in preparation for the adjournment of the second session sine die, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Ms. LOFGREN. Mr. Speaker, through an error on rollcall vote 521, I voted present. It should have been an aye.

ANNOUNCEMENT OF BILLS TO BE CONSIDERED UNDER SUSPENSION OF THE RULES ON WEDNESDAY, OCTOBER 14, 1998

Mr. SHAYS. Mr. Speaker, pursuant to House Resolution 575, I announce the following suspensions to be considered tomorrow, Wednesday, October 14, 1998:

H.R. 559, to add bronchiolo-alveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation exposed veterans;

S. 1397, Centennial of Flight Commemoration Act;

S. 1733, to require the Commissioner of Social Security and food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued for deceased individuals;

H.R. 3963, to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana;

H.R. 4501, to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public;

H.R. 3878, to subject certain reserved mineral interests of the operation of the Mineral Leasing Act;

H.R. 3972, to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the outer continental shelf;

H.R. 4519, to authorize the President to consent to third-party transfer of the ex-USS Bowman County to the USS LST Ship Memorial;

S. 759, to provide for an annual report to Congress concerning diplomatic immunity;

S. 610, Chemical Weapons Convention Implementation Act;

and H.R. 4243, regarding government waste, fraud, and abuse.

CREDIBILITY GAP

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

Mr. GOSS. Mr. Speaker, there is more than one credibility gap at the White House these days. The President takes credit for balancing the budget and demands that every penny of surplus be set aside for Social Security. But at the same time, he threatens to shut the government down if Congress does not agree to spend at least $14 billion, and probably more, of that surplus on more big government programs that have nothing whatsoever to do with Social Security.

Why does this sound so familiar? This document is the President's 1995 budget, the first year of the Republican-controlled Congress. This Clinton plan called for $200 billion deficits as far as the eye could see with no balanced budget in sight. See page 173, if my colleagues do not believe me.

Do not be confused or misled by the President's parsing and finger wagging. The fact is that the Republican Congress balanced the budget and now President Clinton plans to shut down the government unless we spend billions more. That is the truth.

BUDGET AGGREGATES

TABLE S–1.—OUTLAYS, RECEIPTS, AND DEFICIT SUMMARY

[In billions of dollars]

Category	1994 actual	Estimate					
		1995	1996	1997	1998	1999	2000
Outlays							
Discretionary:							
National defense	282.2	272.1	262.2	257.5	255.1	260.2	268.3
International	20.8	22.1	21.0	20.9	20.4	20.2	20.1
Domestic	242.6	259.6	265.8	269.3	264.9	262.8	261.1
Subtotal, discretionary	545.6	553.8	549.0	547.7	540.4	543.3	549.6
Mandatory:							
Programmatic:							
Social Security	316.9	333.7	351.4	369.9	389.4	409.8	430.7
Medicare and Medicaid	223.9	242.8	270.6	295.9	322.4	349.6	380.5
Means-tested entitlements (Except Medicaid)	88.4	96.1	101.1	110.3	116.5	122.6	132.1
Deposit insurance	−7.6	−12.3	−6.3	−1.4	1.2	−1.3	−3.5
Other	128.6	131.9	131.4	134.2	135.4	140.5	146.1
Subtotal, programmatic	750.2	792.2	848.2	909.0	964.9	1,021.2	1,085.9
Undistributed offsetting receipts	−37.8	−41.4	−42.1	−42.4	−43.0	−39.4	−40.0
Subtotal, mandatory	712.4	750.9	806.2	866.6	921.9	981.8	1,045.9
Net interest	203.0	234.2	257.0	270.4	282.9	297.1	309.9
Subtotal, mandatory and net interest	915.4	985.1	1,063.2	1,137.0	1,204.8	1,278.9	1,355.8
Total outlays	1,460.9	1,538.9	1,612.1	1,684.7	1,745.2	1,822.2	1,905.3
Receipts	1,257.7	1,346.4	1,415.5	1,471.6	1,548.8	1,624.7	1,710.9
Deficit	203.2	192.5	196.7	213.1	196.4	197.4	194.4

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SESSIONS). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

JUDICIAL ATTENDANCE AT PRIVATELY-FUNDED SEMINARS

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

Mr. SKAGGS. Mr. Speaker, I think everybody here would agree that it would be unfair for a judge to accept an expense paid vacation from one party in a lawsuit. That is why there are judicial ethics rules against accepting gifts from anyone who is likely to appear in a judge's court. But suppose a corporation, instead of paying directly, gives money to a foundation to pay for

the vacation indirectly. Does that make it all right? Of course not.

Believe it or not, it happens routinely, and apparently it is okay under the current reading of the Judicial Code of Conduct.

Earlier this year, The Washington Post reported that a substantial number of Federal judges had attended or were planning to attend seminars run by a group called the Foundation for Research on Economics and the Environment, known by the acronym FREE.

FREE, with funding from several oil and mining companies and other groups, invited Federal judges to a Montana guest ranch for seminars on alternatives to traditional environmental laws. The ethical implications of these vacation seminars need careful review. That is why I authored report language to the Commerce, Justice, State, Judiciary Appropriations bill requesting the Judicial Conference to examine the ethical considerations that bear on judges' decisions to attend this type of seminar.

