

week for the United States Congress and for the American people. We had some good news, and we had some bad news. I am talking about legislation.

The good news we had last week is that the Republican-led bill, despite all of the debate against the bill by the Democrats, the Republican-led bill to do away with the marriage tax penalty in this country passed this House; and I am proud to say 40 or 45 Democrats had enough guts to stand up and vote for it, because they knew it was the right thing to do.

How in this country, where we try and encourage families, where we try and push the divorce rate down, where we try to have people have their children in a marriage, how can a country as great as the United States of America penalize couples for being married? That is exactly what happened.

Well, that is water under the bridge. It happened. But now it is incumbent upon us, its United States Congress, to do something about it, to eliminate it. I could not believe that the Democrats opposed that tax cut. It is unfair. They said we could not afford it. Well, number one, we cannot afford to do away with it. But whether you can afford it or not, is it right? Is it a tax that was intended to do that? No, it is not a right tax. That argument on its face did not hold water. That was the good news.

Now, the bad news. We got the Clinton budget last week, the President's budget, the Democrat budget. You know what it had in there? Of course, the Democrats have been making a big issue lately about saying we cannot afford to cut taxes, do not cut taxes, despite the fact we have record surpluses in this country, despite the fact that if we do not cut taxes, that means that money continues to come out of the workers of this country's pockets and comes to a bureaucracy in Washington, D.C., is filtered down, everybody gets their hands on it, and then some of it eventually goes back to the States. That did not matter much.

What they did with their budget last week is they proposed a tax increase, a tax increase in the death tax.

Now, you know that the marriage penalty tax is unfair, and in this country, after you pay taxes all your life, at the end of it, if you fall in certain income categories, they tax you again, a death tax on property that has already been taxed. It is, without exception, the most unfair, unfounded tax in our system, the death tax.

We have on the Republican side proposed and proposed and negotiated and negotiated to do away with that death tax. It is not fair; it should not be there. It is a tax on property that has already been taxed. But the Democrats, who some of them, by the way, I think agree with our position, but the leadership certainly and the President's budget said, Hey, let's not only not get

rid of the death tax, let's do not do that, let's actually increase the death tax.

There is over a \$9 billion increase, hidden in that presidential budget. You have got to look very carefully. Fortunately, we have excellent staff on the Committee on Ways and Means. I am on the Committee on Ways and Means. We look at that budget line by line, item by item. We were surprised. What are they attempting to do, the Democrats, with this budget? Why do they want to raise the death tax?

I urge my colleagues on the Democratic side, join us on the Republican side, join us in eliminating the death tax in this country. It is not fair. You are hurting a lot of small family farms and ranches throughout this country. You are hurting a lot of small businesses. You are taking away the incentive for people, or one of the incentives, for people to work hard.

You have already got your taxes, Democrats, throughout their working life. Why, Democrats, do you want to tax them upon their death? For gosh sakes, do not try and raise the taxes this year. At least maintain the status quo, as wrong as it is. At least you ought to try and maintain the status quo, if you are not going to help the Republicans eliminate it. But do not go out and raise the death tax on the American people by \$9 billion.

That is the good news and the bad news. The good news is we passed out of this House, and we had some Democrats join us on our Republican bill, to do away with the marriage tax penalty. The bad news is that the Democratic budget, the administration budget, proposes to increase taxes on the death tax.

So any of you who have ever had any discussion about the estate taxes, you had better call your accountant tomorrow, because there is a \$9 billion increase in the President's budget coming right through that tunnel.

#### EXECUTIVE LAWMAKING—A VIOLATION OF THE CONSTITUTION

(Mr. METCALF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. METCALF. Mr. Speaker, executive lawmaking is a violation of the Constitution. Article I states that all legislative powers be vested in the Congress. Yet presidents have made frequent and significant use of executive orders and other directives to infringe on Congress's lawmaking authority. As Members, we must carry out our fundamental duty of overseeing executive policies, passing judgment on them and upholding the Constitutional balance of power.

It is vital that Congress remains vigilant and holds this administration accountable when its aim is usurpation of power denied by the Constitution.

