

remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

4. All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as Chairperson of the Committee; and such records shall be the property of the House and all Members of the House shall have access thereto.

5. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairperson shall notify the ranking minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of that rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

6. To the maximum extent feasible, the Committee shall make its publications available in electronic form.

KEEPING THE BUDGET BALANCED

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

Mr. SMITH of Michigan. Mr. Speaker, the Committee on the Budget has been hearing testimony from Jacob Lew, the Office of Management and Budget Director. I think there are some portions of the President's budget that America should be very aware of.

Number one, the budget substantially increases spending and the size of government, and, therefore, the opportunity to control more of our individual lives. The President's budget breaks the budget caps that the budget and this Congress agreed to two years ago this coming spring. In the year ending in 2000, there is a \$17 billion expenditure in excess of those discretionary caps that we imposed during the balanced budget resolution.

I am concerned because the discipline of reaching the goal of balancing the budget of the Federal Government and the discipline that that has allowed us, encouraging us individually and collectively to do what was necessary in slowing down the growth of government, has resulted in very strong, good rewards.

We now have a surplus. In 1995, when the majority control changed hands in this body, we were looking at \$200 billion deficits every year for the foreseeable future. Last year we had a surplus of about \$70 billion. This year we are looking at a surplus that could be \$10 billion higher, maybe more.

But, again, we need to remind ourselves that this surplus comes from the extra taxes that workers are paying for Social Security. In other words, we are taking that surplus that is being sent in to support Social Security and using some of that money, some of that sur-

plus, for other spending, but, even so, we still have an overall unified budget surplus.

I think it is interesting that just last week the Congressional Budget Office came out with their economic projections. In their economic projections, they said if we stay with the current caps on spending that we imposed on the balanced budget resolution about two years ago, we would not have to increase the national debt of this country, the debt limit for the national debt of this country.

Let me say that again: Currently the debt that somehow our kids and our grandkids are going to have to pay back, the national debt of this country, is \$5.5 trillion. The debt limit, and Congress is responsible to decide how deep we should be going in debt, the current debt limit legislation allows us to go in debt up to \$5.95 trillion. I would hope that we do not exceed that. I would hope that we do not obligate our kids and grandkids.

I am also concerned about the President's proposal because it increases taxes \$108 billion over five years. Do you remember last year, this side of the aisle, the Republicans, suggested that we have a \$10 billion tax cut. There was great anxiety on the part of many, saying that was too much of a tax cut.

But, again, this budget that the President has just sent us increases taxes by \$108 billion. I include fee increases as part of that tax increase, because really fees are in effect real taxes. There is \$82 billion technically in taxes and \$26 billion in fees.

I am concerned that the budget reduces money for research. Look, the rest of the world is gaining on us. They are trying to learn how to produce as efficiently as we are. We have got strong challenges for the future. It means not only should we be frugal in not allowing government to grow, reducing our debt, the overall debt of this country, so interest rates will stay low, so that we can encourage economic development and the strength of our economy, but it also means we have to be on the cutting edge of research. I hope as we move ahead on this budget resolution, we will continue to be frugal in cutting out waste in the Federal Government and also we will be looking at prioritizing existing spending to maximize the chance that we can stay ahead of the rest of the world in terms of productivity and competitiveness and ultimately maintain our standard of living.

NIKITIN TRIAL TO PROCEED IN RUSSIA

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

Mr. ABERCROMBIE. Mr. Speaker, I want to acknowledge that the gen-

tleman from Iowa (Mr. GANSKE) is here to begin his hour presentation, I believe, and I want to thank him for his courtesy in allowing me to claim this five minutes. I am sure that he will join with me and the gentleman from Pennsylvania (Mr. WELDON) and others with respect to the very important subject that we wish to devote just a few minutes to today.

Mr. Speaker, surely we can take some time at this particular juncture to devote attention, in this special order, to the difficulties that are now being experienced in what was the former Soviet Union, that is to say, in Russia.

