

## HOUSE OF REPRESENTATIVES—Thursday, January 30, 1992

The House met at 11 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 29, 1992.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on Thursday, January 30, 1992.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

### PRAYER

The Reverend Ed Young, pastor, Second Baptist Church, Houston, TX, offered the following prayer:

Our Heavenly Father, we come before You this morning in deepest gratitude for who You are, for Your presence with us, and for the blessings of protection and provision You give to us because of Your great love for us.

Father, we acknowledge that only because of our foundation as one nation under God have You allowed this great country of ours to enjoy the progress and security that only Your hand could provide. I pray this morning that we will continue to keep our eyes on You, and our hearts and minds governed by Your principles. May every decision made in this place today become the undisputed evidence of Your divine will being done on Earth as it is in Heaven.

Lord, we are thankful for Your sovereignty—for the assurance that You are in control of everything that happens in our world, and we pray that all we are about as a nation will honor You, as the source of all we have, all we are, and all that we shall ever be.

In Jesus' name. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will ask the gentleman from Ohio (Mr. BOEHNER) if he would kindly come forward and lead the membership in the Pledge of Allegiance.

Mr. BOEHNER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WELCOME TO THE REVEREND ED YOUNG

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

Mr. FIELDS. Mr. Speaker, our guest pastor today was Brother Ed Young from the Second Baptist Church in Houston, TX. He is joined today in the Chamber with his wife, the former JoBeth Landrum.

Brother Young has three outstanding children and has been the pastor at Second Baptist in Houston for 14 years.

I have the good fortune, along with my family, of personally knowing the Young family and knowing of their ministry. Brother Young not only pastors the largest Baptist church in the Southern Baptist denomination, I think it is one of the most dynamic, and I am so appreciative of so many things, the commitment of this great man, and I am personally proud that in his television ministry that reaches out literally to tens of millions of Americans and people around the world that when people write and call and say that they want to contribute personally from their finances to Second Baptist, they are told by counselors, instead, to join a local church and tithe their offerings there. I think that underscores not only the commitment but the dedication and the mission of this great church and of this great pastor.

There are a number of honors that I could read about Brother Young. He has been president of the Southern Baptist Convention, Pastors' Conference, and he is a trustee at Southeastern Baptist Theologic Seminary. But I think it is best said that Brother Young is utilizing his lifetime in God's mission, and he is certainly doing His work to improve all of humanity and to make a difference.

### LEGISLATIVE PROGRAM

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, on behalf of the Republican leadership, I would like to engage the majority lead-

er or the acting majority leader in a colloquy concerning the schedule for the remainder of today and next week. I do not know if anyone is present, but we have just been handed a tentative schedule for next week which lists several inconsequential suspensions for Tuesday but then has no schedule for business on Wednesday and Thursday.

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

Mr. SOLOMON. I am happy to yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, is the unemployment extension on that list?

Mr. SOLOMON. No; and that is why I am inquiring.

Mr. GEJDENSON. Because it was my understanding that that may be one of the things that is on that list. That is on that list? I saw one of the gentleman's people indicate that. I think that is on that list.

Before the gentleman says that it is an inconsequential week, to those people in Connecticut who do not have jobs and their benefits have run out, that is not an inconsequential act. We are happy to see the gentleman's party supporting it now after opposing it for so long. I wish the gentleman would not call it inconsequential.

Mr. SOLOMON. Mr. Speaker, I am talking about suspensions that did not come before the Committee on Rules, and I understand the situation concerning the unemployment bill. My inquiry is this: Is there going to be a bill concerning the October Surprise which our Members need to prepare for? Is that going to come up next week before we adjourn for the recess?

The SPEAKER pro tempore. The Chair is not in a position to answer the gentleman's question. The Chair has not been informed by the leadership.

Mr. SOLOMON. Mr. Speaker, is there a possibility that we may adjourn for recess purposes for the following week sometime next Thursday? Will we be here next Friday? Is there any set date that we know of?

The SPEAKER pro tempore. The Chair believes that the leadership will inform the membership the first of the week, and probably would inform the gentleman's side earlier than that, about the plans of the recess including the Washington-Lincoln recess.

Mr. SOLOMON. It is very important for Members to be able to plan their work periods back home and their public appearances for the Lincoln and Washington birthdays.

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

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. SOLOMON. I am happy to yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, I think one of the issues here again is taking a look at the legislation that is coming up, one of which is the Marine Protection Research and Sanctuaries Act. There are a number of things going on. There is a significant amount of work going on in the committees.

The gentleman has been in Congress long enough to know that a lot of the work at the beginning of the session is in committees, and what will come to the floor, I imagine, will be dependent upon what the committees are able to accomplish.

Of course, if there is cooperation from the gentleman's side as there has been now on unemployment, we will be able to move many items to the floor.

Mr. SOLOMON. I will just say that the gentleman knows we always cooperate. Maybe the gentleman could enlighten me on the October Surprise legislation. This was cleared by the Committee on Rules last November, but it never came up on the floor. Is that then going to come up this coming week? The gentleman serves on the Committee on Foreign Affairs, and served with me for many years, and he is usually enlightened on these subjects.

Mr. GEJDENSON. If the gentleman will yield further, it was a privilege being on that committee with the gentleman.

I think the gentleman recognizes what a serious charge is concerned here, that on the previous administration, President Reagan and Vice President Bush and Mr. Casey, the charge is that they were involved in a process of dealing with the Iranians that led to the extended incarceration of the American hostages in Iran, and I am sure the gentleman would like to get to bottom of this, I think, the most serious allegation against any candidate for President in the history of the country.

I am sorry that I am not able to tell him exactly where we are on the schedule on that, but I certainly am one who hopes that we will be able to address that issue rather rapidly. President Reagan, I think, has suggested, as have Presidents Ford and Carter, that we ought to take a look at it.

It is the most serious charge that I have ever heard placed against any candidate for President or, I believe, public office in this country, that they had participated in a process that led to the extended incarceration of American hostages in Iran.

A number of the hostages, I think the gentleman knows, have written to us and requested that we take action on this.

□ 1110

If the gentleman hopes this is attempted, I certainly join the gentleman in that hope.

Mr. SOLOMON. Mr. Speaker, let me just reclaim my time and say that the only allegations or charges that I know of came from either gun runners or convicted felons or people that Newsweek magazine and the New Republic say have no credibility whatsoever.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MONTGOMERY) laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,  
January 29, 1992.

Hon. THOMAS S. FOLEY,

*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 5:22 p.m. on Wednesday, January 29, 1992 and said to contain a message from the President wherein he transmits the 1992 National Drug Control Strategy.

With great respect, I am  
Sincerely yours,

DONNALD K. ANDERSON,  
*Clerk, House of Representatives.*

#### NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Agriculture, the Committee on Armed Services, the Committee on Banking, Finance and Urban Affairs, the Committee on Education and Labor, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Interior and Insular Affairs, the Committee on the Judiciary, the Committee on Merchant Marine and Fisheries, the Committee on Public Works and Transportation, the Committee on Small Business, the Committee on Veterans' Affairs, and the Committee on Ways and Means.

(For message, see proceedings of the Senate of January 29, 1992, at page S607.)

#### TAX FAIRNESS

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

Mr. ANDREWS of Maine. Mr. Speaker, we are about to engage in a debate over taxes and tax fairness in this Chamber in 1992. We have heard a lot about how we might be able to effect our Tax Code and improve our economy.

I hope when we get involved in those discussions that we seek to restore confidence in our tax system in our Government. Working middle-class taxpayers across this country have seen their incomes continue to decline while their tax burden has continued to rise.

The IRS reported just a few months ago, however, that hundreds of taxpayers with incomes of over \$500,000 a year paid no Federal income taxes last year whatsoever, while tens of thousands of individuals with incomes of over \$200,000 paid less than 15 percent of their incomes in Federal taxes.

Mr. Speaker, we owe it to our taxpayers to make certain that their tax money is spent wisely. We also owe them to make certain that their tax money is spent fairly. We also owe it to make certain that taxation is based upon fairness.

It is time, Mr. Speaker, that we make our tax system based on ability to pay and not on ability to exploit loopholes. Let us establish tax fairness for all Americans in 1992.

#### GENERAL LEAVE

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the subject of my special order that will take place later in the day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### FAIRNESS TO DEFENSE WORKERS

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

Mr. GEJDENSON. Mr. Speaker, in the President's State of the Union Address, Connecticut workers got one more blow. Our economy, battered by a lack of credit from the Federal regulators, a shaky economy, a bad real estate market, the President's message to the heroes of the cold war, those defense workers who built the systems that won us the victory in the Persian Gulf, was no program for defense conversion, no program for diversification, no assistance in pulling their lives together, but shoving them off a cliff.

Mr. Speaker, we owe these people more. We owe the economies of our country more than what we heard the other night in the State of the Union Address.

American workers are the best workers in the land. They are the best workers in the world, if you just give them half a chance.

What this administration proposes is to pull the rug out from under them

and not give them a chance to use their skills to compete in international markets.

Mr. Speaker, we need a program that does more than shut down defense facilities and throws the workers out on the street and then tell us they are going to have a study for 180 days. We need a program now to make sure these people do not lose their homes, lose their ability to educate their kids, and provide the health care that we all need.

Mr. Speaker, this Congress needs to give the President a plan, one he obviously does not have, that gives American defense workers a chance.

#### OUR DRUG WAR IN BURMA

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

Mr. GILMAN. Mr. Speaker, our plans and programs for achieving victory in our war on drugs has mistakenly emphasized tactics over strategy. We know, for example, that most illicit heroin comes from the Golden Triangle, and Burma in particular which in 1990 produced 63 percent of the world's supply of opium. Most of our resources have gone into treating the symptoms of that problem, spending millions of dollars tracking and interdicting drug caravans, photographing poppyfields, and compiling reports of the annual increases in opium production.

Our antidrug efforts in the Golden Triangle have failed because we have not devised a strategy recognizing and addressing the relationship between the narcotics issue, the ongoing civil war, the longest running civil war in this century, and the corrupt, ruthless military dictatorship in Rangoon. There can be no solution to the narcotics problem until that civil war ends and that war will not end until the hated State Law and Order Restoration Council [SLORC] complies with the will of the people, expressed in open elections and transfers power to the duly elected civilian government.

Our Nation has a vital interest, in promoting the early transfer of political power to the winners of the May 1990 election, the National League for Democracy, whose leader, Aung San Suu Kyi, remains under house arrest in Rangoon for the offense of speaking out for nonviolent political reform. She and thousands of others residing in prisons throughout Burma, are being punished for daring to defy tyranny and for advocating a restoration of democratic government. The United States Government cannot have a relationship with a rogue regime which does not have the support of its citizens, a regime which has murdered thousands of its people and is, even now, waging a genocidal military of-

fensive against ethnic minorities and political opponents residing along the Thai-Burma border, along the Bangladesh border, and within 40 miles of Rangoon.

Accordingly, Mr. Speaker, I believe we should establish liaison with the National Coalition Government of the Union of Burma, The National League for Democracy Party, and other pro-democracy groups such as the Democratic Alliance for Burma, a 21-member organization of Burmese opposition groups, to discuss measures which can be taken to assist them in restoring democracy in Burma and for waging a successful campaign against the extensive narcotics trade in the Golden Triangle.

#### HOW MUCH IS TOO MUCH?

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

Mr. GOSS. Mr. Speaker, this Chamber is known as the House of the people. It is also known as the House of revenue, because all taxing and spending bills start here.

Our constituents are asking a fair and a basic question: How much Federal deficit is too much? In my district in Florida, \$200 billion was much too much; \$400 billion is obscene.

So Mr. Speaker, as the branch of government whose primary responsibility is to manage the Federal budget and to reduce the deficit, what are we in Congress doing about it?

The President had some pretty good suggestions earlier this week. You might think we would be scrambling to change the way we think about spending the people's money and to pass growth measures that will help bring us out of this recession, as the President has asked.

Funny then, the word is out, as we have heard on the floor this morning, that our first order of business next week may not very well be a vote on first-time home buyers tax deductions, or the flexible IRA's, or the capital gains rollback, or a badly needed line item veto; no, our first order of business next week apparently will be to dredge up a politically motivated allegation about something that may have happened more than 12 years ago, something dubbed the October Surprise.

Some irony. This, too, will cost the taxpayers money.

Mr. Speaker, how much is too much? The people of the United States already know and they have told us the answer.

#### THE PRESIDENT'S ECONOMIC GROWTH INITIATIVE

(Mr. MICHEL asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, today the Director of the Office of Management and Budget on behalf of the President has transmitted to the House and the Senate the administration's proposal in draft legislative language to create jobs, promote economic growth, assist families, and promote health, education, savings, and home ownership, as well as other provisions which make the legislation consistent with the requirements of the Budget Enforcement Act.

It is my intention to formally introduce this legislation early next week.

□ 1120

#### PRESIDENT BUSH SHOULD NOT MEET WITH LI PENG, THE BUTCHER OF BEIJING TOMORROW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. PELOSI] is recognized for 5 minutes.

Ms. PELOSI. I thank the Speaker.

Mr. Speaker, at the State of the Union Address the President told the Congress and the country that communism was gone, and he also said in his remarks that the power of America rests in the stirring but simple idea that the people will do great things if you set them free.

He also said:

As long as I am President, we will continue to lead in support of freedom everywhere, not out of arrogance, not out of altruism, but for the safety and security of our children.

The President has made statements to this effect about the leadership of our country and freedom of expression throughout the world. Why, then, Mr. Speaker, do you think the President thought it was appropriate to meet with Premier Li Peng, the Butcher of Beijing, tomorrow in New York?

Mr. Speaker, in preparation for this possibility, which really is quite shocking, I must say, a number of us wrote a letter to the President, which I would like to read to the Congress.

HOUSE OF REPRESENTATIVES,

Washington, DC, January 28, 1992.

Hon. GEORGE BUSH,

President of the United States, the White House  
Washington, DC.

DEAR MR. PRESIDENT: The United Nations Security Council Summit meeting this week will mark the first time that Chinese Premier Li Peng will visit the United States since the Tiananmen Square massacre on June 4, 1989. We understand that Premier Li has requested a bilateral meeting with you on January 31. Given the primary role that Mr. Li played in the massacre and the crackdown on pro-democracy demonstrators that followed and continues today, we strongly urge you to reject Mr. Li's request.

Li Peng is widely viewed within China and internationally as the person most responsible for China's egregious human rights

record since the Spring of 1989. On May 19, 1989, he declared martial law in Beijing. On June 4, he ordered the Chinese military to quell the pro-democracy demonstrations by force, resulting in the Tiananmen Square massacre. Since the massacre, Premier Li has advocated the tightening of central control over the political and economic life of the Chinese and Tibetan people.

In rejecting Premier Li's request for a meeting, we believe you should make it clear that it would be totally inappropriate and inconsistent with U.S. policy for such a meeting to take place while the harsh post-Tiananmen crackdown ordered by Mr. Li continues and thousands of pro-democracy demonstrators remain behind bars.

There must be significant, concrete progress toward respecting fundamental, internationally recognized human rights in China before any bilateral meeting between the Heads of State of our two countries occurs. We urge you to utilize existing diplomatic contacts with Beijing to make this clear to China's leaders. In addition, we call on your Administration to undertake efforts at the United Nations Human Rights Commission, now convening in Geneva, to raise the issue of China's relentless political repression. We believe that the following actions should be taken by the Chinese government:

Release of those Chinese citizens detained after June 4, 1989 for the peaceful expression of their political views, including those sentenced to prison terms and those held in labor camps or detention facilities without having been put on trial. In particular, we urge the immediate release on medical parole of Wang Juntao, who was sentenced to 13 years imprisonment in February 1991 and is seriously ill.

End the assault on religious believers which has intensified since June 1989. According to human rights groups, Catholics, Protestants, Buddhists and others are being subjected to the toughest crackdown on religion in China in decades, including increased restrictions on the free expression of their beliefs and official harassment, intimidation and arrests. In particular, the Chinese government should release Bishop Peter Liu Guandong, Bishop Yang Libo, Father Pei Ronggui, Sha Zhumei and other imprisoned clerics and lay church members.

Ease the brutal repression in Tibet, where Chinese security forces continue to intimidate dissidents and nationalists through arrest, torture, harsh prison conditions and denial of due process. As you know, the U.N. Subcommission on the Prevention of Discrimination and Protection of Minorities took up the issue of human rights in Tibet last August; the Administration should vigorously support follow-up action at the Commission meeting in Geneva.

Stop the flow of prison-made products to the U.S. and agree, without further delay, to allow international inspection of prison factories, labor camps and reeducation camps suspected of engaging in the production of prison-made goods for export. This practice stands as a glaring violation of the human rights of the many pro-democracy advocates who have been consigned to the reform through labor system.

We look forward to a forthright expression of your decision regarding Premier Li's request to meet with you in New York. Any direct contact by you or members of your Administration with Mr. Li at this time would be used by the Chinese government to symbolize its return to legitimacy in the eyes of the world community and would send a de-

astating signal to the people of China and its thousands of political prisoners.

We look forward to working with you to improve the human rights situation in China and the U.S.-China relationship.

Sincerely,

Nancy Pelosi, Ben Jones, Wayne Owens, Frank Wolf, John Porter, Ben Gilman, and Tom Lantos.

Mr. Speaker, the point about the prison-made products, of course, is how the prisoners are rounded up. They are sent to labor camps because of their political expressions.

Mr. Speaker, this Friday, following the announcement that the President would be meeting with Li Peng, thousands of Chinese students and supporters of democratic reform in China will gather at U.N. Plaza tomorrow at 1 p.m. to protest Li Peng's visit to the United Nations.

They are expected to release into the air over 5,000 black helium-filled balloons representing those who have been killed, imprisoned, or who remain in jail today because of their advocacy for democratic reform in China.

For these people, Li Peng symbolizes repression in China. When he ordered the tanks to crush Chinese students, he also crushed their dreams for a more democratic society. He tried to, but that dream has not died.

The President has announced that he will meet Li Peng, the "butcher of Beijing" tomorrow at 5 p.m. While I believe that diplomatic contacts must continue between nations in order to resolve problems, President Bush's meeting with Li Peng will legitimize him in the eyes of the world. Already, French President Mitterand has refused to meet with Mr. Li because of his role in the Tiananmen Square massacre and its aftermath.

Our President should do no less.

This President has, and rightly so, defined himself as the President who supports freedom throughout the world, except when it comes to China. I believe, Mr. Speaker, that we must be against this meeting because it does deal a devastating blow to the reformers in China.

Our hopes for freedom in China rest on succession. Li Peng's reputation was diminished because of his role in the massacre; this meeting tomorrow gives him legitimacy and courtesy. And when the President of the United States next to Li Peng in that picture is photographed throughout China, showing a bilateral meeting separate from the U.N. Security Council meeting—which I fully understand that the President must participate in—the President will not be speaking for democracy in China. In fact, he will be going back on his word, following the massacre, that we will stand with those who support democracy in China.

#### LET US RECOGNIZE CROATIA

(Mr. ROHRBACHER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Speaker, why do we support communism in what is left of Yugoslavia? First we were told supporting democracy in places like Slovenia and Croatia would cause instability. Then we were told the Europeans should take the lead. Well, Europe has taken the lead and almost 40 countries have already recognized Croatia. Our continued footdragging is shameful, a disgrace.

A speech made by our Secretary of State while in Belgrade unleashed the bloody assault by Serbian Communists on the Croatian people in the first place. People who want little more than control of their own destiny. Instead of recognizing the Croatian democracy our Government continues to have official dealings with the Communist dominated Serbian rump state of Yugoslavia.

It is time our Government put this horrible episode of moral turpitude behind us. It is time for the leader of the free world to stop following. Let us recognize Croatia and apologize that it has taken us so long.

#### THE REPUBLICAN CONGRESS—A MANIFESTO FOR CHANGE IN THE HOUSE OF REPRESENTATIVES

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 60 minutes.

Mr. MICHEL. Mr. Speaker, the House of Representatives faces an institutional crisis. An ABC News/Washington Post poll 1 month ago reported 35 percent of Americans approve of the job the Congress is doing, while an astounding 59 percent disapprove.

□ 1130

Mr. Speaker, a Gallup poll taken last year showed that Congress trailed every major American institution when it comes to the confidence of the American people. The lead story in the latest issue of the National Journal is: "Congress in Disrepute."