Specifically, it requested a review of the extent to which a judge's acceptance of sponsor-paid travel and lodging raise questions under the Code of Conduct and applicable law and of the ability of the Judicial Conference to give ethical advice to judges about attending particular seminars.

While the CJSJ bill was pending in committee, I received a letter from the director of the Administrative Office of the Courts assuring me they were aware of the concerns raised in the press and by Congress and were addressing them.

Really? When Judicial Conference Committee on Codes of Conduct met last month, they evidently saw no need to revise or supplement their current guidance on the issues raised by our committee's report. This guidance is apparently contained in a single advisory opinion which states that judges may accept a gift of free lodging and expenses, ''so long as the donor is not a party in litigation before and its interests are not likely to come before the invited judge.''

The Judicial Code of Conduct is not limited to avoiding direct conflicts of interest, however. Canon Two of the Code states, ''A judge should avoid impropriety and the appearance of impropriety in all activities.'' In other words, a judge must not only be impartial but must inspire the confidence of all parties that their cases will be tried solely on the merits.

Under the interpretation provided by the Judicial Conference, judges may accept gifts in the form of free travel and vacation seminars so long as they are not directly sponsored by an entity likely to appear as a party to a case, and the judge need not investigate further. This allows persons or corporations interested in Federal litigation effectively to launder their gifts to judges by passing them through a nonprofit foundation.

If it is not ethical to accept gifts from those with current or likely interests in litigation, can it honestly be made ethical by having these gifts pass through a foundation? Should not the Judicial Conference require full disclosure in advance of all sources of funding for such seminar trips, so judges can make informed decisions and so the public can evaluate any questionable circumstances?

The Judicial Conference's response relies on the argument that the contributors do not necessarily control the views conveyed in these seminars. But how realistic is that? The fact is, the contributors give money precisely because they support the views expressed in the seminars or, more accurately, the seminars exist to propound their views.

□ 1845

Certainly everyone has a right to communicate their views on the law to judges, and it is healthy for lawyers, economists, judges to discuss the law, including novel theories. The Federal Judicial Center, the educational arm of the judicial branch, sponsors seminars to do just that.

The problem comes with the inducement to judges of free travel and lodging, sometimes worth thousands of dollars, paid for by corporations and others to promote a particular school of thought. This is difficult to reconcile with the obligation to avoid the appearance of impropriety. Free travel and lodging paid for once removed by those with a stake in litigation is okay as long as it is couched in terms of an educational seminar? You have got to be kidding.

Parsing the educational content of a particular seminar makes no sense. It is the receipt of gifts from those interested in litigation and with an ideological ax to grind that creates the problem, not the curriculum of the seminar that provides cover for the gift.

The Judicial Conference needs to look again at this issue, this time keeping in mind there are no free lunches, or in this case, vacations.

PRESIDENT SHOULD USE POWERS AT HIS DISPOSAL TO HELP U.S. STEEL INDUSTRY

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

Mr. REGULA. Mr. Speaker, the steel industry and the steelworkers and their families are feeling the unfair impact of cheap steel being imported in the United States market in very large quantities. This hardship threatens to grow much worse in the months ahead as other markets dry up and the United States becomes the target of dumping in order to gain hard currency.

Mr. Speaker, I tell the President that Congress has provided him with the tools to help steelworkers. There are already a number of remedies under the United States trade laws that the President should use, if appropriate, to deal with the significant increase of steel imports.

Number one, the most significant and far-reaching power is under the International Economic Emergency Powers Act. Under this act, the President may block imports to deal with any unusual and extraordinary threat to the national security, foreign policy, or economy of the United States if he declares a national emergency.

Two, under the anti-dumping laws, the President may impose anti-dumping duties that equal the amount of dumping if injury to the United States industry is shown.

(A) These duties may be imposed retroactively if the administration finds critical circumstances deemed to exist when there have been massive imports over a relatively short period and there is a history or knowledge of dumping and injury.

(B) The President may accelerate the statutory deadlines for determining whether dumping exists so that duties may be imposed sooner.

Three, under the countervailing duty law, the President may impose countervailing duties that equal the amount of any subsidy provided by the foreign government, if injury to the United States industry is shown. As with dumping, these duties may be imposed retroactively and accelerated.

Four, under Section 201, the President may take action, including imposing duties, a tariff rate quota, or quantitative restrictions to respond to a surge of imports that is substantially causing serious injury to the United States industry, and I might add parenthetically that that is exactly what the European Union has done.

Five, under Section 301, the President must take unilateral action if he determines a country is taking action in violation of a trade agreement or is unjustifiable or burdens or restricts U.S. commerce.

Mr. Speaker, the President clearly has the authority to do something to help our steel companies and workers. He should use this authority today. I urge the President, do not ignore this growing erosion of steel jobs in America and the disastrous consequences for the families of the steelworkers. Stand up for the steelworkers and their families

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

Mr. REGULA. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I want to commend the gentleman from Ohio (Mr. REGULA) for bringing this to the attention once again of the floor. We tried on two different occasions to do something important in this Congress, near the end of this Congress, to bring to the attention of the administration the need to take some very strong affirmative steps in stopping this dumping of steel on our market.