The Supreme Court in a Supreme Court session in Russia is being held on the 4th of February with respect to the Alexander Nikitin case. The case, Mr. Speaker, is important not only to Captain Nikitin and those who are interested in addressing issues of freedom in Russia, but it has profound consequences for all of us on the planet.

Captain Nikitin has been the leading exponent of making clear what is happening with nuclear deterioration with the submarine fleet in the former Soviet Union. The degradation that is taking place in the environment there is something of concern, not only to the Russian people, but to all of us throughout the world. He is now being tried as a result of trying to bring this information forward in a more clear sense than it has been available before.

I want to indicate for those Members and those who may become aware of the special orders today throughout the Nation that they can contact the Bellona Foundation, B-E-L-L-O-N-A, at P.O. Box 11835 in Washington D.C., 20008, and contact the Bellona Foundation if you want to aid and assist Captain Nikitin in Russia, if you want to become more aware of what is taking place with the deterioration of the nuclear submarines in the former Soviet Union.

The Supreme Court is going to hear the appeal, as I indicated, on Thursday, February 4. I expect a verdict will be there the same day.

For those of you who are not familiar with the case and the circumstances, let me give you a little background very quickly. The Council for Criminal Cases in the Supreme Court in Russia takes many former Soviet dissidents back to the times of the KGB. They have a special department there supervised by the KGB. They used to have one responsible for handling crimes against the state.

I want it understood what is being said in Russia today is to express opinions and to discuss information that is otherwise available publicly, in public, in Russia today, is seen as a point of subversion and treason. That is what Captain Nikitin is being tried for.

So what we are asking, Mr. Speaker, is that the Department of State pay

particular interest and approach their counterparts in Moscow to indicate that the United States is very, very concerned about this situation, that we are watching it, that they are not going to be able to do this behind closed doors and get away with it. They are not used to public hearings in Russia and they are scared to go public on this.

It is very, very important that Captain Nikitin's case be recognized by our Department of State as something that Members of this Congress are very, very concerned about, and I call on other Members to acquaint themselves with the circumstances.

The gentleman from Pennsylvania (Mr. WELDON) is well aware of it, as I said. He is unable to be with us today to discuss the situation further. But I can assure you, Mr. Speaker, and I assure the other Members, this is not the last time that I will be on this floor, nor that individuals like the gentleman from Pennsylvania (Mr. WELDON) will be here.

Let me conclude by indicating to that on a recent Congressional delegation trip to Russia, the gentleman from Missouri (Mr. SKELTON) as the ranking Democrat on the Committee on Armed Services led a delegation of individuals from the Congress there, and we met with Captain Nikitin.

We can provide you information, Mr. Speaker, on the case in more detail, but we just want to alert you and alert the State Department today that we expect to have this case front and center in the consciences of everyone who is concerned about the environmental degradation taking place in Russia today as a result of the deterioration of the nuclear submarines that are presently being mothballed.

Mr. Speaker, I insert the following for the RECORD:

DR. CARAWAY: As you know the Supreme Court will hear the Nikitin appeal on Thursday. The verdict should be announced the same day. We will see then.

Unfortunately, the hearing will take place behind closed doors, somewhat incomprehensible given that the hearing is not about the secrecy question, but about procedural issues.

Yours,

THOMAS JANDL,
Director, Bellona USA.

NIKITIN SUPREME COURT SESSION BEHIND
CLOSED DOORS

The Supreme Court session in the Nikitin case on 4 February will be held behind closed doors. The presiding judge, a member of an officially abolished department within the Supreme Court Council for the Criminal Cases, made the decision in fear that state secrets might be released.

The Nikitin case will be tried by the Council for the Criminal Cases of the Supreme Court. Many former Soviet dissidents associate this particular council with the dark times of KGB rule back in the Soviet past. The Council used to have a special department supervised by the KGB and responsible for the handling of crimes against the state. The special department was officially abol-

ished as the 'wind of democracy' swept across the former Soviet Union, but its membership remained intact.