Mr. Speaker, individual political leaders go up and down in the polls, but when an institution itself receives such bad notices, something is drastically wrong. There is a mood of bitter despair and outraged anger by Americans toward their House. The call for term limitations is but one aspect of this new mood, and the cause of this crisis can be traced to those who control and have controlled the House for almost two generations.

Obviously, I am speaking of the majority party made up of Democrats. Such a crisis cannot be met by simply reshuffling the same old Democrat Party majority. We do not need reshuffling. We need a new deal in the House of Representatives. We need a new majority, a Republican majority I might add.

Mr. Speaker, this is why we have taken this special order. We want to tell the American people what they can expect from a Republican new deal in the House of Representatives. We will hear directly from those who will implement the reforms.

Our learned friend, the gentleman from New York [Mr. SOLOMON], will instruct us on the need for Republican leadership in the Committee on Rules. Future chairmen, like the gentleman from Ohio [Mr. GRADISON] and the gentleman from Texas [Mr. ARCHER], will give us the benefit of their economic expertise. Our conference chairman, the gentleman from California [Mr. LEWIS] and our research chairman, the gentleman from California [Mr. HUNTER], will comment on our defense and security needs. House Republican Policy Committee chairman, the gentleman from Oklahoma [Mr. EDWARDS], will speak on institutional reform, and the gentleman from California [Mr. THOMAS] will speak of campaign reform. The gentleman from Minnesota [Mr. WEBER], will speak on welfare reform, the gentleman from Washington [Mr. CHANDLER] on health care, the gentleman from Florida [Mr. MCCOLLUM] about crime control, and the gentleman from Florida [Mr. IRELAND] on regulation. They will all instruct and enlighten us, and our eloquent whip, the gentleman from the great State of Georgia [Mr. GINGRICH], will explore the philosophical differences between the two parties and what those differences mean in practice. But first let me put all those reforms in some sort of context.

A Republican House majority will embark on a truly conservative revolution in the House of Representatives. Our goal will be to restore institutional virtues that have been lost, preserve strengths that have survived and protect traditional American values.

I would expect, hopefully, that a majority of the Members being reelected on my side, would see fit to elect BOB as their Speaker. I will lead the first comprehensive reform of the House of Representatives in modern times.

Mr. Speaker, so much of what we do around here is determined by how we do it. In the House all too often process is substance, so one of the first things I would do as Speaker is to establish a more orderly schedule for legislation. Currently, we do very little in the early part of the year, and then try to cram important legislation into the end of the schedule. The result is chaos, hurried legislation, unready legislation, pork-barrel legislation, legislation in panic, and legislation in the dark. It does not have to be like that, quite frankly. We can and we will do better.

Next I would like to guarantee that all controversial bills come to the floor with rules guaranteeing free and open debate. In other words, how do we con-

sider the pieces of legislation on the floor of this House? We go to the Committee on Rules to get the kind of rule under which we will debate that proposition. In 1977, 85 percent of all the rules were open rules. By 1990 that figure had fallen to 45 percent from the 85 percent, and the trend toward more, even more closed rules, is becoming quite clear. The closed rule, so called, as a means of stifling dissent is legislating by censorship around here. It is a disgrace. It ought to go. There may be, just may be, some very isolated cases when we would want in the interest of efficiency, or whatever, a closed rule. But by and large, particularly anything of a controversial nature, ought to have a free, open, and unfettered debate by both sides of the aisle before finally coming to a resolution on a controversial piece of legislation.

But there is more to the crisis of the House than the rules under which we debate. When a party has been too long in power, in eastern Europe, in China, or in the House of Representatives, certain characteristics seem to arise: an arrogant lack of responsiveness, a delusion that the entrenched party is irreplaceable and above criticism, and, most importantly, a compulsion to build bureaucracies.

Mr. Speaker, in the 35 years that I have been a Congressman, the House, under the Democrats, has changed from a relatively small and efficient institution into a chaotic, bureaucratic empire. Today we have 11,000 staff members and 1,800 support staff. Since 1954, 2 years before I came here as a Member, and the year the Republicans lost control of the House, the legislative budget has soared by over 3,000 percent. The consumer price index has increased by only 500 percent during that period of time. As a majority, Republicans would aim at cutting committee staffs in half, which would save at least \$26 million a year.

And might I say finally, in this portion of my remarks, that one of the first things I would do as Speaker of this House of Representatives, quite frankly, would be to alert the entire membership of this House that we, as a body and as individuals, would be required to abide by all the rules and regulations and laws that we impose upon the American people. We ought not to be exempting ourselves from what we legislate upon the American people. That ought to be a cardinal principle on the way we operate here.

Mr. Speaker, there are many other structural reforms we will make, but I just wanted to give my colleagues some idea of the comprehensive nature of the undertaking.

Mr. Speaker, pundits talk about the need for big ideas in politics. Well, big ideas are fine, but in the final analysis politics is like the pizza business. In order to succeed, one has got to deliver, and the House Democrat major-

ity cannot or will not deliver. It will not deliver free and open debate. It will not deliver efficiency in legislating. It will not deliver a lean, mean staff for the microchip age. It will not deliver a sense of purpose to our deliberations. And it will not deliver an institution worthy of its history, its promise and its responsibilities.

House Republicans are indeed ready to lead. It is time for a new deal in the House, a Republican majority that can restore this great institution to its rightful place as the people's House.

At this time, Mr. Speaker, I am going to yield to some of my colleagues who are going to participate in this special order, and, if I might, first I will turn to the distinguished gentleman from New York [Mr. SOLOMON], if he is ready. I am happy to yield at this time for whatever comments he chooses to make.

Mr. SOLOMON. Mr. Speaker, Woodrow Wilson once wrote that,

Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work.

The central problem of the House today is that its committee system is not working as intended. This in turn has led to a massive breakdown in the quality and accountability of our legislative process and the bills it produces.

Mr. Speaker, in a Republican Congress, our first priority will be to restore a committee system that works since without it we will never be able to forge rational and effective national policies.

Why is our present committee system in such a shambles? The reasons are not all that difficult to discern. They have been amply testified to by political scientists and Members of Congress alike.

The simple fact is that in attempting to beef up the House in the 1970's and put it on a more even footing with the executive bureaucracy, we ourselves eventually became a bureaucracy.

And I use the term bureaucracy in the most pejorative sense of that term: Empire building, overstaffing and overspecialization, overlap and duplication, lack of accountability, inertia and delay, and self-interest replacing the public interest.

In attempting to develop this body and flex our muscles, we became overdeveloped and muscle bound.

We created our own congressional budget and budget process supported by new House and Senate budget committees and a Congressional Budget Office.

We strengthened the Congressional Research Service and General Accounting Office and created a new Office of Technology Assessment.

And finally, we greatly enlarged the congressional committee system. Since 1970, while the number of committees has remained relatively constant, the number of subcommittees has in-

creased 16 percent, from 136 to 158; the number of committee staff has increased 186 percent, from 738 to 2,109; and appropriations for the House have increased 456 percent, from \$203 million to \$1.1 billion.

And yet, despite this large increase in subcommittees, staff, and spending on the system, House committees in the 101st Congress reported 502 fewer bills, 44 percent less than the 91st Congress, 20 years previous. And the House passed 162 fewer bills, or 14 percent less.

Of the bills passed by the House in the last Congress, 41.2 percent had not even been reported from a committee, as opposed to 4.8 percent in the 91st Congress. This difference is due mainly to the increase in the number of commemoratives—up from 9.8 percent of total enactments to 36 percent.

But even when one subtracts commemoratives, the number of substantive bills enacted into law was 209 fewer, or 33 percent less, than the 91st Congress.

Mr. Speaker, what is responsible for these shocking statistics? While it may be difficult to pinpoint the degree of responsibility of various factors, I think it is generally safe to conclude that the central problem has been a combination of two factors: First the proliferation of subcommittees; and second, the authority to refer bills to more than one committee without first rationalizing committee jurisdictions.

Consider if you will the fact that we have roughly the same number of committees now as 20 years ago and exactly the same number of Members. But those same committees and Members are now considering legislation from other committees, in more subcommittees, and driven by more staff.

While the surface data may show that our committees and subcommittees are doing less work than 20 years ago, despite increases in subcommittees, staff, and resources, the fact is they are probably doing more work than ever before thanks to the multiple referral of bills to two or more committees, and the increase in the number of omnibus bills.

Members are spread more thinly among their various committee and subcommittee assignments than ever before and rightfully complain that they do not have the time or energy to perform any of these responsibilities in a conscientious or deliberative fashion.

As a result, the bills produced by committees are poorer in quality than ever before—less thought out and less representative of the House as a whole.

The fact that two or more committees are usually involved in reporting major legislation often leads to compromises between differing versions. And those compromises may not be internally consistent from a policy standpoint. Last year's bank reform bill is a striking example of that.

But that matters little since no single committee is really responsible or accountable for that final version.

In fact, our form of decentralized and fragmented subcommittee government is so hopeless that the majority leadership often relies on secret task forces and structured rules to patch together legislation out of various committees, or even in lieu of committee action.

But secret task force government is hardly an acceptable alternative to subcommittee government if deliberative democracy is our ideal.

Does all this mean that representative government as envisioned by our Constitution is today an impossible dream, an outmoded form of government—an anachronism? I refuse to accept that.

I think instead that with a few basic reforms we can restore a representative, accountable and effective committee system and thereby make this House again a living example of how a representative democracy can and should work.

As Republicans, we have committed ourselves to a committee system and a House that works. To do this we need to do the following:

First, we must realign and rationalize committee jurisdictions along more functional lines;

Second, we must eliminate the joint referral of bills to two or more committees;

Third, we must reduce subcommittees by limiting committees to no more than six each;

Fourth, we must reduce Member subcommittee assignments to no more than four;

Fifth, we must eliminate proxy voting and one-third quorums;

Sixth, Members should be held accountable for their committee votes by publishing rollcall votes in the reports on bills;

Seventh, we must reduce committee staff by 10 percent per Congress over three Congresses;

Eighth, party ratios on committees must accurately reflect the party ratios in the House;

Ninth, we must restore our authorization process by requiring the early reporting and enactment of authorizations prior to the consideration of appropriations—probably through some form of biennial budget-authorizations-appropriations process; and

Tenth, committees must establish realistic oversight agendas at the beginning of each Congress and be held accountable for them through the House Administration Committee.

Mr. Speaker, these are the 10 steps a Republican House would take toward making ours a working committee system and a more workable House.

They sound easy enough, but the main hurdle continues to be those in power who are more interested in preserving the status quo for their own

narrow political interests than they are in improving the institution.

That is all the more reason why we need a change of parties in this House to accomplish these simple, yet essential reforms.

□ 1140

Mr. MICHEL. I thank the distinguished gentleman for his valued contribution, and I am happy to yield to the chairman of our Policy Committee, the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. I want to thank you, Mr. Leader, for doing that. I also want to commend you for this special order, because I think it is very important that the people in this country see that things do not have to be the way they are now, that things can be different. I agree with my friend, the gentleman from New York [Mr. SOLOMON] that it will be a great day when you become the Speaker of the House of Representatives, so these changes can be made.

It is a fair question, how would we Republicans run the House of Representatives differently than it has been run by the Democrats.

First of all, we would greatly reduce the size of the legislative branch. Democrats have been running the House of Representatives since President Eisenhower's first term, but they have not controlled the White House for the past 12 years, so they have instead created on the Hill a massive separate bureaucracy, a bureaucracy that clearly has to be brought under control.

We Republicans would open the books for a full accounting of the money spent by the Congress on the Congress. Besides the obvious and public cost of congressional staff and support staff, people who do things like maintain the buildings and provide security, there are other expenses associated with so-called projects. How much? Who knows? It is very difficult to find out how this money is spent or how much is spent or what happens to any money that is left over.

We Republicans would change that. We would get rid of this secret spending of the taxpayer's money. Too often taxpayers face the same frustration when trying to find out how their Congressmen voted on a particularly important tax or spending bill. Why? Because every year a number of spending bills get passed without a recorded vote. For years Republicans have called for a change in the rules to require each Member of Congress to vote on the record, publicly visible, whenever legislation is voted on to increase taxes, spend money, or increase the public debt.

Finally a Republican House of Representatives would be much more reflective of the will of the people. Most people, if asked what the House of Rep-

representatives does, would respond that we debate and vote on the great public issues of the day.

In fact, too often Members of Congress are expressly denied the opportunity to debate or vote on the great issues of the day by Democrat committee chairmen and the Democrat-controlled Rules Committee.

First of all, Republicans want to make it easier for a majority of Members of the House representing their constituents to bypass a committee chairman and bring the bill directly to the House floor. Committee chairmen have a great deal to say over which bills to hold hearings on and which to report to the floor. But when a committee chairman is opposed to even debating a particular bill that has the support of a majority of Members of the House, then the will of the House and the voters that those Congressmen and Congresswomen represent must take precedence and those bills must be brought to the floor.

We want to open the debate and amendment process on the floor. The House rules allow anyone to bring an amendment to the floor on a bill being debated, as long as it is relevant to the subject matter of the bill. But we rarely follow those rules. Usually the Committee on Rules, under the influence of the Speaker, decides ahead of time how many, if any, amendments will be allowed, which amendments they will be, how much debate time will be allowed, the order in which they are going to be voted on.

The more evenly the House is divided on a particular issue and the more politically explosive the issue is, the greater the likelihood that the deck will be stacked in favor of the position taken by the Democrat leadership. In fact, for any bill brought to the floor for a vote in 1991, the chances were better than 3 out of 5 that the Committee on Rules would pick and choose which amendments it would allow to be debated and voted on, circumventing the normal procedure that allows any relevant amendment to be debated and voted on. That reflects a significant change from when I first was elected to Congress. Then the chances were less than 1 out of 5 that a floor debate would be restricted in some way by the Committee on Rules.

Republicans would allow the process to work as it was intended, giving everyone an opportunity to offer and debate amendments of importance to our constituents.

Finally, under Republican leadership, the country could expect a reduction of the legislative bureaucracy, more votes on the record, and opening of the books on internal House business, and a restoration of democracy and fairness to committee and floor proceedings.

I want to thank you, Mr. Leader, again, because this under your leadership is the policy that we have formu-

lated about how we would run the House of Representatives. I am very eager to see that day when we can in fact call you Mr. Speaker and make these changes that our constituents demand of us.

Mr. MICHEL. I thank the distinguished gentleman. Of course, in keeping with his comments relative to, again, the issue of reduction of staff and personnel and the burgeoning bureaucracy around here, I failed to mention that one of those other things would be obviously a moratorium on the construction of any new buildings or office space around here. That obviously would not be required if we are going to be reducing staff, as distinguished from expanding it, as has been the case in recent years.

At this juncture I am most happy to yield to the gentleman from Georgia [Mr. GINGRICH], our distinguished whip.

Mr. GINGRICH. Mr. Speaker, I thank the leader for yielding and I appreciate very much his hosting this opportunity to explain what we would do with a Republican Congress.

America is at a crossroads and Americans know it. They know we have won the cold war but may be in danger of losing the competitive war.

Americans are frustrated and confused. They see how our leaders and our system of government has succeeded in defeating the Soviet empire yet they see the same leaders and system losing the domestic struggle against drugs, crime, ignorance, and welfare. Americans are losing faith in our constitutional system. They see ineffective leaders and a government structure that isn't producing results.

The current system has so failed to produce answers that Americans are seeking stark solutions. The dramatic and frightening rise of David Duke and the near universal call for term limitations on politicians, I believe, have materialized because of the sense of desperation and exasperation by the American people.

Within this current climate, I believe we need to create a new system and new approach to government. We need to transform the current system through a necessary revolution. This revolution is one of replacing the current welfare state and its side effects of destruction of family values, work ethic, and individual ability and responsibility. This revolution is truly necessary and not merely desirable. It must happen.

Our Founding Fathers created a powerful system for each generation to have; to paraphrase Thomas Jefferson, its own necessary revolution. Our civil wars should be fought culturally and politically, not militarily.

I believe that there are six essential social and economic changes that are revolutionary in nature that if supported by Government policies will change the current system of stagna-

tion and alienation to one of opportunity and prosperity. But these Government policies will never occur until there is a Republican majority in Congress.

Let me outline this necessary revolution that would take place with a Republican Congress.

We believe that this revolution is vital to each American's personal prosperity. Our Government through its Tax Code punishes industry, encourages debt, discourages saving, and makes jobs creation an almost unattainable goal. In contrast, imagine a Tax Code that rewards people for investing in, and saving for the future. Imagine laws that make it more possible for Americans to realize the dream of home ownership. We have proposed such reforms: Cut taxes on income earned from investments in capital assets, and make even steeper cuts for investments in small businesses; cut taxes on senior citizens who work; encourage savings through expansion of the IRA laws; encourage home ownership through flexible rules on IRA use and tax credits for the first-time home buyer; and repeal counterproductive tax laws that cost jobs, such as the excise tax on boats and aircraft.

We believe that another generation of drug addiction and violent crimes will destroy our children socially and spiritually. The personal safety of every individual must be protected and preserved. Imagine picking up the newspaper and reading that the murder rate right here in Washington, DC, was cut in half and that drug dealers and other like thugs were put in jail for the length of their sentence and not let out on early release to commit more crime. We should be committed to a policy of prisons before pork, and we should build enough prisons so that there are enough cells for every violent criminal in America. And while they are in prison, we should make every prisoner work to help pay for the cost of their incarceration. Finally, we should make sure that every illiterate prisoner emerges from jail literate so that they can become productive citizens and not repeat criminals.

We believe that education is a vital key to a successful, competitive America and to sustain economic growth. There is no sector in American life in which the coming revolution is more necessary or vital. Imagine an educational system that allows parents to choose which school their children attended and replaces a unionized, bureaucratic approach to teaching with flexibility, creativity, and rewards for excellence. That is what we have proposed through America 2000. We must let the individuals on the local level, not the Federal Government, decide what is best for their children. We must encourage and provide the means for innovative educational programs

that are designed to expand our children's educational experience. Through more creative participation from local communities, America will once again achieve excellence in education.

We believe that personal safety and security is not just a matter of ridding the country of the criminal plague but by assuring all Americans the right to a health system that is affordable and available to everyone. Imagine a revitalized, health-oriented system that emphasizes wellness and promotes choice. We have proposed such reforms. The leader's task force on health has proposed giving small businesses the same treatment for its employees now given big businesses. This fairness in tax treatment coupled with insurance market reform will give millions of Americans access to health policies they now don't possess. Our legislation would establish a commonsense approach to malpractice lawsuits that add enormous costs to the health care system. We should also consider putting more personal responsibility back in the system by establishing health bank accounts that would allow people to take the current benefits provided to them by their employers and put this into a special account. This money would be used for health costs but if money was left over it would be theirs.

We believe that the welfare state's current bureaucracy and payments creates a strong bias against work, savings, and family values. These are the very aspects so sorely needed by those who are currently in the welfare system. Imagine a system for the needy that promoted workforce instead of welfare. We propose that the current system of welfare with its over 100 separate programs be put into three block grants. This would allow States vastly more flexibility to enact the needed reforms from welfare to workfare. Welfare payments should lead the recipient to a job. This can be done by requiring they get a high school education if they don't have one. We should eliminate the current system's penalty against families and we should eliminate additional benefits for people who have more children while on welfare. The values of work, family, and education must replace the welfare state's current bureaucratic values.

We believe that this economic and cultural revolution must extend to the Government. Congress should be a system that is respected by everyone. This must be the case if we expect other institutions in the country to live by the guidelines Congress dictates. Imagine a Congress where there are no scandals and ridicule. We should demand a full disclosure of all congressional affairs so that the public can see how their tax dollars are spent. Imagine a Congress that had to live with the laws it passes for everyone else in the country. Imagine a Congress that had half its current staff, as BOB MICHEL has said will hap-

pen when he becomes Speaker of the House. Imagine a more effective and a more efficient Congress, with a reversal of the proliferation of committees and subcommittees. Imagine a Congress whose Members better understood the problems of their constituents, and not insulated from those problems by special perks and overuse of taxpayer's money to get reelected.