We should not be surprised that the President is seeking to bypass this chamber with executive gimmicks. We have seen this before. But if we are not vigilant, executive orders will lead this great Nation down the slippery slope to tyranny.

#### LESS ATF AGENTS NEEDED, NOT MORE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 10 minutes as the designee of the majority leader.

Mrs. CHENOWETH-HAGE. Mr. Speaker, last month the President delivered his State of the Union address, and in it he highlighted several new anti-firearms initiatives. One of those proposals was to hire 500 new Alcohol, Tobacco and Firearms agents. We have been told that he offered what gun owners have called for: more enforcement of existing gun laws. We were told that this will help take the guns out of the hands of criminals.

Mr. Speaker, the truth is this initiative is a ruse. It is a trick designed to increase the number of Federal agents who can harass honest gun owners and gun dealers.

It is true that the administration has done an abysmal job of enforcing gun laws. During the first 6 years of the current administration, ATF referrals for Federal, State and local prosecution declined by nearly one-half. For an administration that has clamored for and received massive new gun laws, this is an amazing drop.

Mr. Speaker, it is also true that gun owners, like most people, want criminals behind bars. But the President's initiative, this deceptive trick, is not designed to do that. Its purpose is to enlarge and empower the worst offenders of our gun rights. And let there be no mistake about it, the ATF is the worst enemy that gun owners have.

Let us remember the ATF. It was ATF agents who botched efforts started at Ruby Ridge and at Waco, two of America's most abhorrent abuses of power. It was ATF agents who wrongly charged Florida resident Wayne Scott with a firearms violation by using a crooked informant; and it was ATF agents who tampered with police sergeant James Corcoran's rifle so they could falsely charge him with owning a machine gun. And gun owners need 500 more of these folks? I do not think so.

A Senate subcommittee reported that 75 percent of ATF firearms prosecutions targeted ordinary citizens. A report went on to say that these citizens had, and I quote, "neither criminal intent nor knowledge, but were enticed by ATF agents into unknowing technical violations."

In a word, Mr. Speaker, the ATF has engaged in entrapment, which courts

have clearly and strictly forbidden in law enforcement.

The pattern of abuse by ATF reminds us of the very reason why the second amendment was written into the Constitution. Alan Keyes, presidential contender, said it very well in a recent interview, and I quote Mr. Keyes:

I think the Second Amendment is there because the Founders understood a lesson of history; that a free people must be an armed people, capable of defending their liberties, not only against foreign enemies, but potentially against an abusive government. And that's why the right to keep and bear arms is there, why it is guaranteed to the citizens of this country and why we would be in grave danger if we ever lose the ability to respect the instruments of our defense and to make responsible use of them.

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Mr. Keyes went on to say,

We as citizens have a right to keep a gun in the event that things go wrong in this country. Jefferson, others who were part of the founders, they made it very clear, and it is right there in the Declaration, that if a government becomes subversive of liberty and, in the end, a design if evinced to destroy the liberty of the people, they have a right, he said,

they have a duty to abolish or alter it.

Mr. Keyes went on to say,

We are at the end of a century when the abuse of human beings by government power has claimed the lives of millions of human beings. The suggestion that human nature has somehow changed since the founding period when we no longer have to fear the abuse of government power is too absurd at the end of the 20th century that I don't even want to address it. Human nature is the same now as when the document was written, and we can no more put trust in those who have government power than our founders could.

I would think anybody who lived in this country in the last several years and watched the abuse of power that took place at Waco is reminded that sometimes the people in our government, for whatever reason best known only to themselves, lose sight of who they are supposed to be. Waco was a thoroughly disgusting, tragic and un-American episode in which Janet Reno said that because they were tired, they went in and killed all of those people, including children. I think it is time to remember that yes, power can be abused.

Mr. Speaker, we should have learned long ago that once you give a small amount of power to the Federal Government, it seizes much more. Catching and punishing criminals, in most cases, has been the business of the States, and it should remain so. The horrors that we have seen at the hands of Federal agents show us this.

Let us not fall into this latest ruse designed to intimidate honest citizens out of owning and selling guns legally. ATF's gun control by coercion.

Mr. Speaker, we do not need 500 more of these ATF agents; we need 500 fewer.