"The judges in the Council have been sitting there for as long as I can recall," says Yury Schmidt, defender of Aleksandr Nikitin and former Soviet dissident. "They are not used to open hearings, they are scared to go public," adds Schmidt.

The court will not consider the merits of the case, but rather evaluate the legality of the 29 October 1998 St. Petersburg City Court ruling to send the case back for further investigation.

No legal grounds to have closed session. "The only legal reference they can find to justify the closed door hearings is the fact that the case formally deals with so-called state secrets," says Yury Schmidt. "But the court's task is not to go to the substance of the case, but rather evaluate the legal side of it. What secrets could this constitute," asks Schmidt rhetorically. According to Schmidt, there were quite solid grounds to have the court session behind closed doors in the St. Petersburg City Court as the court was examining the alleged secret material. A substantial part remained open to the public.

"To have the Supreme Court session closed can either be explained by the pressure from the FSB (successor to the KGB) or by the initiative of a KGB-trained judge", says Schmidt.

THE JUDGE'S DECISION

When approached for comments Supreme Court press spokesman Nikolay Gastello said the decision was taken by the presiding judge, Magomed A. Karimov. Gastello could neither comment on the motives of the judge nor say if the judge would change his mind.

"It was not an unexpected decision," says Aleksandr Nikitin, who arrived in Moscow today. "The FSB is there and does whatever it can to win the case."

THE NIKITIN CASE

Aleksandr Nikitin is charged with espionage and disclosure of state secrets while working for the Bellona Foundation. He was arrested by the FSB on 6 February 1996, after writing two chapters of a Bellona report on the risks of radioactive pollution from Russia's Northern Fleet. Jailed for 10 months following his arrest, Nikitin has since been restricted to the city limits of St. Petersburg. His case was then tried in St. Petersburg City Court between October 20 and 29, 1998. The St. Petersburg judge's decision to return the case to further investigation was appealed by both the prosecutor and the defence. Their respective appeals are to be heard in the Supreme Court on 4 February 1999.

Contacts in Moscow: Frederic Hauge and Thomas Nilsen.

Contacts in Oslo: Bellona Main Office.
Contacts in Washington: Thomas Jandl.
More info: <http://www.bellona.no/e/russia/nikitin/mailto:info@bellona.no>

COMMUNICATION FROM STAFF
MEMBER OF HONORABLE JIM
MCCRERY, MEMBER OF CON-
GRESS

The SPEAKER pro tempore laid before the House the following communication from Sally Asseff, staff member of the Honorable JIM MCCRERY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a grand jury subpoena for documents issued by the U.S. District Court for the Western District of Louisiana.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SALLY ASSEFF.

APPOINTMENT OF MEMBERS TO
HOUSE COMMISSION ON CON-
GRESSIONAL MAILING STAND-
ARDS

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5(b) of Public Law 93-191, the Chair announces the Speaker's appointment of the following Members of the House to the House Commission on Congressional Mailing Standards:

Mr. THOMAS of California, Chairman;

Mr. BOEHNER of Ohio;

Mr. NEY of Ohio;

Mr. HOYER of Maryland;

Mr. CLAY of Missouri; and

Mr. FROST of Texas.

There was no objection.

MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, I want to talk to my colleagues today about managed care reform, an issue that we must take from the drawing board to the signing ceremony this year.

Last year I joined with my friend, the gentleman from Michigan (Mr. DINGELL), and offered the Patients' Bill of Rights as an amendment on the House floor. While I regret that it did not pass, there may have been at least one good thing about that. In the last few weeks, many HMOs have announced double digit premium increases, because, in my opinion they have not done such a great job in cost containment and their premiums have been loss leaders for years. But you can be sure that if the Patients' Bill of Rights had passed last year, they would be blaming us now for their skyrocketing premiums.

□ 1330

And by the way, how many of their CEOs are taking pay cuts from their multimillion dollar salaries as they are raising their premiums this year?

Mr. Speaker, before discussing how I think Congress will deal with this issue