Imagine a Congress that allowed all of these things to happen: From changes in economic policies that would create jobs, to change in social policy that would put all violent criminals in prison to stay, to change in education policy that favored parents and children over unionized bureaucracies, to change in health policy to promote wellness and choice and reduce costs to families, to change in welfare policy to emphasize workfare instead of welfare, to a change in the way Congress itself operates so that all Americans can have a Congress it can be proud of.

All of these changes would happen if the American people would make one change, elect a majority of Republicans in Congress. All of these changes have been proposed, few of them have been brought up for votes. That's because the majority party decides the congressional agenda, they decide the schedule, they decide what proposals have a chance to become law. For the last 38 years the majority party in Congress has been the Democrats. That's longer than Castro has been in power in Cuba and more than half the time the Communists were in control in the Soviet Union.

In his first inaugural address on March 4, 1861, Abraham Lincoln said:

This country with its institutions belongs to the people who inhabit it. Whenever they shall grow weary of the existing government they can exercise their constitutional right of amending it or their revolutionary right to dismember, or overthrow it.

The challenge to America is clear. Use ballots, not bullets, to win this necessary revolution. If Americans want change, they must get out and vote. America met challenges in the cold war and Desert Storm. We believe we can find just as much courage and commitment to meet the challenge here at home.

□ 1150

Mr. MICHEL. I thank the distinguished whip for his very eloquent remarks capsuling, as no one other can do better, what we as the Republican minority feel strongly we would like to have evolve for the benefit of the American people, if given that opportunity with a majority in this House.

If I might just very briefly underscore what the whip said relative to the time element here. At the beginning of January the gentleman from Michigan [Mr. BROOMFIELD] and I, the senior Republican on our side, began

our 36th year serving in this House of Representatives.

Neither of us, nor obviously have any other Republicans in this House with lesser seniority, ever have had their own subcommittee, their own full committee, or been in a position of being in a majority where our views carried the day in any kind of situation around here. That is the plight we Republicans have been in for 10 these 36—yes, 2 more—38 years in the House.

We are saying today, collectively and individually, we can change all that. The people, obviously, can change all that. We cannot do it ourselves. It will have to happen this fall.

But in the event that the American people see fit to do that for us, to give us that opportunity, we will rise to the challenge. We welcome that challenge and look forward to the opportunity to serve here.

Mr. HUNTER. Mr. Speaker, if the gentleman will yield, I had to interrupt my leader on one point. I think all of us realize that even though we are in the minority, there was one day last year when the views of the Republican leader of the House of Representatives, BOB MICHEL, did carry the day, and that is when you led the coalition in this body that gave the President authorization to move against Saddam Hussein in the Persian Gulf. We will never forget that leadership and never forget that day.

Mr. MICHEL. I thank the distinguished gentleman from California. It is true on occasion there have been those times when we have carried the day with a very, very spirited, well-informed, well-enlightened, articulate minority, and have made the case on the floor of this House to carry a majority of votes, regardless of party. Those are the days when we look, of course, with envy, and hope that there would only be more of those days. Unfortunately, there are far more days when we lose. But when given that opportunity, we rise to the challenge.

At this juncture I am happy to yield to the distinguished gentleman from California [Mr. LEWIS], who serves as our Republican conference chairman.

Mr. LEWIS of California. Mr. Speaker, I thank my leader for yielding me this time.

In the minority leader's most stimulating cover letter that came with the work we are about to do on the floor, my leader, BOB MICHEL, said that the year was 1954. Ike was our President. We had a balanced budget. BOB MICHEL was working as administrative assistant to Congressman Harold Velde, and Republicans lost control of the House of Representatives to the Democrats.

That was 38 years ago. The world has changed in many ways, my leader said. Ike is no longer President, we no longer have a balanced budget, and I am no longer a congressional staffer. Over this time we have gone through

the Korean, the Vietnam, and the cold wars. We have seen the yuppies, the hippies, the yuppies. But through all these years, one thing has not changed—the Democrat majority in the House of Representatives.

Incredible, is it not?

Mr. MICHEL. It certainly is.

Mr. LEWIS of California. Over those years, all that has not changed is that these guys still run the place, and the people wonder why we are in trouble.

Mr. Speaker, I cannot wait for the time that BOB MICHEL is our Speaker, for the gentleman from Illinois knows what this country needs. It needs the kind of leadership that he can provide. It needs the kind of understanding of where this country has been and what has made it great.

□ 1200

It needs the kind of direction that his experience understands.

Mr. Speaker, I am going to revise my remarks relative to what we might do with our defense budget, if we were the majority. The Speaker today at the rostrum understands full well the demands that we have upon our defense system. It is very apparent.

The Constitution of our country empowers the Congress to raise and support armies and to provide and maintain a navy. History and our leading role in a Western culture based upon individual liberty have made these words more important than our Founding Fathers could have realized. They worried about a coastal defense of 13 colonies, a defense on the western frontier. Little more than 150 years after the Revolution, America's leaders had to deal with a global war, atomic weapons, two fascist dictatorships in war and two Communist regimes in a cold war. We have been through so much since the gentleman has been leader.

I cannot help but be reminded of experience like Dick Cheney's, coming from this body, sitting by the lakeside up in the mountains in northern California, when he talked about the fact that we have an opportunity as we build down this quality national defense, he suggested the problem is we have had this opportunity just following the Second World War, just following Vietnam, every time we have had the opportunity we have screwed it up.

It is very important that we not just respond to the Democrat challenge by transferring this money to more of their social programs. Let us make sure that we build down wisely. A strong national defense is our most critical need.

We have seen its potential benefits out there for the American public. We need to make certain that as we go about that quality build-down that we keep on track, keep America strong, keep the world strong so we can continue to lead.

I appreciate the Speaker's leadership today on the floor.

Mr. Speaker, the Constitution of our country empowers the Congress to "raise and support armies \* \* \* and to provide and maintain a navy." History, and our leading role in a Western culture based on individual liberty, have made these words more important than our Founding Fathers could have realized. They worried about coastal defense for 13 Colonies and a defense on the western frontier. Little more than 150 years after the Revolution America's leaders had to deal with global war, atomic weapons, two Fascist dictatorships in war, and two Communist regimes in the cold war.

Well as President Bush said last night, "We won the cold war."

Who is we? Really three groups. First the men and women of our Armed Forces. Second the ingenious and dedicated defense workers who gave our troops the best tools to do the most dangerous work. And last but not least is the American taxpayer. Again as the President said:

No one ever thinks to thank the people who pay a country's bills, or an alliance's bills. But for half a century now the American people have shouldered the burden, and paid taxes that were higher than they would have been to support a defense that was bigger than it would have been if imperial communism had never existed.

These three groups—soldiers, workers, and taxpayers—deserve a quality build-down that honors their past and future sacrifices. A Republican Congress, influenced and led by Members and former Members such as BOB MICHEL, BILL DICKINSON, and Dick Cheney—not to mention our most important alumnus, George Bush—would manage that build-down in the safest and most compassionate way.

When we had the expansionist Communist regime in Moscow it would show its true colors from time to time in dramatic ways. Afghanistan and KAL flight 007 were dramatic reminders that we on this side of the aisle could use to remind our colleagues in control of the House that there was a bear in the woods. Now the bear is dead, but was that the only threat? Can its nuclear armed offspring really be declawed?

As we confront these questions, let's see which party has the best track record in protecting the interests of soldiers, defense workers, and taxpayers.

Most Americans are now familiar with the phrase "peace dividend." I want to talk about the peace dividend, as well as its lesser known cousin, the experience dividend.

The experience dividend is so vital but often neglected. Members of the Republican Bush administration such as Dick Cheney, Secretary of State James Baker, and National Security Adviser Brent Scowcroft bring to these challenging times a wealth of experience not matched in the other party. If we had a Republican-controlled House, the ideas and policies of these people would have to be compromised and watered down. If the GOP was in charge we would complement and add to the experience of George Bush's team—not carp and grandstand.

The peace dividend will take on additional meaning and significance the closer we get to election day. In an election year with a difficult economy there seems to be no shortage of ideas on how to spend more money—tax cuts,

national health insurance, massive new public works and jobs programs—are but a few.

The majority party's constant clamor for higher cuts in defense leaves many with the unfortunate belief that the Congress has already waited too long for the budget ax to fall. It also fails to carefully consider the more healthy alternative of committing defense dollars saved to deficit reduction. How many times in the 1980's have those who depend on existing domestic Government programs been asked to absorb cuts because of the size of the deficit and its damaging effect on our economy. Instead of debating how to spend the peace dividend on new Federal programs, an effort should be made to reach a fuller and more realistic understanding of the costs of deficit spending on our economy and on worthwhile domestic programs. In short, it is time to fill in the blanks. President Bush did that in his State of the Union Address. The President outlined cuts of an additional \$50 billion over the next 5 years. As he said, we should cut "this deep, and no deeper."

Mr. Speaker, two documents will be submitted for the RECORD. The first is a Department of Defense publication explaining the fiscal year 1993 Pentagon budget. The second is a speech by Joint Chiefs Chairman Gen. Colin Powell. Chairman Powell's remarks explain much that the Bush administration is already doing to protect our troops and our taxpayers. As he points out, when we finish our reductions we will be using the lowest amount of our GNP for defense since before World War I—only 3.6 percent.

Therefore, as the country awaits its deserved relief from the cold war tax and defense burden, we should bear in mind which party will better weigh certain facts: While there is no question that there was a defense buildup during President Reagan's first term, real defense spending has been on the decline since 1985. Real defense spending will decline 34 percent between 1985–1996 based on decisions that Congress and the President have already made.

Defense cuts are people cuts. The Defense Department has already eliminated 80,000 civilian jobs. Secretary Cheney has agreed to a 5-year plan which will reduce the active duty force by 520,000 individuals. Additionally, the Department is in the process of closing 400 bases and facilities worldwide.

Defense reductions are job cuts. Joining the nearly 1 million military and civilian employees of the Department in looking for new jobs will be the hundreds of thousands of private sector production employees that work in the production lines manufacturing America's defense industrial base. In California alone, at least 300,000 production workers who make everything from the B-2 to communications satellites are and will be in jeopardy. These individuals are the defense industrial base.

There are no quick fixes by which defense cuts can be immediately available for redistribution to other Federal programs. Weapons programs and personnel training involves long-term contracts. Even closing down a production line involves termination costs.

Our challenge is not to quibble over the billions of dollars that could make up a peace dividend. Instead it is to recognize that every debate about this issue should include at least

two other key phrases—the defense industrial base and the Federal deficit. Each has as much to do with our future economic progress and growth as the current temptation to view the peace dividend as a new opportunity to increase Federal spending on new programs.

The peace dividend rhetoric of most congressional Democrats creates a bonfire mentality. The bonfire is started from materials which are no longer needed. As it grows, the enthusiasm for the flame and the light grows. Too often, anything that will burn is thrown into the fire. Let's not make that mistake with short-term thinking regarding the opportunities to spend defense dollars elsewhere. Instead, let's focus on the long term, the defense industrial base, and the Federal deficit.

We in Congress are about to undertake the most important demobilization in the history of the world. That is no exaggeration. A Republican-controlled House would not use the Pentagon's budget as a cash cow to please more interest groups with new Federal handouts. We would work with the experienced Bush administration to build down with equal measures of caution about world dangers and compassion for American defense workers.

The best Retraining and Worker Adjustment Program is a thriving economy, particularly in high technology fields, and in modern manufacturing methods like those developed for the B-2 Stealth bomber. If Republicans controlled the House, we would meet the President's March 20 deadline for passing his economic revival program. This kind of action would ease the effects of a wise build-down of our Armed Forces and allow us to apply savings to deficit-reduction thereby letting taxpayers keep more of their money. That would be the best way I can think of to say, "Thank you, America, for a job well done and a struggle won."

Mr. MICHEL. Mr. Speaker, I certainly thank the gentleman for his very timely remarks. So well put with respect to a very critical subject that faces all of us.

Mr. EDWARDS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Oklahoma.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I thank my leader for yielding to me.

I think it is important that the people who hear this and see this realize that the reason it is so important that we be given the opportunity to provide the leadership that the gentleman has spelled out here is this: When they go to the polls and they elect a Ronald Reagan twice to be President and they elect George Bush to be President and they say, we believe in that direction, we want the country to move in that direction. But when it does not happen, they are all frustrated and angry. Why? We voted for these guys for President. Why is it not happening?

The answer is very simple, because we are stalemated. We have Presidents who want to take us in the direction the public wants but we do not have the votes in Congress. And when they vote for a Republican President, then

they ought to give that President a Republican Congress, and we will change things.

Mr. MICHEL. Mr. Speaker, I thank the gentleman for making the point. I am reminded of our early days in school when we were taught about the three coordinate branches of Government, one being a check upon the other. I am wondering what has happened during recent times. We have been fortunate to elect 5 out of the 6 last in the Presidential elections. But always, except for the short period of time in the other body having a majority, the other party has controlled Congress. That may be in the public's mind out there, that the system of checks and balances conceived by our Founding Fathers where a President of one party and a control of the Congress by another party has absolutely no relevance whatsoever.

That was not what they were talking about, and the gentleman is so good to bring out the point forcefully, as he did.

This is probably as good a time as any, following on the remarks of the distinguished gentleman from California [Mr. LEWIS], to hear from the gentleman from California [Mr. HUNTER], who serves with such distinction on that Committee on Armed Services, and knows that defense business inside and out and, of course, serves in our leadership as chairman of our research task forces.

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

Mr. MICHEL. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I thank my leader and applaud him for the leadership that he has shown and that he will show in the future as a Speaker of the House of Representatives. I thank my leader for giving us this opportunity to talk about what Republicans would do.

I think one of the very important areas that have to be discussed today and have already been discussed by our colleague, the gentleman from California [Mr. LEWIS] is defense. Because the Constitution gives the Congress the responsibility and the duty and the power to carry out and to build a strong national defense for the protection of our citizens.

In fact, many of us think that it is the most important social benefit that Congress provides for its people and should provide for its people, is to defend them.

I think the difference between Republicans and Democrats with respect to defense can be described by two simple phrases. The first phrase is one that was used very often by Ronald Reagan and that was simply "Peace through strength."

The second is one that we are going to hear a lot of times from the Democratic leadership in various ways when

we debate the budget, and that is their statement that defense spending is the enemy. Defense spending needs to be cut. Defense spending needs to be devastated.

In our position, the defense spending is not the enemy, and let me just take the American people and my colleagues back to a few months ago when we were in the Persian Gulf. And we saw all of those systems that were built by Ronald Reagan and under great protest by the Democrat leadership. I am talking about the M-1 tank, the Apache helicopter, the Patriot missile. We saw all those great systems working, protecting freedom, operating efficiently in the hands of the men and women of the Armed Forces. And not one time during that conflict did we hear a Democrat leader get up on the floor and say what he said many other times, and that is that defense spending is the enemy.

We have found out, in fact, that defense spending is often the friend when it results in the missiles that shoot those Scuds that are incoming to our troops, when it results in America's being able to go into a conflict with one of the largest armies in the world and return with very few battle casualties.

Under a Republican Congress, we would recognize, because we helped to bring it about with a Republican President, the momentous changes in the Soviet Union. And yet we recognize also that there is an inherent instability in the present situation. We know that there are some 27,000 nuclear weapons still in the Soviet Union, now under the control of various political subdivisions. And we know also that in Moscow recently there have been calls by a few for the criminal trials of Mr. Yeltsin and Mr. Gorbachev, and there have been calls by a few for a return to communism. And there is still an instability that suggests to the United States that we should keep our powder dry.

Let me say to my leader, who led this great fight on behalf of the President in empowering him in the gulf war to take action, we Republicans are best at keeping America's powder dry and keeping our security ready.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, one of the things that I thought the gentleman from California [Mr. HUNTER] and I might be able to discuss at this point is the reality that in southern California, in our region, Riverside, San Bernardino County, our economies have benefited a great deal by the military buildup of the 1970's and the 1980's.

It is very apparent to me that our economy is shortly going to be experiencing the other side of that as we go about this quality build down that is

being discussed in Washington. It is going to have a huge impact upon our own constituencies.

Our people out there are going to have to deal with the reality that as the economy shrinks and defenses, military bases close, it can have a negative impact upon economies.

In turn, we have to make certain that that quality build down reflects our understanding of the impact that it will effect upon our communities. Our employee base is going to change as a result of it. It is very important that the gentleman and I, dealing with our own communities, do everything that we can to see that their opportunity, their economic opportunities are extended through the following decade.

I know that the gentleman is experiencing this at home himself. I just wanted to make sure that my people understand that I know they are experiencing it as well.

Mr. HUNTER. Mr. Speaker, I thank the gentleman. He makes an excellent point. That point is that the Republicans are not only the leaders in defense in both Houses and, when they are in the majority, will be able to direct policies that will truly protect this Nation, but also we are the caretakers of an economic growth package that will enable our military industries to convert to domestic production, when military industries and those that are associated with the military decline.

I might mention to my friend from north of my area in San Diego that some of the radical cuts in defense that we always see after a war, and we have seen them historically in this century, we always cut too much, as the gentleman has pointed out and as Secretary Cheney has described, but under the radical cuts, for example, that are proposed by Senator KENNEDY in the other body, we are talking about in excess of \$2 billion out of the defense budget, far, far deeper cuts than our prudent Secretary of Defense, Dick Cheney, has suggested.

□ 1210

In my area of San Diego we would lose some 10,000 jobs as well as losing an important edge in security.

Mr. LEWIS of California. I want the gentleman to know I very much appreciate the support that he has given to the southern California economy. The impact of his work on the Armed Services Committee is not just appreciated but very, very important to those of us who appreciate the role he has played.

Mr. HUNTER. I thank the gentlemen. Let me tell him that his contribution to national defense as a member of the Defense Appropriation Subcommittee is also very, very valuable to the people of his district in southern California.

Mr. LEWIS of California. I thank my colleague.

Mr. HUNTER. Mr. Speaker, let me talk about something else that we must keep our eye on and that goes directly to the heart of a Republican program with respect to defense. The Soviet Union as we knew it previously is no longer. However, as I pointed out, there are still some 27,000 nuclear warheads that we have to contend with in one way or another over the next 10 to 20 years.

However, there is another problem. As we emerge from this confrontation between East and West, we are moving into what I call an era of terrorists with high technology. We must accept the fact, because it is a fact, that some 14 Third World countries right now have ballistic missiles. We also must accept the estimates that have been given to us by our intelligence agencies that in the next decade, this number could reach 25 or more countries having ballistic missiles. And also we must accept the fact that by the year 2000 six or more nations will have ballistic missiles with ranges reaching over 3,000 miles.

As Americans who have always appreciated those two great oceans that have protected us from the aggressiveness of other world leaders and from their armies, their air forces and their navies, this growing ballistic missile capability must be fully appreciated and must be managed by our Defense Department so that it does not involve a major threat to American citizens.

Another factor that we have to consider was recently pointed out by the Director of the CIA, Mr. Gates, when he testified before the Senate Committee on Governmental Affairs. He pointed out that there are thousands of Soviet nuclear and weapons technicians who have been working on and designing and building with great efficiency Soviet nuclear missiles. These people, to a large degree, are finding themselves unemployed. They are discovering, however, that there are many would-be employers around the world, and many of these employers, especially those associated with terrorist nations, are not responsible. They are not responsible people. They are adversaries of the United States, and they now have a vast new resource to draw upon in their race to build nuclear weapons. That means that the Saddam Husseins of the world can go out and recruit with ready cash, which many of them have, some of the top experts in the world in the areas of weapons technology. That means that as we draw away from this East-West confrontation, we are going to have to strengthen our intelligence base. That means Americans in our Department of Defense are going to have to know where terrorists are operating, when they are operating, and perhaps most importantly what they have. Then we are going to have the ability to respond very quickly to deal with that threat.

One last point that I think we have to remember with respect to the Soviet Union is this: The gulf war did not involve the Soviet Union. The gulf war involved a massive military engagement that drew down America's resources, which luckily we had because of Republicans and a Republican President who believed in a strong defense. But we did not fight the Soviet Union, and yet that effort took enormous national energy.

We must remember that we have wars on a regular basis. History has taught us that the best way to prevent wars is to be prepared for them, and unfortunately, in the past, under the leadership of Democrat Congresses, we have demobilized too quickly, we have cut defenses too drastically, and we ended up back in an unstable situation very quickly.