#### TRIBUTE TO OUR LOCAL VOLUNTEER FIREFIGHTERS AND EMS PERSONNEL

The SPEAKER pro tempore (Mr. SHERWOOD). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 50 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise tonight to pay tribute to America's national heroes, and it is appropriate that I give this Special Order following a 5-minute Special Order given by our friend and colleague from Texas (Ms. JACKSON-LEE), because in her Special Order, she paid tribute to two brave citizens of Texas, two firefighters, a man and a woman who gave their lives over the past 24 hours in protecting the people in her district. Kimberly Smith and Lewis E. Mayo, who were cited by the gentlewoman from Texas (Ms. JACKSON-LEE), are both American heroes. Unfortunately, they gave their lives in the process of protecting other fellow citizens.

Mr. Speaker, there are millions of people like Kimberly Smith and Lewis E. Mayo around this country who day in and day out protect America, who are always being asked to perform the impossible, whether it be responding to a house fire, a large factory fire like we saw in Massachusetts late last year that killed a multiple number of firefighters, or single family fires like we saw last summer in D.C. where three D.C. firefighters were killed. The gentleman from Maryland (Mr. HOYER) and I came down here for that service. But we tend to, as a Nation, take these losses for granted; and we tend to take these people for granted, and that is the topic of my discussion tonight, Mr. Speaker.

Each year in America, we lose, on average, 100 men and women who are involved in fire and life safety across this country who are killed in the course of protecting their communities. Now, the interesting, or I would say outrageous fact is that out of the 100 or so people that are killed each year, the bulk of them are volunteers. There is no other group of people in America who volunteer their time who each year and who see upwards of 100 of their colleagues killed in the course of doing their volunteer work. Yet, that is the story of the America fire and life safety service all across this country.

Now, we heard, Mr. Speaker, the President give a typical speech last month during the State of the Union and he mentioned a ton of different groups. In fact, he promised \$172 billion of new programs to every group we can think of. He talked about our law enforcement, he talked about our teachers, he talked about our military. He talked about those people who need special help in America, but Mr. Speaker, in that 1 hour and 30 minute speech, President Clinton did not mention our national heroes one time.

He did not mention the firefighters or the EMS personnel who are killed all across this country every year. He did not mention that there are 1.2 million men and women who every day in 32,000 departments protect America. He did not say a word about what they have been doing for a period of time that is older than the country itself and largely that time has been given by volunteers. He did not mention the fact that these people are now being asked to perform additional responsibilities.

And even though many of us believe that fire and EMS services are a local responsibility, which I believe fully, we are now tasking these people to take actions that some would say are Federal in responsibility. When one asks local fire and EMS organizations to respond to terrorist incidents, when they are asked to respond to an incident involving a weapon of mass destruction, a chemical, biological or perhaps a nuclear agent, then there is a Federal responsibility to help train and assist these individuals.

Now, the fire service in this country, Mr. Speaker, is a proud tradition. I know, because I would not be involved in politics today were it not for the fire service. Having been born and raised into a fire service family like my six older brothers and my father before me, I got involved in the volunteer fire company in my hometown and eventually became president and then chief of that fire company. I went back to school in the evenings while teaching during the day and got a degree in fire protection and then for 3 years as a volunteer I ran the training program for the 78 fire companies in my home county.

I understand who these people are, Mr. Speaker, because I have been one. I have traveled to all 50 States where I have interacted with the leaders of these organizations; and I have seen the faces of these men and women who day in and day out give so much of themselves to protect their neighborhoods, to protect their neighbors, and to protect the people who live and work in the area that they serve. In the urban areas, they are typically paid, and in the suburban and rural areas, they are typically volunteer, but they are all professionals. They are trained, they are equipped, and they are prepared to respond.

Each year, Mr. Speaker, I want to reiterate, 100 of them, on average, give their lives, as the two just did in the past 24 hours in Houston, Texas. Yet, President Clinton made no mention of these people and the challenges that they face. In fact, Mr. Speaker, not only did he not mention them in the State of the Union speech, he gave them the ultimate slap in the face. The fire and EMS community in this country gets a pittance of Federal funding from our budget process. They get the