Let me just say that the airwaves, incidentally, have been, and I have spoken with my colleague Mr. LEWIS about that, the airwaves have been replete with calls to cut defense spending and fund all of the answers to our economic problems out of the defense pot. The Budget Committee chairman, LEON PANETTA, who would be the ranking member if the Republicans controlled Congress, has already formulated a 10-year defense plan or 10-year plan that would make significant reductions in our defense spending while creating new domestic programs. Senator SASSER, chairman of the Senate Budget Committee, has a plan that would cut between \$120 billion and \$150 billion out of defense over the next 5 years. But this plan pales in comparison to Senator KENNEDY's proposal to cut \$210 billion out of defense over the next 7 years.

The point I am making is that the Democrat leadership in Congress is following the historical pattern of slashing defense irresponsibly, and thereby bringing us back into a situation in which we may find ourselves without the capability to do what we had to do in the gulf last year. Under the budgets of Senator KENNEDY and Senator SASSER, we could not respond to a Saddam Hussein in the manner we did last year, and we must expect that we are going to have to respond to that type of a challenge.

The Department of Defense has submitted a 6-year defense plan under the very able leadership, incidentally, of Dick Cheney, a former conference chairman and whip of the Republicans in the House of Representatives, one of our most prized Members and a very thoughtful gentleman and a leader in defense policy who brought us to success in the gulf war. If his plan is followed, defense spending is going to go down. It is going to go down to about 3.6 percent of GNP by the middle of the decade.

I want to just remind our Members and the American people what Sec-

retary Cheney stressed when he appeared before the Budget Committee. He said these words, "Prudence requires that we as a nation not make defense reductions more rapidly or more deeply than planned through fiscal year 1996. It will be a tremendous challenge to carry out planned reductions without undermining the future quality of our Armed Forces."

Mr. Speaker, a Republican Congress would heed this warning.

Finally, Mr. Speaker, let me talk about the strategic defense initiative a little more. Leaders in the Democrat Party have fought the strategic defense initiative for years, and because of Democrats controlling this Congress, we do not have an SDI. I can remember the words of Presidential candidate Walter Mondale when he said, "I would not be for SDI." He said, "That's war in the heavens." Remember those words. The Democrats think that SDI is war in the heavens. Yet, when those Patriot missiles went up and hit those Scud missiles that were coming into innocent civilian centers, and were coming into American military installations, the same Democratic leadership, because they love this country too, said, "Thank heaven." "Thank heaven we have this little bitty piece of SDI."

We had this Patriot missile that can stop the slowest of the ballistic missile family, and that was the Scud missile, but we are going to have to deal with a lot more than Scud missiles over the next 15 to 20 years. Our intelligence experts tell us we are going to have to deal with long-range ICBM's that can move very quickly, that have a very high reentry velocity, and that pose enormous threats to the people of the United States of America. That means that we need to have a Republican Congress that can move out in partnership with the Republican President and provide that greatest of social services to the American people: to protect them.

I thank the future Speaker of the House, Mr. MICHEL, for letting me have this time.

Mr. MICHEL. Mr. Speaker, I thank the gentleman for his very fine exposition.

I am happy to yield to the distinguished gentleman from Florida [Mr. IRELAND], who wants to tell us something about easing the burden I am sure on small business, an area in which he has a great deal of expertise, serving as he does as our ranking Republican on the Small Business Committee. If we had a majority, he would be the chairman. He would be calling the shots and the country would be a lot better off.

Mr. IRELAND. Mr. Speaker, I thank our leader and I hope future Speaker. What the gentleman is doing I think is an appropriate thing for our country to have this period when we put two views in perspective.

If America will save small business, small business will save America.

This would be the rallying cry of a Republican-controlled Congress.

Republicans know that small businesses are our best hope for the future. They employ almost 60 percent of the private work force. They contribute 44 percent of all sales in the United States. And they are responsible for 38 percent of our Nation's gross national product.

During 1990, small businesses created more than 550,000 jobs for our Nation's unemployed. That same year, large corporations lost nearly 400,000 jobs.

Small businesses are expected to account for nearly 75 percent of the 43 million new jobs that will be created in the United States over the next 25 years.

A Republican-controlled Congress would acknowledge the vital role that smaller firms must play in our economic recovery and long term well-being.

A standard measure of legislation under Republican leadership would be how any proposal affects small businesses' ability to grow and create jobs.

No longer would we ignore the cumulative effect of the laws and regulations we pile onto small businesses each year.

If Republicans controlled the Congress, the floor of the House would not be dominated by proposals to mandate business leave policies.

It would not be overwhelmed with schemes to raise business payroll taxes.

And it would not be awash in claims that we can solve our Nation's health care crisis with a snap of the finger—by mandating that businesses provide health insurance for their employees.

Republican leaders wouldn't force through a luxury tax that is costing hard-working men and women their jobs under the false premise that it would bring in money by soaking the rich.

In fact, a Republican-controlled Congress would move quickly to repeal that ill-conceived tax on American jobs.

And a Republican Congress would not let a technical error in drafting the small business exemption to the minimum wage law remain on the books for more than a year without making any attempt to fix it.

Restoring that small business exemption would be a high priority if Republicans controlled the legislative agenda for the House.

In other words, a Republican-controlled Congress would not expect small businesses to solve every problem we face in this country.

We would not expect them to shoulder the cost of compliance for every program that the Government can no longer afford to fund on its own.

Just as important, a Republican Congress wouldn't have to fight for the

chance to consider progrowth proposals that would work—if we would only let them.

Instead of seeing what we could do to small business, we would focus on what we could do for small business.

A Republican-controlled Congress would take steps to spur investment and job creation by restoring an investment tax credit and by lowering the tax rate on capital gains income.

A Republican-controlled Congress would make sure that SBA has sufficient lending authority to serve the needs of all qualified small businesses who cannot find credit in the private sector.

And Republicans would work to break down the barriers to self-employment for those who must rely on public assistance for survival.

Republicans would put some enforcement teeth into the regulatory flexibility law requiring that departments and agencies consider the impact of any proposed or existing rule on small businesses.

We would also prohibit the Internal Revenue Service from retroactively applying regulations unless otherwise directed by Congress. This would provide one, clear set of rules for all businesses and agencies to follow.

A Republican Congress would return fairness to the legal system by ensuring that business owners would be liable only for the results of their own conduct.

These ideas aren't pie in the sky. They are all existing legislative proposals—many of which will never see the light of day as long as liberal Democrats control what is and isn't debated on the House and Senate floor.

The record is clear: Our Nation's small businesses have the ability and the desire to pull us out of recession.

We could achieve far more in terms of social policy through incentives set in the context of a vibrant, healthy economy than we can by clinging to business mandates, higher taxes, and more legislative obstacles to business growth.

As Members of Congress, it is our responsibility to assure that public policy is designed to work with the men and women who own and operate our Nation's 20 million small businesses and their employees.

House Republicans are ready to do more than just talk about how important small businesses are to the country.

We are ready to join forces with our Republican President in order to enact policies that will work for small business and that will put Americans to work. We invite our Democratic colleagues to join us.

□ 1220

Mr. MICHEL. Mr. Speaker, I thank the gentleman for his very appropriate remarks, and as he points out, you

know, the vast number of new jobs created in this country and required for our recovery are created not by big business but, rather, by small business. And so for us to take his lead, as he has outlined it here, and do the kind of things in this body that would stimulate and encourage those small businesses to create the new jobs will be the best way to bail us out of these economic doldrums we are experiencing today. I thank the gentleman very much for his very appropriate remarks.

Mr. Speaker, I yield to the distinguished gentleman from California [Mr. THOMAS], who has been waiting for a good long time, but always has something worth waiting for when he takes the floor of the House.

Mr. THOMAS of California. Mr. Speaker, we have been asked to comment on what this place would look like if Republicans were in the majority.

I have been asked to talk about what would campaigns look like, how would they be run under a Republican majority.

I think the short answer would be contained in a car rental commercial of a few years ago, in short, Republicans would put you in the driver's seat. "You" is each of you out there watching this program. I will have to inform you that there are not very many members of the press here to report on what we are saying. That is not unusual, because I want to talk directly to you. You are not in the driver's seat right now in terms of campaigns.

Who is? For example, incumbents, a majority of them Democrats. Democrats have written the campaign laws under which all candidates run.

But we have seen recently, incumbents tend to have inordinate advantages including the opportunity to use taxpayers' money.

Now, let us have a small test about whether or not this Democrat majority wants to put you in the driver's seat. We have all read and heard about incumbents mailing under your taxpayers' dollars thinly veiled campaign material to people whom they do not represent, who never voted for them and who are currently outside their district, the mass mailing to people who may be in districts after reapportionment.

Republicans have introduced legislation to stop this kind of shenanigan with the frank. Let us see if the Democrats pass this legislation. In fact, let us see if Democrats even hold hearings on this legislation.

Republicans would like to remove incumbents in the Democrat majority from the driver's seat.

Who else is in the driver's seat? Special interest political action committees.

If you will take a look at the Federal Election Commission reports on cam-

paign financing, you will find that political action committees today fund the vast majority of a candidate's campaign expenses. In many campaigns, that amount is 70, 80, 90 percent of the funds spent by a candidate. They do not all come from you. They come from thousands of miles away, many of them raised in Washington fundraisers to attempt to influence the candidate, not saying that we should eliminate this money, but I think clearly it would be healthier for the system. It would help put you in the driver's seat if their influence was reduced.

□ 1230

So how would Republicans put you in the driver's seat?

First of all, as I said, we have legislation that would deny abuse of the frank. Republicans have other legislation that would cut back on incumbent taxpayer dollars that are used in essence for campaigns. If we were in the majority, that legislation would become law.

We in our proposed campaign finance changes would reduce the role of PAC's from five times the impact of an individual to the same as an individual.

But most importantly, Republicans would put you in the driver's seat by allowing you to determine how much money could be spent in a political campaign. Republicans would require and we would make law, if we were in the majority, a majority of money would have to come from people who actually participate in campaigns. Candidates would have to raise a majority of their money from you, the people who are going to vote in the district.

Imagine, not \$1 could come from single issue political action campaigns, not \$1 from union-financed activities, not \$1 from corporations subsidizing political action committees, unless you decide that your dollar should go into the campaign.

Local control of campaign finance would put you in the driver's seat, not just in the election season, because incumbents would have to come back to you periodically to make sure that you were comfortable. You would control their political careers. And would that not be a revolution?

Republicans, if they were in the majority, just as in the economic arena, trust you collectively to make the decisions. If we were in the majority in the political arena, we would trust you collectively to control campaigns. You would have the ability to determine the amount of money spent in a campaign. You would control the finances. You would be in the driver's seat if Republicans were in the majority.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman from California for laying it out so succinctly as he has. He has been at the focal point of all this discussion.

#### PREFACE

The year was 1954. Ike was our president. We had a balanced budget. I was working as an administrative assistant to Congressman Harold Velde, and Republicans lost control of the House of Representatives to the Democrats.

Over the last thirty-eight years, the world has changed in many ways. Ike is no longer President, we no longer have a balanced budget, and I am no longer a Capitol Hill staffer. Over this time, we have gone through the Korean, Vietnam and Cold Wars. We have seen yuppies, hippies, and yuppies. But through all these years, one thing has not changed: The Democrat Majority in the House of Representatives.

Clearly, the time is long overdue for new leadership of the House. The public's perception of Congress remains distressingly negative. The American people want and deserve complete reform of the House of Representatives. Only a Republican Majority can carry out such reform.

These essays were originally presented in a January 30, 1992, Special Order on the Floor of the House by the Republican Leadership and Republican Members of several important committees. They explain what we intend to do and how we intend to do it when we become a Majority. They go to the heart of issues—issues like crime, the economy, education, energy, and health care—that Americans are truly concerned with.

I am confident that after reading this document you will agree that Republicans have the ability, the vision, and the determination to completely reform the House of Representatives. Now, all we need is the opportunity.

Sincerely,

ROBERT H. MICHEL,  
*Republican Leader.*

#### REFORMING THE WELFARE STATE UNDER A REPUBLICAN CONGRESS (By Hon. Vin Weber)

Mr. Speaker, for the past two years, House Republicans in the Wednesday Group have developed a reform agenda for welfare policy. While the Democrat-led Congress continues to guard the spoils of a failed and decaying welfare system, House Republicans are promoting a new vision and a new agenda to fight chronic poverty in our country.

For too long, the federal government's poverty programs have relied almost entirely on transferring income from one group of Americans to another. The strategy was obvious; if people get money, they won't be poor.

In fact, that truism isn't always true. Income transfers have been successful in reducing poverty for some parts of society, especially the elderly and disabled. However, millions of Americans remain mired in chronic poverty, despite the billions of dollars in federal assistance they received.

Contrary to popular myth, spending on programs for the poor have increased substantially in the past decade. More importantly, economic growth has had a substantial impact on poverty in America. As 18 million new jobs were created, poverty declined and average real wages increased every year from 1983 to 1990.

Despite these impressive improvements, millions of Americans made little progress against poverty. For this group of Americans, family dissolution, low commitment to work, and low or declining wages playing a significant role in their economic plight. Any authentic attempt to help them must address these problems.

Reform means spending money on welfare programs that require recipients to work and

develop skills, with strong incentives to move out of dependency. It also means eliminating current incentives that allow recipients to remain forever dependent on federal programs.

We can begin by fully implementing provisions in the Family Support Act of 1988. In a sense, this bill was a typical compromise, where Democrats who sought higher benefits compromised with Republicans seeking stronger work requirements.

The law requires participation rates of 20 percent by 1995, meaning that 20 percent of the nonexempt caseload at any time must be working or involved in work training. It's a modest start, but Congress must oppose any efforts to weaken those requirements. In the future, we must move to higher participation rates.

We also need to eliminate the disincentive for work in the current structure of programs to push those who leave welfare "off a cliff," where all benefits immediately cease and a recipient finds that work is a less lucrative alternative.

Providing continued Medicaid coverage during a transition period and developing health insurance alternatives for the working poor remove powerful incentives in the current system to remain on welfare. In addition, the expansions of the Earned Income Tax Credit since 1986 have served to subsidize the incomes of low-income workers, providing additional financial incentives for welfare mothers to take low-wage jobs.

These positive inducements for families to escape from welfare will not work in all cases. Thus, Congress should consider time-limiting coverage under the Aid to Families with Dependent Children program. Currently, over 65 percent of the caseload on AFDC will make clear that these programs are meant to provide a safety net in a time of transition, not a permanent support for those who are unwilling to work.

The point should be clear. These immediate goals lead toward our real goal, which is to convert welfare to a temporary program, as the poor move from dependency to self-reliance.

The proposals outlined are part of a comprehensive review issued by the Wednesday Group: *Moving Ahead: Initiatives for Expanding Opportunity in America*. The paper lays out a vision of needed changes in our welfare policies, and it shows the kind of ideas House Republicans will promote when they control this chamber. I urge my colleagues to review it in detail.

#### NATIONAL SECURITY UNDER A REPUBLICAN CONGRESS

(By Hon. Duncan Hunter)

Mr. Speaker, I am happy to speak today on the topic "National Security Under a Republican Congress." Among the powers granted to Congress, those given us under Article I, Section 8—to raise and support our Armed Forces—have provided much debate and discussion in this body.

I believe the differences between Republicans and Democrats can best be described in two simple phrases. The first, used often by President Reagan, is "peace through strength." The second, which we will use often in the upcoming budget debates, is "defense spending is not the enemy."

Under a Republican Congress, while we would recognize the momentous changes in Eastern Europe and the Soviet Union, we would not call for massive reductions in our military capabilities as many of our Democrat colleagues suggest. Yes, the world has changed; however, there are still many unan-

swered questions concerning the new Commonwealth of Independent States. There are still, according to some estimates, nearly 27,000 nuclear weapons in the former Soviet Union. Recently, there were protests in Moscow for a return to communism and the trial of President Yeltsin and Mr. Gorbachev. There is still unrest in Soviet Georgia and a settlement has yet to be reached in Yugoslavia.

In addition, Mr. Speaker, there is the growing problem of missile proliferation among Third World countries. Already, 14 Third World countries have ballistic missiles. Many believe that in the next decade this number could reach 25 or more countries possessing this technology. Most alarming, by the year 2000, six or more nations will have ballistic missiles with ranges reaching over 3,000 miles. A new twist to this problem was recently cited by Central Intelligence Director Robert Gates, when he testified before the Senate Committee on Governmental Affairs. Mr. Gates expressed his concern that as the situation in the former Soviet Union deteriorates, Soviet scientists may begin to emigrate to Third World countries and enable these countries to greatly improve their military capabilities. Yes, Mr. Speaker, a more peaceful world today, but what about tomorrow? A Republican Congress would look into the future and maintain peace through strength.

The Gulf War was a strong warning that our military must always be prepared to respond a crisis anywhere in the world. Because of the sound build-up of our military during the Reagan years, we had a military that was able to move 541,000 personnel, tanks, planes, and supplies halfway around the world and sustain combat operations. Because of Reagan's belief in "peace through strength", we had a military that was well-trained and well-equipped.

The Gulf War was also a clear example of the differences between our parties. The majority of our Democratic colleagues voted not to give the President the authority to use force against Iraq and instead voted for a continuation of sanctions. Had this been the policy that prevailed, we could still have half a million of our soldiers in the sand. Today, our troops are home and Iraq is out of Kuwait. Do we really want to draw down our forces to a level that we are unable to respond to another "Persian Gulf" crisis?

Our former colleague and now Secretary of Defense, Dick Cheney, has clearly sounded the warning to move slowly to maintain "peace through strength." Speaking before the Defense Orientation Conference last October, Cheney emphasized:

"The good news of course is that because of the changes in the world we can safely reduce defense spending. We can safely restructure our armed forces.

"The bad news is that we have never, ever before, when we've gone through one of these periods, gotten it right.

"We've always blown it. Every time previously in this century when we've significantly downsized the force, when we've gone from major war time forces in World War I or World War II, we've ended up in such a hurry to demobilize that we've forgotten the fact that nearly always, sooner or later, we once again find ourselves in the position where we have to once again go to war."

Do we really want to ignore the fact that there are still many questions surrounding the dissolution of the Soviet empire? Do we really want to ignore the growing problems of missile proliferation? Do we really want to ignore the lessons of the Gulf War? A Re-

publican Congress would heed Secretary Cheney's words to "get it right" and not slash the capability of our armed forces. A Republican Congress would say "Yes, it's a more peaceful world today, but let's maintain this peace with American strength and not return to the 'hollow forces' of the 70's."

Recently, the airwaves have been replete with calls to cut defense spending and fund the answers to all our economic problems. Budget Committee Chairman Leon Panetta, has already formulated a 10-year plan that would make significant reductions in our defense spending while creating new domestic programs. Senator Sasser, the Chairman of the Senate Budget Committee, has a plan that would cut between \$120 billion and \$150 billion over five years. This plan pales in comparison to Senator Kennedy's proposal to cut \$210 billion over seven years.

These proposals miss the point—"defense spending is not the enemy." We have already achieved savings from the defense budget, and if Democrats insist on taking more out of defense they will seriously threaten the quality of our Armed Forces.

The Department of Defense submitted a 6-year defense plan last January. If this plan is followed, defense spending will be 3.6 percent of GNP by the middle of the decade. Before the Budget Committee, Secretary Cheney stressed, "prudence requires that we as a nation not make defense reductions more rapidly or more deeply than planned through FY 1996. It will be a tremendous challenge to carry out planned reductions without undermining the future quality of our armed forces." A Republican Congress would heed this warning.

Democrats have argued that the Pentagon has failed to react to world changes; however, the Pentagon's 6-year plan is based on a reduced Soviet threat and the collapse of the Warsaw Pact. The centerpiece of this plan is called the Base Force—the minimum force structure required to protect U.S. national interests. (Chart A) Secretary Cheney has moved the Department of Defense from the mentality of the Cold War to focusing on the new threats our nation faces. A Republican Congress would support this base force concept and not seek to undermine the quality of our forces by seeking unrealistic defense spending cuts.

Finally, Mr. Speaker, the fate of one program typifies how a Republican Congress would differ from a Democratic Congress. That program is "The Strategic Defense Initiative" (SDI). In 1983 President Reagan had a vision—to protect American citizens from the horrors of a nuclear missile attack. Each request for robust funding of research and development was met with opposition from the Democratic Congress. Each request for robust funding was significantly cut by a Democratic Congress. A Republican Congress would have fully funded this Reagan vision and today we would have SDI.

Mr. Speaker, the issue of our national defense is important to all members; however, as I've pointed out, there are clear differences between our parties. A Republican Congress would move more slowly in the face of an uncertain world situation. A Republican Congress would oppose deep cuts in defense spending. Mr. Speaker a Republican Congress would maintain the peace by ensuring a strong national defense.

CHART A.—FORCE STRUCTURE

	Fiscal year—			
	1990		1995	
	Num-ber	Active	Num-ber	Active
Army divisions .....	28	18	18	12
Aircraft carriers .....	13		12	
Carrier air wings .....	15	13	13	11
Battle force ships .....	545		451	
Tactical fighter wings .....	36	24	26	15
Strategic bombers .....	268		181	

THE ECONOMY UNDER A REPUBLICAN CONGRESS  
(By Hon. Bill Archer)

Mr. Speaker, I commend our distinguished Minority Leader for reserving this time to outline some of the key items on the Republican policy agenda for this session of the 102nd Congress. Given the broad legislative responsibilities of the Committee on Ways and Means, many of those important social and economic issues will begin their legislative journey in our hearing room.

While it would be impossible to cover all of those issues in the time we have today, it's important that we highlight a number of items which should receive early attention as the year begins.

ECONOMIC GROWTH

Our highest priority should be consideration of legislation to spur job creation and long-term economic growth—issues which were not considered important enough by the majority in Congress to move legislation forward last year. Months of valuable time were wasted in posturing over the symptoms of our economic problems while Republican initiatives to address the underlying causes of those problems were carelessly cast aside.

With the President's support, the House is already in the process of considering an additional extension of unemployment benefits. That legislation should be coupled with job creation initiatives.

Unemployment insurance doesn't create jobs for the unemployed. It helps them cope with the financial concerns which result from unemployment. Economic growth does create jobs. That is why we need to move ahead with rational, responsible policies that stimulate long-term economic growth and provide good, lasting jobs in the private sector for working Americans. Americans want jobs—not just an unemployment check.

This week, the President has again put before the Congress a comprehensive, workable, economic growth agenda without increasing the deficit that drags down our economy. While it contains a number of new approaches, many of its most important provisions have been before us since his first budget submission in 1989.

Had Congress responded to the President's leadership three years ago, today's economic situation would be quite different. His proposals to stimulate economic growth through capital formation, personal savings, research and development and home ownership make tremendous sense today—just as they did when they were first proposed.

GROWTH ORIENTED TAX POLICY

Tax policy has a profound and immediate impact on the economic direction of this country. Unfortunately, our current tax system frequently works to inhibit economic growth, which, in turn, retards our ability to compete in international markets. We need to reverse that.

Capital gains indexation, a significant capital gains rate differential, alternative minimum tax reform and investment incentives for businesses and individuals are important

first steps. They are not the sole answer, but they will help rebuild confidence, stimulate increased economic activity now and help change American attitudes about savings and investment for the future.

Similarly, the Tax Code ought to encourage, not discourage, the development of high technology businesses in the United States and encourage education and worker training. Importantly, if we are going to use the Tax Code to provide incentives, they need to be real.

We currently have a list of a dozen or so tax provisions, that now expire annually, providing tax incentives to stimulate a variety of activities ranging from research and development and low income housing to job training and health insurance for the self-employed. Their effectiveness is limited because taxpayers do not know whether the incentives will last for more than a few months. We urge businesses to take a long-term view, but the Tax Code forces them to do just the opposite.

It is time to review each of the so-called "extenders" on its own merits, turn the most important and effective ones into real, permanent incentives and allow the rest to expire. The Committee has talked about making those tough decisions before—but has repeatedly sidestepped the issue. We need to eliminate that uncertainty this year.

TAX SIMPLIFICATION

Unnecessary complexity is another aspect of our current Tax Code which has taken its toll on the profitability of American businesses and the productivity of American workers.

A recent study by Lytton Research and Analysis estimates that private sector costs of complying with existing tax laws is equal to 65 percent of tax revenues or \$618 billion dollars in 1990. Likewise, an earlier study by Arthur D. Little estimated that federal tax compliance consumed almost five and a half billion hours in 1985. This figure is equivalent to nearly 3 million people working full time in order to comply with the Tax Code. That's crazy.

Last year, the Committee on Ways and Means made a modest start in identifying simplification proposals, but even that never made it through the legislative process. A far more comprehensive approach needs to be taken—coupled with a firm commitment to seeing legislation enacted.

HEALTH CARE

Let me next turn to the topic of health care—the issue that, after job security, is probably the greatest concern to American today.

Public concern over the status of health care in America is one of the most vexing issues facing the Congress. This country has available to its citizens the finest medical care in the world. Nevertheless, the cost of that care is becoming less affordable.

Republicans believe that the qualities of the current health care system should be preserved and that reform ought to be carried out within the context of our values. It is critically important to maintain our private sector approach to health care delivery and to make private health insurance coverage more affordable.

In the short term, Congress should act now both to reduce the cost of health care and to make insurance more available for Americans. In the long term, comprehensive reforms are needed to bring to a halt the current rate of health care cost growth and assure all Americans access to private health insurance coverage.

On the cost cutting side, the first agenda item is medical malpractice reform. Billions are currently spent on defensive medicine. Much of this can be saved if medical liability issues can be settled in a more efficient and reasonable manner. We cannot afford to continue a system where physicians practice in constant fear of being arbitrarily sued, and those suffering injuries from medical negligence hope to be compensated in a lottery-like tort system.

Next, tax policy toward employer provided health insurance needs to be reexamined. Incentives should be considered to promote more cost-conscious health care coverage. On the access side of the ledger, tax credits should be considered to subsidize health insurance coverage for those who are now uninsured and may lack the wherewithal to purchase insurance.

Finally, it is worth noting that two-thirds of the uninsured either work for small employers or are the dependents of those employees. Two of the best means to promote greater employer paid health care coverage are: 1) to provide a 100% health deduction for the self-employed, and 2) to reform the small group health insurance market.

As part of health insurance reform, the Congress should take action to prevent "job lock". Today, many Americans are becoming fearful to seek better employment because of the concern that they, or their dependents, may lose health insurance coverage for chronic illness or preexisting conditions, if they change employers. Reform is necessary to assure all Americans that they will not be penalized if they change jobs. These reforms do not have to wait; they can be passed this year without economic havoc. We urge this Congress, which constantly laments the state of our health care system, to enact these highly effective policies.

INTERNATIONAL TRADE

Another important issue facing us as we begin 1992 is international trade—and our highest priorities in that area will be the successful completion of the two major trade initiatives launched by Presidents Reagan and Bush.

The first is the Uruguay Round of multilateral trade negotiations, an undertaking unprecedented in scope that is now moving toward completion after more than four years of discussions. The second is the negotiations between the United States, Mexico and Canada to achieve a North American Free Trade Area (NAFTA) designed to strengthen the competitive position of producers and workers in our hemisphere.

These agreements must be fair and effective, providing a balance of benefits and opportunities that reduce trade barriers and expand market access for U.S. producers. They also must provide protection from unfair trade practices, as well as sufficient leverage to eliminate such practices where they exist. These agreements should be finalized and implemented as expeditiously as possible because they are expected to greatly expand world trade and create thousands of new jobs for American workers.

Other trade and economic growth initiatives, such as the Enterprise for the Americas, also should be pursued vigorously not only because they expand market opportunities and create jobs but because their aim is to create practical alternatives to the production and sale of illegal drugs. Through enhanced trade benefits to the countries of Central and South America, the U.S. can provide meaningful and crucial support for the war against drug trafficking in that region.

Customs modernization legislation is another top priority for this year. Improvements in the operations and programs of the Customs Service will speed commercial processing and ensure uniformity of classification and entry procedures at all ports. These improvements will also allow Customs to more effectively enforce U.S. trade laws and provide expanded service to a diverse trading community.

Miscellaneous tariff bills have long been important to the Congress. Republican Members have introduced numerous individual bills to lower tariffs and adjust the classification of imported goods. These bills are designed to reduce the costs of components for U.S. businesses, to maximize their competitiveness and to maintain jobs in the U.S.

A final trade initiative that we feel is very important is reform of U.S. trade laws as they apply to non-market economies. The transition of economies in Eastern Europe and the former Soviet Union from state control to market-oriented policies has made certain aspects of our trade laws obsolete. New legislation is needed to ensure that expanding exports from these transitional economies are not dumped or subsidized to the detriment of U.S. industries, either at home or in third markets.

#### WELFARE REFORM

Perhaps the greatest social policy accomplishment of the Reagan-Bush years has been the forging of bipartisan agreement that dependency on welfare is a bad thing—bad for taxpayers, bad for parents, and bad for children.

Republicans believe the nation has an obligation to help the unfortunate. We are deeply concerned that the design of government largesse makes it too easy to get and even easier to keep—seductively trapping individuals in a permanent state of welfare dependency. It is our view that American taxpayers want to help victims of misfortune, but that taxpayers expect citizens who receive public benefits to get back on their feet as soon as possible.

Under the leadership of President's Reagan and Bush, Republicans were able to start bending the welfare system in the direction of encouraging work. To do this, we needed to make changes both in welfare policy and tax policy. These changes included removing millions of low-income working families from the federal income tax system, providing states with money to train welfare parents for employment, strengthening child support enforcement laws, and providing earnings subsidies to low-income working parents through the earned-income tax credit.

Experts estimate that around 80 percent of children on welfare have fathers who have jobs; these fathers have earnings that average about \$15,000 per year. Even so, less than 15 percent of welfare mothers receive child support payments. This is an area which needs a great deal more attention.

While some have proposed a new program of guaranteed federal child support payments, consideration of that costly approach is premature without thorough testing and experimentation.

We also want to explore the effects of providing welfare families with clear signals that the public expectation is for short stays on welfare.

As the welfare system has grown over the past half century, the message given to clients seems to be that welfare is a right. Republicans think the idea of permanent guarantees to welfare benefits is precisely the wrong message to send to young families.

Moreover, we have no doubt that American taxpayers do not think they should carry a permanent obligation to give cash, food, housing, and medical care to able-bodied fellow citizens.

We should be moving toward a system designed to encourage self-sufficiency, not dependency. Unconditional benefits should be available for only a limited period of time. Under a new system of time-limited benefits, families would be required to show evidence that they are moving firmly in the direction of self support.

Properly designed programs hold great potential for helping poor and low-income families achieve economic security. Old-style welfare programs that merely give cash or in-kind benefits to people clearly have not solved the problem of poverty in America. But new-style programs that encourage or force people toward self reliance may show great promise.

The recent explosion of welfare reform proposals by more than a dozen states is an indication of interest in this approach. California, Wisconsin, Ohio, Michigan, New Jersey, and Maryland are now proposing, have recently enacted, or are now actually implementing dozens of "New Paternalism" proposals. These include:

Reducing the welfare benefit of parents who do not insure that their children attend school regularly;

Reducing the welfare benefit of parents who do not insure that their children receive regular medical checkups and immunizations;

Ending the practice of increasing the welfare grant of families that have babies while on welfare;

Reducing the welfare benefit of parents who do not show progress toward getting a job and leaving welfare;

Providing increased benefits for parents who accept full-time employment.

We applaud these state efforts. As Justice Brandeis once remarked, states are the laboratories of federalism. This has never been more true than it is today in the area of welfare reform.

We intend to do everything possible to help states gain the waivers from federal law that are often needed before these reform experiments can be conducted. In fact, as in the past, we intend to explore legislative proposals that will grant much greater flexibility to states in their use of federal welfare dollars.

#### SOCIAL SECURITY

Another major item on our agenda is our long-standing commitment to liberalizing and eventually repealing the Social Security retirement earnings limitation, starting with those over age 65.

The retirement earnings limitation may have been well intentioned public policy during the depression, when the goals were to permit and encourage older workers to retire with dignity while creating jobs for younger workers. Today, given the demographics of the work place, it is disastrous public policy.

The Social Security program has achieved almost universal coverage. Over 97% of all workers participate; only a few state and federal employees are covered under other government retirement systems. So, we cannot underwrite the long term financing deficit by extending coverage as we have done historically. It is a closed system, and a shrinking one.

The ratio of taxpayers to beneficiaries has declined from 4 to 1 in 1970 to 3.4 to 1 today, and is projected to decline to 1.8 to 1 by the year 2060. Actually, the Board of Trustees also has a more pessimistic projection of a ratio of 1.3 to 1.

It is in this context that most Republican Members are persuaded that abolishing this last vestige of age discrimination in federal statute is our top priority for the Social Security program.

However, it isn't our only priority. Clearly the disability program needs to be streamlined administratively to ensure a more efficient and more uniform national program. The current claims process, especially the appeals process, simply does not serve the public well.

Further, it is time to focus on the vocational rehabilitation aspects of the program, which have never worked as Congress envisioned when it authorized the payment of VR services from the trust funds. The same demographics that favor the retention of skilled older workers in the economy favor the employment of the trained disabled worker. The Social Security program can better serve both.

#### INCREASED OVERSIGHT RESPONSIBILITIES

Ways and Means is not only a legislative Committee. It also has a long history of investigative oversight activities that have developed several proposals which should be moved forward.

In 1988 we took the first step in protecting taxpayers by passing the Taxpayer Bill of Rights. While this was a good achievement, more needs to be done. The untold story from 1988 is not what we put into the Taxpayer Bill of Rights, but what we left out of it. It's time we finished the job we began in 1988.

The centerpiece of a Taxpayer Bill of Rights II will be a provision to correct the imbalance between the IRS and the taxpayer in deciding the correct tax liability a person owes. The current law stacks the deck totally in the IRS's favor. Its often said that a taxpayer is "guilty until proven innocent" in dealing with the IRS. We should not have a system which treats the average taxpayer like a criminal suspect every April 15th.

The current system is rooted in the principle that when the IRS makes an assertion against a taxpayer, it is presumed to be correct, unless the taxpayer can prove the IRS is wrong.

The IRS should have to document and substantiate the tax which it asserts against a taxpayer—and no longer be able to make an unfounded assertion against a taxpayer and then win by default when the taxpayer cannot refute it. The IRS would have to take reasonable steps to develop its case in the same way a taxpayer must develop his tax return.

The new Taxpayer Bill of Rights II would end this mismatch between the taxpayer and the IRS. Both parties would have comparable rights and responsibilities in deciding what taxes a person owes.

One of the growing concerns of the Committee is the solvency of the medicare trust fund. There are several initiatives we can enact which would preserve the assets of the medicare trust fund without increasing the burden of beneficiaries or reducing their level of service.

First, we can restrict abusive telemarketing of durable medical equipment to senior citizens by "boiler room" hucksters which costs medicare millions of wasted dollars per year.

Medicare beneficiaries would still have full access to this equipment when prescribed by their doctors. The proposal would be aimed directly at unscrupulous companies presently engaged in what amounts to looting the medicare trust fund.

We should also step up the enforcement of the law on Medicare Secondary Payor (MSP)

which says that when a medicare beneficiary also has private health insurance, the private plan should pay any allowable health claims before medicare is called upon to pay. The MSP provision is not being enforced very well by medicare contractors. The result is that medicare is paying claims which by law should have been paid by the private health plan of the beneficiary.

Improved enforcement of existing law could save medicare millions of dollars without increasing the cost to beneficiaries or reducing their services.

Nothing galls the American taxpayer more than the stories of government checks going to deceased beneficiaries. Every month the federal government sends out millions of benefit checks for social security, civil service pensions, military pensions, black lung disability, veterans benefits, etc.

When a beneficiary dies, the checks should stop. The Social Security Administration's work with state departments of vital statistics has resulted in a central clearinghouse for death certificate data. Requiring all federal agencies to use the SSA data base to screen their beneficiary files for deceased persons will save millions of dollars a year without harming any beneficiary.

Mr. Speaker, in conclusion, I would again like to thank our distinguished Minority Leader, Bob Michel, for focusing attention today on issues which we believe should be dealt with early in this Session of Congress.

I believe 1992 will go down as an important turning point for our domestic and foreign policy. I look forward to working with the Minority Leader, the Administration, and the other side of the aisle on the challenges that face us in this upcoming session.

#### MAKING CRIMINALS PAY FOR THEIR CRIME (By Hon. Bill McCollum)

There are four essential elements for any major reform of federal criminal laws: (1) changes in habeas corpus law to limit the virtually endless appeals of death row inmates which delay the carrying out of their sentences; (2) expansion of a so-called "good faith" exception to the exclusionary rule of evidence in cases involving search and seizure issues so that more evidence is admissible and more convictions obtainable; (3) restoration of the death penalty for a number of federal crimes by revising sentencing procedures to comply with a 1973 Supreme Court ruling which declared all death penalties in the United States unconstitutional on procedural grounds; and (4) creation of a provision permitting the award of the death penalty in cases of trafficking in very large quantities of narcotics.

Republicans and President Bush have made these four reforms the centerpiece of their crime initiatives for several years, but liberal Democrats have thwarted these reform efforts every time. Most recently a stacked House/Senate conference produced a crime bill with provisions on habeas corpus and the exclusionary rule which are worse than present law. Amazingly, if these provisions became law, death row inmates could use habeas corpus proceedings to delay the carrying out of their sentences even longer than they can now. And it would be more difficult for prosecutors to get into evidence contraband seized by police with search warrants meaning that fewer criminals would be convicted and go to jail.

In habeas corpus proceedings, the Democrats would give convicted murderers twice as long to file appeals in federal district court as the proposal of President Bush. The Democrats would also allow criminals to file

multiple petitions raising issues that had already been determined by the courts. Elimination of this repetitious and unnecessary litigation is at the heart of the Republican habeas corpus reform proposal.

In contrast, the Democrats proposal will increase delay and repetitious litigation. They overrule a recent Supreme Court decision to allow convicted murderers to get additional rounds of federal litigation based on rules were not even in existence at the time the court originally decided the case.

This means that every inmate presently sitting on death row will be given new opportunities to file petitions, and depending on how long one can drag out each appeal, the delays could be truly endless. This is why so many prosecuting attorneys have stated that if this proposal were to become law, there would never be another death penalty carried out again in the United States.

The exclusionary rule is a court made rule of evidence to prohibit the admission into a trial of any contraband seized by police in violation of the constitutional protections against illegal searches and seizures. It was designed to discipline police and discourage unconstitutional searches. A few years ago, the Supreme Court carved out a "good faith" exception in those cases where a search warrant had been issued and a police officer had a reasonably objective belief that the warrant and his search were legal. Two federal courts of appeal have adopted this same standard as an exception with respect to searches that are conducted without warrants such as consent searches. No other courts have ruled on this matter, and if it were to be presented to them or go all the way to the Supreme Court it is quite probable that this exception would be expanded by court ruling to all cases of search and seizure. The Republican legislative initiative simply codified this exception for all types of searches and seizures and made it uniformly applicable throughout the nation. In the Democrats' bill the exception is forbidden for cases that do not involve search warrants, and in cases where a warrant has been issued not only must a prosecutor show that the police officer had a reasonably objective belief that the search and warrant were legal, but he must also demonstrate that the magistrate issuing the warrant did so properly and in good faith. This is a new and much tougher standard that will make it more difficult to get contraband into evidence even in cases where search warrants have been issued. The net effect is more criminals will go free on technicalities.

In 1973 the United States Supreme Court ruled that all death penalties in the United States were invalid because the procedures on sentencing were unconstitutional. All the states that had death penalties on the books at that time have long ago reinstated the death penalties by putting into law the proper constitutional safeguards. Congress has never done so with regard to federal crimes and today even the assassination of the President will not get the death penalty. Republicans have long fought to correct this and on several occasions the House has overwhelmingly voted to reinstate the death penalty, but on each occasion the provisions have been either stripped in conference or tied to some repugnant measure to assure ultimate defeat. This time is no exception; the Democrat conference bill contains the death penalty corrective provisions but their enactment would be effectively nullified by the changes in the habeas corpus laws that give death row inmates unparalleled opportunities to avoid ever being executed.

The same is true for the drug kingpin death penalty. Even if no specific death can be shown if someone trafficks in very large quantities of narcotics a court should be allowed to award the death penalty because it is self evident that many deaths have resulted or will result from this trafficking. This provision also came out of conference but it too would be meaningless in the face of the liberalized habeas corpus changes.

While the death penalty sentencing provisions only affect federal cases, the habeas corpus reforms and exclusionary rule changes affect all criminal cases, state and federal. Reform to allow more evidence in at trials and more convictions to result and to stop the endless appeals of death row inmates is long overdue. It is time the liberal Democrats in Congress stop playing games and pass true reform that will allow the American law enforcement community do its job in putting away those who commit heinous crimes.

#### MAKING ELECTIONS MORE COMPETITIVE: ELECTION REFORM UNDER A REPUBLICAN CONGRESS

(By Hon. Bill Thomas)

Mr. Speaker, more than 200 years ago the writers of our Constitution established this House of Representatives to be "chosen . . . by the people of the several states." This was to be "The People's House" where the will of the voting electorate was to be reflected in the measures passed by this body.

Representatives were to be chosen by the people in each district around the nation, not anointed by "kingmakers" in the Capitol. Congressmen were expected to participate in competitive elections without a virtual guarantee of re-election. Thus, the House of Representatives was expected to faithfully carry out the will of the people.

How far we have come from that tradition by 1992!

The American people ask for a balanced budget and a Constitutional amendment to guarantee it, but the majority of Democrats in this House will not pass a balanced budget amendment to our Constitution.

The American people today want a halt to the ever increasing burden of taxation to fund wasteful spending programs. The Democrats in this House continually seek to evade their own budget rules to fund a growing parade of programs that benefit those who control the process.

The American people ask that we get tough on crime, but the Democrats in this House will not pass crime provisions that law enforcement officials at the local level say are vital to restoring safe streets in our communities.

The American people want Congress to break its ties to Washington special interests and come home to campaign among the voters to whom Members of Congress are supposed to be accountable. But the dominance of Washington PAC's in the fundraising process of the Democrats in this House continues.

Why doesn't Congress listen to the American people?

Recent polls show that 40% of the voters are ready to vote against all incumbents. Yet over 60% seem ready to vote for their own incumbent.

Why this disparity?

Why were over 96% of all incumbents re-elected in 1990 and over 98% re-elected in 1988?

Why were over 70% of all incumbents re-elected with more than 60% of the vote?

The answer to a significant degree is the truly embarrassing campaign finance incum-

bent protection system enacted by the very Congress that is supposed to be responsive to the people's will.

By no coincidence, this system works very well to do exactly what the Democrats in the House want it to do. Ensure the reelection of the incumbent majority of Democrats that have controlled this House since 1954.

Since November 1954, when the Democrats won a majority in the House that endures to this day, there has been a steady increase in the amount of resources available to Members to spend on their office, mail and salaries.

The growth in those resources soared in the years following 1974, when a large class of freshman Democrats elected as a result of Watergate sought to use the perks of Congress to ensure their re-election.

To give just one example, the amount of taxpayer dollars spent on franked mail by the House of Representatives in the 1973-74 election cycle was about \$40 million. But that amount has grown to over \$130 million in the 1989-90 election cycle.

To put these numbers in perspective, the amount of direct campaign funds spent by incumbents in 1989-1990 was \$163 million. The amount of campaign funds spent by challengers in 1989-90 was \$38 million.

Thus the total amount of funds spent from the people's tax dollars to promote the interests of incumbents was almost 80% of the total amount of money incumbents raised from the contributors and nearly 3 times the total amount spent by every challenger combined in America.

Because of Republican pressure in the past two years, a fixed limit has finally been imposed on franking expenditures by individual incumbents and the amount of taxpayer dollars used for franking by each Member of Congress has been disclosed to the public.

But the law continues to allow incumbents to send taxpayer financed unsolicited mail in mass quantities to people who are not even a Member's constituents, but who could be voters in the incumbent's next election. This mail has nothing to do with representing the constituents who elected the Member to serve at the last election. It has everything to do with aiding the member's reelection.

It is no wonder that challengers, with none of these taxpayer-financed advantages, cannot compete in most races.

It is no wonder that incumbent Democrats would like to limit spending by both challengers and incumbents, but insist on excluding from those limits the millions spent ONLY by incumbents on franked mail paid for by the people's taxes.

It is no wonder that Democrats, who have for so long maintained control of the House of Representatives, using the people's tax dollars to promote their re-election, are so excited about new schemes to funnel more tax dollars into subsidies for political campaigns.

And just to be sure that incumbents get the bulk of those tax dollars, they would only be available, under the Democrat's plan to candidates who agree to abide by the very limits that ignore franking and guarantee that incumbents will be able to outspend any challenger in that race.

And let's look at another example of incumbent protection, the unrestrained influence of Political Action Committees.

PAC's represent every conceivable special interest in Washington. And they contribute overwhelmingly to incumbents.

Of the \$110 million given by PAC's to candidates for the House in 1990, 80% went to incumbents. Only \$8 million or 7.7% went to

challengers against incumbents. That is a more than 10:1 ratio in favor of incumbents.

And PAC influence has been growing to the point where PAC contributions to candidates may soon outstrip contributions by individuals.

Republicans have fought to reduce the maximum limit on PAC contributions but have been blocked from doing so by the Democrats in Congress who depend on PAC contributions as a reliable source of campaign cash.

Republicans have fought to require that a majority of a candidate's funds come from people back home in a candidate's own district, not from PAC's.

The American people support this concept by an overwhelming 5-1 margin. They understand that power needs to be shifted from Washington D.C. back to local district citizens. (See chart number 1 Greenberg-Lake Poll.)

CHART 1.—REQUIRE LOCAL FUNDING OF CAMPAIGNS  
[In percent]

	Good idea	Bad idea	Don't know
Require "bulk" of campaign funds to come from district or State? .....	80	15	5
Require 75 percent of campaign funds to come from district of State? .....	76	16	7

Source: Greenberg-Lake Survey of Mar. 3, 1990.

But the Democrats in Congress have blocked this crucial reform as well.

As a result of these and other stratagems, the will of the people has been frustrated. Most House Members do not face serious competition from challenger candidates every two years. Most voters do not even know who the challenger in their Congressional district is, much less anything about what issues that challenger believes justify replacing the incumbent.

What a different political situation we would find if every Member of Congress faced a real challenge in his or her home district every two years, and had to actually campaign in the district and ask constituents for real support and assistance.

Perhaps then the term "Servants of the People" would have some real meaning when applied to Members of Congress.

Perhaps then, Members of Congress would listen when the American people demanded an end to wasteful government spending, a balanced budget, and a genuinely tough anti-crime program.

House Republicans are determined to transform the "Permanent Congress" in to the "People's House" our forefathers intended.

If Republicans were a majority in Congress, here's how we would make it happen:

We would re-empower local volunteers and contributors and reduce the influence of Washington, D.C. special interest, PAC, union, and lobbyist donors. Simply requiring that a majority of campaign funds come from people back home would go far toward achieving this goal.

We would end the use of taxpayer-funded incumbent perks such as out-of-district franking which serves no other purpose than to help re-elect incumbents.

We would re-energize and strengthen political parties. It is parties that are inclined to assist competitive challenger candidates, not just safe incumbents.

We would ensure full disclosure of aspects of the election financing process that remain hidden from the American public under today's Democrat-enacted election laws.

We would work to encourage more competitive Congressional districts, where the

choices that voters make on election day can actually change the outcome of a race.

And we would oppose taxpayer subsidies to campaigns.

Those are our general goals.

Now here are 10 specific areas where a Republican Congress would work for reform to achieve those goals:

#### 1. RESTORE LOCAL CONTROL OF CAMPAIGN FINANCE

Republicans would require that a majority of a candidate's campaign funds be raised from people in the candidate's district. More than any other reform this simple change in our election law would force incumbents to campaign at home, restore the importance of small donations and volunteers to the election process, and put challengers with a strong community base of support on a more equal footing with an incumbent's built-in base of support in Washington.

Under today's campaign laws the vast majority of funds are raised from PAC's and big donors who do not reside in the district of the candidate to whom they are contributing.

But when the amount a candidate can raise in Washington is limited by the amount that a candidate can raise from his own constituents, the vital importance of every \$5, \$10 and \$25 contribution from the voters at home will be clear to all.

When incumbents must raise funds in their districts, they will spend more time in their districts.

The challenger who has carefully built a large district following of volunteers and many small contributors can no longer be defeated by a deluge of PAC and special interest money from Washington.

#### 2. ELIMINATE ABUSE OF THE FRANK BY INCUMBENTS

Republicans would prohibit unsolicited taxpayer funded mail to anyone but constituents. We would impose tough limits on the total amount of franking funds expended and crack down on large amounts of unsolicited mail sent out within 60 days of an election.

Current law allows incumbents to use tax dollars to mail in mass quantities to people those incumbents do not represent. In a year like 1992 when many incumbents are competing in newly drawn districts, there is a strong tendency to use taxpayer resources to send material to potential voters in these new areas who are not yet constituents.

The use of taxpayer resources to communicate with potential voters who are not constituents should not be allowed by law.

#### 3. REDUCE THE INFLUENCE OF SPECIAL INTEREST PACS

A Republican Congress would cut PAC contributions by 80%, from \$5,000 to \$1,000 per election. A Republican Congress would ban transfers among PAC's that allow PAC's to hide the true source of their funds. A Republican Congress would ban "bundling" by PAC's so that limits on PAC contributions would not be circumvented.

PAC's can be an important part of our physical system. They serve as a vehicle for united citizen action on issues that are important to a particular group. But they should not dominate the political process for the benefit of incumbents. By reducing the size of individual PAC contributions, a Republican Congress would reduce the danger that one or even a small group of such PAC's would exercise undue influence in the political process.

The role of the PAC should be to get people involved in the process of campaigns, not to

insulate people from that process. When PAC's educate and involve people at the local level, urging them to get directly involved with the candidate of their choice, PAC's can perform a valuable service in the election process without playing the dominant role they so often play under the system perpetuated by the Democrats in Congress.

#### 4. REINVIGORATE POLITICAL PARTIES

A Republican Congress would strengthen political parties by increasing the amount they may contribute to candidates. This would allow parties to at least match in-kind contributions they make to challengers the amount incumbents can spend on election year franking and the amount that incumbents carry over from money raised in previous elections.

Strong political parties are crucial to a competitive political process. Political parties exist to build and maintain a partisan majority. They can only do this by defeating candidates of the opposing party. The minority party, whichever one it happens to be at the time, can only build a majority by replacing incumbents. Both political parties aggressively seek out opportunities to defeat vulnerable incumbents.

Political parties build governing coalitions that are broader than any single special interest group. Loyalty to a philosophy of government, whether Democrat or Republican, serves the nation far better than loyalty to a special interest.

Parties are the most important way in which average citizens can shape the process, not only of electing, but of selecting the candidates. Influence in political parties can be built without the large-scale financial resources that are regularly poured into media and computer-mail driven campaigns.

Restoring the ability of parties, especially at the local level, to make major contributions to candidates strengthens the incentive for citizens to get involved and make a difference.

#### 5. ELIMINATE LOOPHOLES IN PRESIDENTIAL FINANCING RULES

A Republican Congress would eliminate the loopholes which allow corporations and unions, for whom contributions to Federal campaigns are illegal, to assist those campaigns through special political party "Soft Money" accounts.

All funds that influence federal elections should be raised under the normal limits applicable to federal candidates. Under our proposal, strong political parties would learn to rely on contributions from individuals in small amounts, thus making them more effective as the vehicles for citizen participation that our nation needs.

#### 6. PREVENT INCUMBENTS FROM FINANCING EACH OTHER'S CAMPAIGNS

A Republican Congress would ban all contributions by Members of Congress, including so-called "Leadership PACs" to other candidates. People, not fellow incumbents, should be the ones who contribute to elect representatives in Congress.

#### 7. REQUIRE MEMBER CONSENT FOR UNION POLITICAL SPENDING

A Republican Congress would require unions to get a Member's permission to spend his or her dues on political campaigns. Let's restore the role of individual choice in this part of the campaign finance system.

#### 8. REVEAL HIDDEN CAMPAIGN RELATED SPENDING

A Republican Congress would require full disclosure of all union, corporate, and non-

profit "soft money" expenditures on voter education, registration and turnout programs. Voters cannot make intelligent choices in competitive elections if they do not know the source of financial support for candidates and causes.

#### 9. PROMOTE COMPETITION BY LIMITING REDISTRICTING GERRYMANDERS

A Republican Congress would enact Federal standards to guide redistricting so that local communities are not carved into fragments merely to provide a political advantage to one party or another. The result will be more competitive districts.

#### 10. STOP TAXPAYER FINANCING FOR CONGRESSIONAL CAMPAIGNS

A Republican Congress would ensure that Congress does not appropriate tax dollars to subsidize political campaigns. Incumbent Democrats want to find a way to vote themselves a permanent campaign subsidy from the U.S. Treasury. They won't succeed in a Republican Congress.

The bottom line is that these Republican proposals will make Congress accountable to the American people. A Republican Congress will not become another "permanent Congress", re-electing incumbents who ignore the will of the people. A Republican Congress will enact campaign reform that gives the American people a real chance to choose a new Congress if our performance does not match our promise.

Our campaigns will strengthen challengers and make all incumbents accountable. Requiring that a majority of all candidates' funds come from the people of the district they represent ensures that all Congressmen will stay close to the needs and interests of their constituents back home, not to the special interests in Washington.

Ending the abuse of the frank will go far towards halting the tendency of incumbents to use their power over government resources to compete unfairly with challengers.

Reducing the influence of PAC's by cutting the contribution limit will strengthen the role of grassroots individuals who are more likely to support challengers.

Strengthening parties will provide a powerful avenue for concerned citizens to get involved and change both the outcome of elections and the composition of Congress.

Banning corporate, union, and large donor soft money in federal elections promotes control of parties and of the process from the bottom up, rather than from the incumbent-protecting special interests down.

When incumbents cannot give to each other, each must stand on his or her own feet with the voters.

When unions must go to their members before spending dues money on politics, there will be fewer cozy deals between incumbents and union officials that ignore the interests of members.

When the sources of campaign related money are revealed, it will be harder for incumbents to secretly use their influence to conduct voter registration drives, and to raise funds for other activities that affect the outcome of elections.

Fairer redistricting means that Members of both parties will have to work harder to stay in office. And a ban on taxpayer financing will ensure that incumbents never get their hands on the U.S. Treasury to re-elect themselves at taxpayer expense.

A Republican Congress comes with a guarantee: We will make elections for Congress competitive.

A Republican Congress will restore real meaning to those words in the Constitution: "Chosen \* \* \* by the people."

Now isn't it time to go out and elect a Republican Congress?

#### EDUCATION AND THE REPUBLICAN CONGRESS (By Hon. Bill Goodling)

Let me start by telling you about one Congressman's favorite teacher.

She was my elementary school teacher. Her name was Miss Yost, and she is certainly one of the most remarkable individuals I have ever known.

Miss Yost taught in a very different environment from teachers today. She had sole responsibility for 32 children, grades 1 through 4 in a two-room school house. On her own, she found a way to simultaneously provide a good educational foundation for all of us. She kept us in line, kept the building clean and furnace stoked. She was the disciplinarian, the nurse and the babysitter.

Miss Yost has had my admiration throughout my life, first as a student, and then an educator and now as a Member of Congress serving on the House Committee on Education and Labor.

Miss Yost and many teachers like her did it all. They provided a quality education with far fewer resources than today's classroom. It's not that there are none with the talent and commitment Miss Yost had. Rather, new and difficult obstacles have been placed between today's teachers and successful teaching.

Government regulations have eliminated the flexibility Miss Yost used to provide a wide range of services to her students. The total support of parents and the community no longer exists. The respect students had for teachers is a thing of the past.

We no longer put our teachers on a pedestal; nor do we attract the best and the brightest to the teaching profession.

Of course, I am not advocating a retreat to the past—although we could learn some lessons from the teacher in the two-room schoolhouse. Nor am I placing the responsibility for our failing education system on teachers—the problem is hardly that simple.

Rather, I would say the difficulties experienced by today's teachers are indicative of the problems with education in general.

It is no secret our schools are traveling in troubled waters. We've heard about high dropout rates, workers unable to perform basic tasks, and poor test scores compared with students of other nations. On a personal level, many of us have at least a general sense that our children simply aren't getting the quality of education they need to succeed in life.

Concern about education quality and equal education opportunity is nothing new. Significant efforts have been made in recent decades. At the federal level, we've seen a certain amount of success come from programs directed at those with the greatest needs—programs such as Head Start, Chapter 1, the Education of the Handicapped Act, and Pell Grants.

Yet, it is clear that not only have many of the problems confronting education not been solved, they have also grown more numerous and complex. The educator's job has become more difficult as students increasingly struggle with hardships stemming from the breakdown of the family unit, the erosion of traditional values and the perils of drugs, alcohol and sexual activity. At the same time, the workplace has become more sophisticated, increasing the demand on our schools to produce better-educated students.

This leaves us with a daunting task. Our education system is failing and something needs to be done to fix it. We can't bring the

needed reform by working at the margins. What is needed is nothing less than the transformation of our education system.

Let me take a moment to describe what I see as the key to education progress—a commitment to excellence. To succeed, we must seek to excel. This is a message that must reach all levels. Students, teachers, parents, communities and government must demand excellence. We must demand it of ourselves and of our schools. Nothing short of the best will do.

A commitment to excellence on all levels is necessary because education is a partnership. Progress cannot come solely through government programs—although they should play an important role. We must inspire our students to demand the best of themselves, and we, in turn, must demand the best of our schools.

Parents carry a significant burden in this equation. Parents cannot rely on schools to raise their children. The value of parents who read with their children, help with homework, instill respect for teachers, foster self-confidence and responsibility, and demonstrate the benefits of a good education cannot be underestimated.

Let's make this our credo as we work to improve the nation's schools: Demand excellence.

What other basic elements are required to transform our education system? We need a national consensus and the momentum it can bring. We need resources. And, we need a specific course of action.

To a large extent, I believe, we have that consensus: In education, business as usual won't do.

Never before has public awareness of education, its problems and opportunities been higher. Momentum is growing and reform movements are underway nationwide. The education goals established by the President and the Governors are evidence of the fact that the concern and commitment are nationwide, and the capacity to develop common solutions exists.

In terms of resources, we have what we need; we're simply not using it properly. The money, personnel, services, equipment and expertise are available, but often they are not used effectively.

In part, this occurs because the federal government has erected funding barriers and limitations that make it inherently impossible for the programs to work together. This must not be allowed to continue.

Which leads us to the search for a course of action.

We all know that despite the good faith efforts of the past 10 years to improve our schools, we have failed. There is a basic reason for this failure. Our efforts have failed because they have been piecemeal. They have not been coordinated, nor have they sought to change the system within which schools and teachers operate.

America 2000, President Bush's education reform package, contains much of the meat needed to achieve our national education goals. Yet, it too is lacking the systematic, comprehensive approach needed for real success.

I recently joined with my colleagues, Reps. Ford and Kildee, to introduce legislation that provides the needed structure. Our bill is called the Comprehensive Neighborhood Schools Revitalization Act," and I believe it is the first education legislation with real potential for change I've seen since coming to Congress.

The system would be set up in the following manner: Each state would establish a

panel of educators, government officials, parents, students and business leaders to develop a plan to maximize achievement for all children. Within this framework, local panels and school districts would develop their own reform efforts.

This is where we put the meat on the bones. The federal legislation would provide funding for a variety of educational initiatives at the state and local levels. Many of these come straight out of America 2000. Allowable activities would include reward activities such as merit schools, optional school choice programs, parental involvement activities, motivational activities, planning to upgrade school technology, and professional development.

This framework enables state and local governments and school districts to tailor their programs to their needs, while at the same time ensuring these efforts are coordinated. It gives the grass roots more control and helps to ensure resources are used effectively.

With this legislation, the federal government can help ensure every state, every locality and every school district buckles down to the hard work of reforming our schools to meet the education goals. The entire nation will be moving in the same direction, although individual paths may be chosen.

First, we must develop more of a *Team Approach to Education*.

I spoke earlier of the need for all members of the education partnership to be involved in education. We must incorporate this approach as a policy change.

Too often, the only community involvement asked is fiscal support. They have much more to contribute, however.

Members of the community and parents should be involved in the establishment of program goals, expected student performance outcomes, and measures of success. They need to feel they are an integral part of their school's operation—that they have the opportunity to make a real contribution and to help determine the direction of the education program.

Any Federal legislation should provide for meaningful roles for communities, parents and private sector involvement. And I don't just mean establishing advisory committees.

Parents should be asked about their expectations for their children. Retired citizens should be utilized as resources in the schools. Businesses should help develop the vocational and academic programs that can supply their future workforce needs. School personnel should have an opportunity to work in the private sector and gain "real life" experiences to enhance their understanding and application of the subject matter they teach. Private sector individuals should participate as mentors, teach courses or guest lecture in areas of expertise. This is only a short list of the possibilities.

Similarly, more attention should be paid to the role of the parents in some students' education problems. An intergenerational approach to solving these problems should be attempted where appropriate.

For example, during my years as an educator, I often found that if a child could not read, the parents were poor readers as well. If the child had language difficulties, the home may have been bilingual. If the child did not appreciate the value of education, the parent likely was failed by the system.

To ignore the problems of the parents diminishes the long-term effects of any program. In my schools, I found some success in combating illiteracy by bringing the parents into the process. When I entered Congress,

and I worked to encourage the use of similar programs nationwide, and was successful in creating the Even Start intergenerational literacy program.

In the Even Start program, parents learn to read as well as become teachers and caretakers of their children. The growth of and demand for the program has exceeded any expectations when it was first enacted.

The second policy change would be to *Encourage Comprehensive Approaches and Lift Barriers to Coordination*.

The federal government is notorious for targeting funds too narrowly to be as effective as they could be.

For example, schools may receive small amounts of drug prevention money from 3 or 4 different programs, but be unable to aggregate them to fund the services of a single counselor.

In other cases, a child may be disadvantaged because of a variety of factors, but federal laws prohibit pooling funds targeted to address these problems, and schools are therefore unlikely to create a comprehensive intervention program.

Not only should barriers to coordination be removed, comprehensive approaches should be encouraged wherever possible. The current system is wasteful and duplicative and does not serve our disadvantaged students well.

Third, *Education Programs Should be Performance-Oriented*.

Our greatest concern is that students learn to read, write, compute, speak effectively, and so forth. Yet, the focus of our laws seems to be on how the programs are administered and run.

Instead, attention should be shifted to student performance and program improvement. We should not worry whether 15 minutes of Teacher X's time was spent on Program Y or Program Z, or student A or student B. Congress and the federal government must get out of the business of micromanaging education. Program operators must be relieved of their paperwork burdens so they can spend their time as educators, not bureaucrats.

Likewise, we cannot assume that completion of a given number of courses or hours in class will prepare the student for advancement to the next level or the labor market. Real learning must take place before the student can advance. In addition, the school must ensure it has provided the relevant education.

These same high standards and opportunities must apply to all students, not just the college-bound as is so often the case. Success can also come in the form of placement in a job, into further training or the military. We are the only industrialized nation without a school-to-work transition program. A program of this sort could help millions of students as well as increasing U.S. economic competitiveness.

Finally, *A More Reliable Data and Information Base Must Be Developed, With a Sufficient Means of Dissemination*.

If we can accomplish each of the above policy changes, we must have a way of measuring, understanding and learning from our progress, and sharing that information with educators nationwide.

Currently, available data are not necessarily consistent, the measures used are different and the outcomes are not necessarily related to the context in which they will be used.

Furthermore, there is not a single clearinghouse for information. The education system can benefit from exemplary programs

that have been used in youth employment. The contextual learning measures, and competency-based programs developed by the military cannot be tapped.

We are reinventing the wheel too many times to allow us to be creative, innovative or productive.

Although I have mentioned only four policy changes, it is clear that if implemented, they would mean a broad-ranging restructuring of the education system as we know it today.

Changing the current system is going to require a certain level of bravery on the part of Members of Congress. We will have to face vested interests and advocacies for individual programs who may have to be dissatisfied in the short term for the sake of long-term progress.

To shy away from these challenges would be an unforgivable mistake. There is too much at stake: The future of our children, our society and our economy all rest on our ability to work together and make the change.

In closing, I would like to take you back to the classroom.

As a former educator—and former student—I believe one of the most important lessons learned in school is appreciation for the unique qualities that make our nation great.

One of those qualities is our "can-do" attitude. When Americans put their minds to it and work together, they can tackle any problem, achieve any goal.

Any schoolchild can tell about some of this nation's special accomplishments. We created the world's first democracy; we built an economy and standard of living that are unsurpassed; we revolutionized agriculture and put a man on the moon.

After having successfully met a military challenge in the Middle East, America is facing a potentially greater danger right here at home. Our economy has weakened, the standard of living for many Americans has not grown in years, and we are losing ground to our trade competitors.

To turn this around it will take this "can-do" attitude and action in several areas, but none more important than education. If we don't educate and train a greater percentage of our people to a level of excellence, then I believe we will lose our position of leadership in the world. The stakes are that high. So, let's get going.

#### HEALTH CARE UNDER A REPUBLICAN CONGRESS (By Hon. Rod Chandler)

Mr. Speaker, we have a health care crisis in the country—a health care crisis that requires dramatic reform.

The nation's health care crisis is painfully reflected in a set of shocking statistics that we are too familiar with: 34 million Americans have no health insurance and skyrocketing costs which now exceed 12 percent of this country's Gross National Product (GNP).

We've concerned about these statistics, but more importantly, we've concerned about the health and welfare of our fellow Americans.

In our rush to fundamentally change our health care system, House Republicans are convinced that whatever proposals are adopted, they must make our current system better.

Dismantling that system is not the answer. For instance, having the federal government operate the nation's health care system would not only create a huge, and ultimately inadequate, bureaucracy, it ignores

the fact that our current system of employer-provided health insurance has been very effective.

Proponents of such a plan dismiss the fact that most Americans who have health insurance, obtain it through their employers. I submit that instead of tossing aside a system with proven success, Congress should be taking steps to expand that system to those working Americans who are currently unable to gain access to it.

Mr. Speaker, a Republican Congress would allow those important steps to be taken. In doing so, we would dramatically reform our current health care system to improve and build upon it.

We will expand on those things we do well and correct those problems we all know exist within that system.

With a Republican majority in Congress, Americans would be free to choose the doctors, hospital and type of care that is best for them and their families. The Federal government should not be making those decisions for American families.

Government-run national health systems restrict our range of choices by limiting the options and alternatives available. In contrast, our proposal would guarantee choice by increasing the availability of health insurance for those who presently do not have access to such insurance.

Mr. Speaker, a Republican Congress would also preserve the high quality of health care Americans have come to expect from our current system. Under that system, Americans are secure in the knowledge that the best possible care is available in the event of serious illness for them or their families.

Unfortunately, this security will be lost if advocates of a single-payer health system have their way. In fact, countries with government-operated health insurance systems fall far short of our level of health care quality, because their systems do not encourage technological advancement, just as government-run economies fail to generate economic progress.

In addition, the sense of security that Americans enjoy regarding their health care should not be limited merely to its quality.

We should be secure in the knowledge that we can change jobs without the fear of losing our health insurance.

And we should be secure in the knowledge that we will not lose our health insurance or incur sharp increases in its cost because of serious illness.

For older Americans, we want them to be secure in the knowledge that they will have adequate care should they become incapacitated. A Republican Congress would enact reforms that ensure this sense of security for all Americans.

Mr. Speaker, there is a strong consensus among all of our colleagues that health care should be available to all Americans, regardless of economic circumstances; and that the step necessary to ensure that access should be taken now.

Unfortunately, proposals for a government-run health care system or one that would impose costly employer mandates would take years to fully implement and, even then, would fall far short of their stated goals.

A Republican Congress, however, would be prepared to enact meaningful reforms that could be implemented immediately.

This is particularly true for reforms that would assist uninsured workers who are employed by small businesses.

Specifically, we would propose reforms that would make it easier for small employ-

ers to purchase group health coverage for their employees.

We would also propose expanding community health centers and rural health care facilities to provide care in those instances where it is otherwise unavailable. In every instance, Republicans are prepared to address our health care problems now, not years from now.

The issues of health care cost and affordability seem lost, or, at least, confused among proponents of a government-run health care system.

Proposals for nationalized health care and other centrally-run systems would control cost through price controls on providers.

Price controls, however, are seldom effective, and more often than not have the negative result of limiting the availability of services and products and reducing incentives for innovation.

In Canada, for instance, not only do citizens lack the level of advanced technology that Americans have, but Canadians often come to my state of Washington for care that is unavailable under the price-controlled Canadian system.

If Canadians are coming to our country for health care, I wonder where we Americans will go?

A Republican Congress would control costs through reforms that emphasize increased competition and the elimination of artificial cost stimulants in the marketplace.

These reforms include the elimination of state laws that restrict competitive development of health care plans and mandate certain types of coverage that add to the cost of health insurance plans.

Republicans would also reform medical malpractice laws which serve to increase provider costs and encourage excessive testing and other forms of defense medicine. Such reforms would lower malpractice rates—a cost that is passed on to patients by doctors—by limiting the amount of fees that lawyers can earn in malpractice cases.

Finally, Republicans would help control excessive administrative costs by cutting down on the amount of red tape and paperwork that clutter our current health care system.

Through the use of uniform claim forms and electronic billing systems, our proposals will streamline the huge increases in health care bureaucracy.

Ironically, proponents of a national, government-run system would create yet another bureaucracy that can only add to already overwhelming administrative costs.

Mr. Speaker, there is no question that our health care system is in need of dramatic reform. Some argue that we must wait for consensus on this issue.

But that kind of time is a luxury that we can't afford. We need to fundamentally change our health care system and we need to do it now.

As we move toward those reforms, let's not forget, however, that we provide a higher quality of health care than virtually any other system in world' and, we do it for the vast majority of our citizens.

The task before us is to make the best even better, and to make sure that all of our citizens have equal access.

#### APPENDIX

1. David Broder, "Republicans Could Govern." The Washington Post, October 27, 1991.
2. Richard Cohen, "Congress in Distress." National Journal, January 18, 1992.
3. Robert Michel, Dick Arme, and William F. Goodling, "House Repairs: What We'll Do When We Reach Majority." Policy Review, January 1992.

4. Summary of House Committee Reforms Proposed by the House Republican Conference.

5. Summary of Comparative Data on the House of Representatives.

6. Major Republican Crime Bill Proposals.

7. Remarks by General Colin Powell, Chairman of Joint Chiefs of Staff.

8. Department of Defense News Release, "DOD To Slow Pace of Modernization, Cut Strategic Nuclear Arsenal While Maintaining Essential Forces." January 29, 1991.

#### REPUBLICANS COULD GOVERN (By David S. Broder)

Unless you are of a certain age and were really tuned into politics in the early '50s, the possibility of a Republican Congress is as unfamiliar to you as a balanced budget. The last time there really was a Republican Congress was back in 1953-54. Democrats yielded the Senate majority to the GOP briefly between 1981 and 1987, but they have held control to the House of Representatives ever since 1955.

Anyone under 50 can be forgiven for thinking that the only thing Republicans can do in the legislative branch is oppose Democratic initiatives, support presidential vetoes and defend administration officials and appointees before congressional committees. That's all they've ever seen.

The Republicans are type-cast as naysayers, obstructionists and lackeys of the White House. No wonder, then, that the voters' reflex is to keep electing Democrats to the House and Senate.

For a few hours the other morning, however, it was possible to glimpse what life might be like in a Republican Congress. It was nothing like the stereotype.

Over in a Senate committee room, the Republican Conference Task Force on Economic Growth and Job Creation was holding a mock hearing on tax proposals to stimulate the lethargic economy and ward off an early return to recession.

In a small office in the Capitol, the House Wednesday Group, an informal caucus of issue-oriented Republicans, was holding a press briefing on a report embodying two years of their work on new approaches to cracking the problem of persistent poverty.

My purpose is not to ballyhoo their specific proposals, although many of them make sense. Any open-minded person who was in either of those rooms would come away knowing that he had been listening to intelligent, serious people actively engaged in figuring out answers to major problems—not throwing sand in the gears of government.

The two Republican congressmen who presented the anti-poverty initiative were Reps. Vin Weber of Minnesota and Bill Gradison of Ohio. Their colleagues and congressional reporters know them to be among the brightest and most hard-working members of the House. But after 26 years of combined service, they are virtually unknown to the country, because neither has ever chaired a committee hearing, managed a major piece of legislation on the House floor or directed an investigation. Those are the perks of the majority party, and for 37 years, the voters have denied those opportunities and responsibilities to the Republicans.

The key figures in the Senate mock-hearing were somewhat more familiar: Sens. Phil Gramm of Texas and Bob Kasten of Wisconsin, both key players in the Reaganomics revolution of the early '80s; House Minority Whip Newt Gingrich of Georgia, a star of C-SPAN; and Secretary of Housing and Urban Development Jack Kemp, their ally inside the Bush administration.

Yet for these folks, too, there is immense frustration in the fact that when domestic policy is set, the action flows between the White House and the congressional Democrats. Congressional Republicans and their ideas are often left on the sideline.

Divided government has many costs, ranging from the protracted impasse of last year's budget summit to the ugly spectacle of the recent Clarence Thomas hearings. But the largest cost is that the country never gets to have more than a fraction of the intellectual and political resources of either political party applied to the problems of the nation.

An important objective of both the Wednesday Group and the Senate GOP Task Force was to persuade the Bush White House to take a look at new approaches to the stubborn problems of poverty and the sluggish economy. Were President Bush dealing with a Republican Congress, he would have no choice but to consider such views—and every incentive to weigh seriously what congressional Republicans were suggesting.

For these would be the people who would finally shape whatever legislation was passed. And as his ticketmates in the next election, they would share a common interest in seeing that the nation's problems were solved.

None of that is true when Republicans are in the minority and Democrats control Congress. The president need not heed advice from congressional Republicans, because they cannot pass any bills. The Democrats can pass bills, but they have no motivation to help make the president a success.

So the system ends up frustrating everyone in it—and serving the country badly. That's why the most critical question for 1992 is not whether the Democrats regain the White House or the Republicans win Congress. The critical objective is to see one party or the other do both—and give this country a government again, not just another set of warring politicians.

Democrats could provide that government if they produce a credible replacement for Bush from their field of presidential candidates. But what I saw on Capitol Hill suggests that Republicans are ready to govern—if given the chance.

[From the National Journal, Jan. 18, 1992]

#### THE HOUSE'S FAST TRACK IS MUCH TOO SLOW FOR OHIO'S DENNIS ECKART

(By Christopher Madison)

Well over a year ago, Rep. Dennis E. Eckart, D-Ohio, realized it was time to leave the House. When Speaker Thomas S. Foley asked him to orient freshmen Members to the sprawling, complex institution, he recently recalled, "I discovered \* \* \* that I was telling them to do things that I had made up my mind that I probably was not willing to do anymore."

Like going back every weekend to his suburban Cleveland district to be with constituents; getting a jump on issues by coming in for Monday hearings at the Energy and Commerce Committee when few other panel members are back in town yet, and staying late. Or taking on what Eckart calls the "trashy issues that nobody else wants to work on" in order to win compliments from a subcommittee chairman.

Eckart, ambitious and earnest to a fault, not to mention clean-cut, friendly and articulate, mastered the reelection arts during four years as a state legislator and six congressional terms.

At 41, however, he found himself years away from holding real power in the House.

He was frustrated and burned out, not willing to take on still more work—such as party fund-raising chores—to quicken his advance into a leadership position. "How many years can you do 90 days on an airplane?" he asked.

With his 16 years in state and national politics coming to a close at the end of this year, Eckart, a lawyer, is now mulling a second career. He said he hasn't decided what it will be or whether he'll leave Washington.

One thing is clear: Eckart's early exit is an ominous message for the House, and for politics generally. For Eckart and his ilk represent the future of the House: Young, hard-working stalwarts, enthusiastic about politics and, more important, keen in the art of legislating.

Eckart, for example, a lieutenant of Energy and Commerce chairman John D. Dingell, D-Mich., was one of a dozen legislators who worked overtime in the back rooms for months to craft a Clean Air Act that was acceptable to several warring factions. The act was finally signed into law in 1990. If such legislative brokering is becoming a lost art, Eckart's departure hastens the trend.

There is a bigger *if*: If the House worked better, then the long hours, the weekends of campaigning and fund raising, the years of waiting to move up the seniority ladder might be worth it. But for now, for Eckart, it isn't. And his impatience with congressional ineffectuality is mirrored by growing public animosity toward the institution.

"There's a veritable feeding frenzy out there, and the Congress is the first entrée on the menu."

Maybe it's because the 1980s were an exhausting time in Congress. Since his arrival in January 1981, Eckart said, the House has been "a veritable frustration roller coaster. It's been the hottest ride in the park."

That year, Democratic solidarity was broken when President Reagan successfully rounded up enough conservative Democratic votes in the House to pass his landmark package of spending and tax reductions.

Then, "social security and Claude Pepper saved us," Eckart said, recalling the 1982 elections, when the Democrats, led by Speaker Thomas P. O'Neill Jr. of Massachusetts, exploited fears that Republicans would cut social security benefits and picked up 26 seats, solidifying their House majority for the remainder of the decade.

But the '80s hardly calmed down: There were more budget battles, bitter fights over U.S. policy in Central America, the Iran-contra affair and the scandal that toppled Speaker Jim Wright of Texas. Only with the 1989 ascension of Washington's Foley—in Eckart's view a wise leader who "banked the fires of frustration that Jim Wright fostered"—did the House settle down a bit.

So why is Eckart leaving?

Lots of reasons. But at the heart of it, perhaps, is the sense of stalemate that pervades Washington in the 1990s. With neither the money nor seemingly the energy for bold initiatives, life in the House has become less than compelling.

"All of us, Republicans and Democrats, liberals and conservatives, come to government with an agenda. Now, things seem to be beyond our control. \* \* \* You can't advance new programs, new ideas, within the budget constraints that we have. And when you go home to talk about national health insurance, the first question is 'Did you bounce any checks?' [Eckart says he did not.] It is frustrating. It's easy to see why members can say this just ain't much fun any more."

Eckart has always had an ability to step back and analyze the institution even while

he's been in it, and he is no less introspective on the way out the door. Within the over-all malaise, he identifies several interlocking problems.

The Democrats, including Foley, don't have their act together, he charges. They have been too timid to test President Bush. "We only politically prosper when we engage the President, put messages on his desk, let him veto them; maybe we can override, maybe we can't. The only way you can force agreement to let him take the heat and smell the smoke of political gunfire."

Of Foley, he said: "I think Members would just like to see him occasionally pick a partisan fight to help protect us. That's the frustration."

Like many others, Eckart also believes the House moved too far toward decentralization of authority in the 1970s, with the result that legislative paralysis can be cured only by another wave of reform.

"We have balkanized the power of the Congress into dozens of competing fiefdoms, and thus make it more difficult, absent an iron-fisted ruling Speaker, like Jim Wright, to define a congressional agenda. We need to do what [former Rules Committee chairman] Dick Bolling suggested [in 1974], and that is go back and redo our entire committee organization structure" to eliminate time-consuming, overlapping jurisdictions.

That might make it easier to pass needed legislation. "We need to show the American people that we are capable of addressing problems," Eckart said. "When we do not have a real agenda, they will focus on what appears to be an agenda—check cashing at the House bank."

But can Members really tackle tough issues? Eckart concedes that pressure from interest groups and constituents makes it harder for legislators to craft solutions that might not completely please anyone but that might address the problem.

"It's what I refer to as the politics of absolutism," he said. "Either you are absolutely with [a particular interest group] or you are absolutely wrong. That has grown since I came here. To step outside the protective cocoon of being the Chamber of Commerce's congressman, or \* \* \* the environmentalist's congressman, you risk drawing withering fire from both sides. The price for sticking your neck out around this place has gotten higher and higher."

Members, meanwhile, hear more and more from their districts. "This place responds to constituents perhaps too well," Eckart said. "We respond to the floods of phone calls and to the mass mailings. If people really knew how intimidated we are. \* \* \*"

Eckart also concedes that the related ills of modern politics—excessive campaign spending, the power of incumbency, "safe seats" created by state legislatures—have eroded voter trust.

"People are frustrated that the process of politics excludes them, that their modest contributions of time and a lawn sign or \$5 at a local fund-raiser are so overwhelmed by the PAC [political action committee] contributions and the TV commercial and the consultant's sage wisdom that they just don't think elections are fair anymore."

The public's solution? Term limits, which Eckart decries because he says it would deprive voters of their democratic right to elect whomever they choose.

Eckart's decision to pack it in offers another piece of evidence that the House is out of whack; it suggests that more than a few Members are dissatisfied with their life, just as voters are with their performance.

He has chosen to leave now, while he's young enough to launch a second career. "There's no reasonable opportunity for me to be committee chairman," he said, "without \* \* \* making a commitment of dozens more years here."

Eckart movingly described the costs of his congressional career on his personal life and the time spent away from his family home in a Virginia suburb of Washington. There is a hint of bitterness, and though he insists it is only one element in his decision, it may be the most compelling one.

Eckart is plainly wistful, for example, about time lost with his son. "Eddie's 12, and I've been home for four 'trick or treats.' Every other October, where am I? I'm in Ohio. 'Hey, I'm doing a great job. Send me back.'"

"In the off-years [when] you have to pass these [appropriation] bills, you get home at 8 or 9 o'clock and you help him wash off his makeup. You look at the pictures of what he was for Halloween."

Eckart admits that it was his decision to put so much into the job and that he might have "defined better the parameters of what I was willing to sacrifice personally for this. But you're young and ambitious, and [reporters are] writing stories about how you are on your way up and you want to fulfill these prophecies."

He's found, however, that it's not so easy to shift career gears. Last August, after deciding not to seek reelection, Eckart treated himself to a rare luxury: a real vacation during part of the August recess. But he couldn't relax.

"It was abysmal for me the first few days. I'd never done it. I was missing a country fair that I had always gone to. And, sure enough, when I came back [to the district] in the last half of August, people kept saying, 'Gosh, we didn't see you at the fair.'"

Though a few minutes earlier, Eckart had gushed about serving his constituents, there was a caustic note in his voice as he described the powerful, intimate pull voters have on their Representatives.

Politics has its price, and even a nice guy like Dennis Eckart has had to pay.

[From the National Journal, Jan. 18, 1992]

#### CONGRESS IN DISTRESS

(By Richard E. Cohen)

When Congress adjourned on Thanksgiving eve, the workplace environment of the Capitol had deteriorated to a poisonous level. The legislative process had given way to posturing, suspicion and deadlock. If Members were becoming unhappy and frustrated with their inability to produce, the public, in turn, was becoming contemptuous of them.

Now, as lawmakers are returning to face grave problems—demands to deal with economic dislocation and social inequities, the consequences of staggering federal budget deficits, a world in profound change—they are mindful of the need somehow to regain the esteem of their constituents. But they must also brace for the heavy partisan warfare of a presidential campaign year laced with an unusually high number of competitive Senate and House elections.

Has Congress ever before seen so much handwringing over internal problems or so many whiffs of scandal? Probably yes. But, in their worst nightmares, few Members could have dreamed that public cynicism about Congress would become as intense as it did in 1991.

For much of the year, they seemed overtaken by front-burner events—from the Persian Gulf war to the lingering recession—

over which they had no influence. Disagreements over issues such as taxes, crime, health care and banking regulation also seemingly left Congress spinning in circles with nothing to show for its efforts.

Late in the year, the Senate appeared foolish, if not downright prurient, in the glare of a televised confirmation hearing of a Supreme Court nominee turned into an X-rated national morality play.

At roughly the same time, the House was embarrassed by reports that scores of its Members had bounced personal checks at their private bank, which they promptly voted to close, and a Senate ethics panel balkingly completed its denunciations of the so-called Keating five, a quintet of Senators who'd had dealings with a principal in the savings and loan scandal.

Not surprisingly, already-low public opinion ratings for Congress as an institution and for individual Members from both parties threatened to drop off the charts. In many states across the country, term limitation campaigns caught fire.

Lawmakers may be able to stanch the hemorrhaging sufficiently this year to at least appear to address the nation's business. And most Members who seek reelection will probably succeed. Whatever the short-term recovery, however, Congress's distress seems unlikely to be relieved any time soon. Indeed, pressure inside the House and Senate may be building toward a rare period of fundamental changes, driven by generational shifts and by discontent with the status quo rather than reversals in party control.

#### WHAT AILS CONGRESS

Experienced lawmakers and students of the institution offer various theories on what ails Congress. Here are some of the most popular and deep-seated notions expressed on and off Capitol Hill—views that are largely independent of party or ideology.

Legislating ain't beanbag: Even under the best of circumstances, the task of building a consensus acceptable to a diverse and factional nation is always difficult. As national and worldwide conflicts become more complex and interrelated, finding solutions will always be challenging, even for the most capable lawmakers. The volatile political environment adds complications.

Divided government: Blaming Congress for lack of direction, some argue, is unfair because the authors of the Constitution never intended that legislators lead the nation. That burden lies with the President. But both branches face hindrances in crafting and implementing rules of the game when Congress and the White House are controlled by different parties. It's even more difficult now, after a decade of such division.

Administrative nightmares: With overlapping committee jurisdictions, arcane parliamentary rules, erratic scheduling and fragmented power centers, it is surprising that lawmakers ever get anything done. If only Congress were better managed and met its deadlines, it would appear more credible.

Money is evil: Until Congress overhauls its incumbency-benefiting campaign finance system, its Members will be beholden to the political action committees that heavily finance their reelections. Pending such reform, lawmakers will hesitate to take legislative actions that threaten moneyed special interests.

The Beltway syndrome: Perquisite-laden Members have become a privileged class out of touch with mainstream America but virtually impervious to electoral challenge. Meanwhile, their penchant for governmental micro-management is imposing ever-growing

burdens on the public and the economy. To some advocates of this view, term limits are the best—and perhaps, only—antidote.

"Twas ever thus: Although many insiders criticize the news media for the tone of their current coverage, they note that Congress—long before the latest rash of scandals—has been a popular whipping boy for the press. "There is no distinctly native American criminal class except Congress," Mark Twain wrote in 1894. A corollary to this thesis is that the public, though it hates Congress, loves its own Member of Congress.

Some of these views appear to diverge sharply, as does the rhetoric of those who espouse them. If Members spend so much time representing narrow, local interests rather than giving political leadership to the nation, for example, how can they have become captives of the Capital culture? The difficulties Congress faces, in short, do not stem from a single factor and are not likely to be fixed with an instant solution.

"Things are much more complicated in the society, not just in Congress," House Speaker Thomas S. Foley, D-Wash., recently told a breakfast group of reporters. "We are in a more participatory society. . . . The acceptance of hierarchy and authority is much less clear."

But the criticisms of Congress have some common threads. For one thing, the expanding complexity of the full-time legislator's job leads to closer connections with interest-group lobbyists, and thus encourages symbiotic relationships. Add fund-raising relationships to the mix, and many of the scandals that have triggered public disrespect for Congress seem all but inevitable.

Although many of these problems are longstanding, the combination may have attained critical mass during the past two years in a nation confronted with economic stagnation and a shrinking standard of living. When times are good, as during much of the past decade, people pay less attention to Washington and its shortcomings. But in times of misery, they seek a target.

"With limits on upward mobility as a society, there is a feeling that government is not doing anything about it," said Thomas E. Mann, director of governmental studies at Brookings Institution. "Congress has been a particular source of criticism for several reasons. . . . All of these have eroded the legitimacy of the institution especially within the political class."

#### PUBLIC PERCEPTIONS

When it comes to defending itself from attacks, Congress find itself at a disadvantage. Saddled with built-in partisan divisions and what Foley termed "the anonymity of the faceless institution," it's difficult to mount a focused congressional response. The Congress-bashing propensities of a pair of Presidents—Ronald Reagan and George Bush—have exacerbated the problem.

"President Reagan used the bully pulpit to slam another institution," said Rep. Andrew Jacobs Jr., D-Ind. "A Speaker's press conference doesn't have the grandeur of a President, whose microphone is louder." And Bush lately has taken up the chant, amid signals the he and his reelection campaign team will cast Congress as the cause of his shortcomings.

Even though they have solidified in recent years their majority in both the House and Senate, many congressional Democrats have grown more dispirited. After the 1988 presidential election, which many at one time had fully expected their party to win, they at least thought that they would be able to do business with long-time Washington in-

sider Bush more readily than they had during eight years of Reagan, the self-styled outsider.

Instead, action to deal with the pervasive budget deficit was deferred until the contentious negotiations of 1990. Congress spent much of 1989 consumed by the jarring—and not exactly reassuring to the public—spectacles of the unprecedented resignations under fire of House Speaker Jim Wright, D-Texas, and Majority Whip Tony Coelho, D-Calif.

It may be academic whether the scent of scandal would have been less damaging if there had been serious legislative achievements on Capitol Hill and a more traditional focus on presidential leadership. But one event after another has sullied public perceptions of Congress during the past three years.

In the Keating five influence-peddling case, the merits of the charges of unethical conduct and their ultimate resolution tended to be obscured by the spectacle of the Senate system being placed on trial. Add to that two brouhahas over congressional pay raises since 1989, and there is no shortage of live ammunition for critics who portray Congress as the gang that can't shoot straight.

On a tawdrier level, Sen. Edward M. Kennedy, D-Mass.—the Member of Congress with the most public private life—figured prominently in the Palm Beach (Fla.) incident that led to rape charges being filed against his nephew, William Kennedy Smith. After a trial that turned into a press circus, a jury found Smith not guilty. Donald E. (Buz) Lukens, an obscure House Republican from Ohio, saw his tenure cut short in 1990 after he was convicted of having sex with a teenage girl.

Congressional sex scandals are by no means a new phenomenon, but these incidents—along with other alleged abuses ranging from reports of publicly financed vacation junkets to easily ridiculed pork barrel proposals such as federal money for a Lawrence Welk museum—besmudged an institutional image that was already tarnished. Worse yet, they added to the perception that the privileges of office make lawmakers oblivious to conventional norms and to public sensibilities.

In contrast with often-arcane legislative disputes, in which public desire to sort out issues and track developments if often limited, personal peccadilloes arouse wide attention. "There's a veritable feeding frenzy out there," Rep. Dennis E. Eckart, D-Ohio, said, "and the Congress is the first entrée on the menu." (For a report on why Eckart is retiring, see box, pp. 120-21. And for a report on why Rep. Peter J. Visclosky, D-Ind., is not, see box, p. 123.)

Nor has the public found a whole lot to cheer about when it has turned its attention to Congress's legislative labors. "What I find over and over again in meeting with constituents is that people think that what we do doesn't affect their daily lives." Senate Majority Leader George J. Mitchell, D-Maine, told reporters. "If the agenda of the American Congress were truly the agenda of the American family \* \* \* our standing [would] go up."

Perhaps the most tangible public policy debacle of recent years has been the collapse of the newly deregulated savings and loan industry, which will cost taxpayers hundreds of billions of dollars. Although federal laws enacted during the past decade do not bear full responsibility, they are an easy target.

"None of the chairmen of the Senate or House Banking Committees dealt with the

S&L problem \* \* \* began to unfold," said David Cohen, a veteran liberal lobbyist at the Washington-based Advocacy Institute. "Congress chooses not to take action when there are no clean-cut remedies."

On an issue in which Congress *did* display leadership, adverse public reaction has left a sobering effect. When lawmakers in 1988 passed a measure expanding illnesses, few expected that support would fizzle when some senior citizens' advocates led a successful drive to repeal that law a year later.

"Given that this was seen as a rational first step" toward further health reforms, a House Democratic leadership aide said, "you can't overestimate the continuing impact from the repeal of the catastrophic insurance law. Members have reacted with obvious caution as they have prepared alternatives in the recent revival of the national health care debate.

In trying to cope with attacks on both their ethical conduct and their legislative efforts, many Members have criticized the national press for fanning the fires of public opinion. Some have simply taken the \* \* \* task of blaming the messenger for adverse news. Others have complained that some news organizations have abandoned objectivity in their coverage of Congress's problems. Foley, for example, was uncharacteristically harsh when he told reporters that the controversy over abuses of the House bank yielded "the worst, most inaccurate and tendentious reporting in my memory."

Major changes in the news business in recent years have resulted in a decline in detailed day-to-day legislative coverage by many national outlets—including television and general-circulation magazines. To some extent, the slack has been taken up by the growth of specialized new services in both print and broadcast journalism. Among the consequences have been intensified coverage of both the local aspects of congressional news and the more eye catching national stories in forums such as television talk shows.

"The problem is not with the coverage of events, but how it is used to make the institution more vulnerable to game-players," said Rep. David R. Obey, D-Wis., a leading student of Congress who has led reform efforts for two decades. "One result is to make Members more careful than they should be."

Vin Weber of Minnesota, secretary of the House Republican Conference added that press coverage of ethical failings has gone too far. "Society gets along partly because you shield part of peoples' lives, he said. "We have gone way beyond what's useful, for example, in reporting on congressional perks."

Weber added that he had unsuccessfully urged Minority Whip Newt Gingrich of Georgia, a close ally, to back away from his aggressive use of the press to spread charges that eventually toppled Wright.

Recent public opinion polls help to explain why lawmakers are worried about their collective image. A national survey by the Times Mirror Center for The People & the Press, released last month, showed that 84 percent agreed that "elected officials in Washington lose touch with the people pretty quickly," an 11-point increase since 1987.

#### LEGISLATIVE OPERATIONS

It's not just the public that's troubled by how Washington conducts business. As more and more Members conclude that Congress does not function properly, they find it increasingly difficult to diagnose the problems and agree upon possible remedies.

While voicing little overt support for radical change in congressional operations, some

veteran lawmakers have recently joined in the tough criticism. "Many Members believe that the institution does not work very well," Rep. Lee H. Hamilton, D-Ind., said. He listed, among other problems, overlapping committee jurisdictions, lack of adequate information for Members, misallocation of staff and poor public understanding of what Congress does.

Rep. Willis D. Gradison, Jr., R-Ohio, who has joined Hamilton in filing a resolution to create a joint committee to study congressional organization, said that he wants Congress to be able to "take a longer view of things" on such policy issues as education, economic productivity and personal savings rates. "These issues don't fit into our committee jurisdictions and the two-year cycle," he explained.

But other Members of both parties do not agree that the internal study and possible changes Hamilton and Gradison have suggested would have much impact. They contend that Congress's limitations are more fundamental.

"The President acts as head of state and makes Congress the prime minister," Obey said. "Congress has the responsibility for day-to-day governing. But the public doesn't know that the President [because of his veto power] can govern with the support of one-third" of the Members of either the House or Senate. In the Senate, where Democrats hold 57 seats, it requires 60 votes to move virtually any controversial measure, thanks to increased use of the filibuster tactics.

On any major issue, Obey said, it is unrealistic to expect major change without a strong Bush initiative. "Congress can help to shape the presidential campaign debate," on health care for example, he said. But, his party's inability to win the White House, he added, "has doomed [congressional Democrats] to 10 years of failure."

Probably Congress's two most significant domestic achievements during the past three years followed directly from Bush initiatives—the budget deal and the Clean Air Act, both enacted in 1990. In each case, Congress—in the absence of presidential leadership—had made little progress over the previous decade. Once Bush signed up, though much political and policy maneuvering still had to work its course, the corner had been turned on each.

"Congress is truly a 'deliberative' world," said Rep. Philip R. Sharp, D-Ind., in reviewing the handling of the clean air bill. "It is not the natural instinct of people to take on tasks that are not necessary. . . . Bush helped to force the agenda when he made his proposal."

But even when a President leads, divided government doesn't work to everyone's satisfaction. Citing the many explicit requirements in the clean air bill as an example. David M. Mason, director of the Congress Assessment Project at the conservative Heritage Foundation, complained that "in the past 20 years, Congress has stopped legislating and started managing." He added, "We believe that Congress should set broad policy and let the President administer the details."

Weber expressed a view held by many Members from both parties when he said that divided party control is the underlying problem standing in the way of smoother congressional decision making. "It's hard to solve the bigger frustrations until we end divided government," he said. "Most people come here highly motivated to do good. But divided government forces lowest-common-denominator solutions and drains the energy

out of people. You are forced into a defensive mechanism to avoid making things worse."

In the opinion of Mickey Edwards of Oklahoma, chairman of the House Republican Policy Committee, the tendency to settle for suboptimal solutions is accentuated as "Democrats become more convinced that they will never capture the presidency and Republicans fear that they will not win control of Congress."

The 1990 budget and clean air bills demonstrated an increasing reliance on ad hoc legislative deal making. Both measures were handled mostly outside the textbook process of committee hearings and formal drafting sessions. The final versions of the two bills were written in back rooms without exposure to the sunshine of public scrutiny and then passed with relatively little floor debate. For the most part, key Members working on each bill produced a bipartisan deal in the political center, angering some advocates on the political left and right.

The procedural improvising required to enact the two bills is seen by some as an indictment of the existing legislative process. Nine Democrats on the House Energy and Commerce Committee formed their own informal group to study clean air issues for several months and offer their own recommendations. "I see what we have done as the committee structure of the future," Rep. Jim Cooper, D-Tenn., said. "The learning curve for Members needs to be private. . . . You need a sustained focus that you can't get in the formal hearings."

In the Senate, the clean air bill was approved only following an extraordinary month long negotiation spearheaded by Mitchell in his private office. The budget agreement was similarly hammered out during months of private talks in settings that included Andrews Air Force Base, Md., and the White House. A striking aspect in each case was the direct involvement of Bush Administration officials in the talks that led up to the preparation of the legislative package.

From the perspective of some Democrats, the budget summit was designed to give cover for Bush's decision to abandon his "no-new-taxes" campaign pledge. "The [Democratic] committee chairmen were there to allow George Bush to change his mind and cover his butt because he had lied to the people," Obey said.

Republicans, noting that Democrats had failed to complete a budget on their own terms, contend that Democratic leaders have increased the politicization of Congress. "Virtually every issue that we try to deal with amounts to pure finger pointing by both parties," Edwards said. "It seems that we never transcend politics to deal with real issues."

Another growing concern for Congress is the continuing tension between party leaders and committee chairmen in setting and carrying out their party's agenda. The abrupt switch in House Speakers, from the combative Wright to the more accommodating Foley, who is more at ease with the workings of divided government, has pointed up Members' ambivalence about whether they want strong centralized leadership.

But the independence of committee chairmen is also subject to second-guessing. The House Democratic Caucus stripped two committee chairmen of their positions at the start of the current Congress. And several influential Democrats, led by Rep. Dave McCurdy, D-Okla., have filed a bill setting an eight-year limit for chairmen and giving the Speaker a stronger hand in their selection. (See NJ, 12/7/91, p. 2979.)

"The utility of McCurdy's proposal is that it sends signals to committee chairmen that they are forewarned about their status," an influential Democrat said. "In the future, there will be fewer one-man bands" as chairmen.

#### NONELECTIONS

As the perception—by both Members and observers of Congress—of legislative paralysis has spread, so too has the sense—on the part of both camps—that congressional elections are increasingly becoming meaningless.

Although the 15 House incumbents—9 Republicans, 6 Democrats—defeated in November 1990 exceeded the total who lost in the two previous general elections, the reelection rate still was 96 percent. Only one Senator lost his reelection bid in 1990. Those success rates were striking, given that opinion polls at the same time revealed strong public unhappiness over Washington's budget shenanigans.

Perhaps a more relevant statistic was the 3.9-percentage-point drop in the average vote for incumbents, to 64.5 percent, the lowest level since 1974, according to Gary C. Jacobson, a political scientist at the University of California (San Diego). "Luckily for incumbents of both parties, the action on deficit reduction came so late that voters had only limited vehicles (acceptable replacements) for venting their displeasure, and few Members lost their seats," Jacobson wrote. "Incumbents may not be so lucky in 1992."

It remains to be seen how many serious challenges to incumbents there will be this year, with redistricting and the presidential campaign. But some experts are worried about the continuing trend toward non-competitive contests. Most incumbents in 1990 faced challengers who did not spend enough money to establish their own credibility. In 78 House and 4 Senate elections, there was no major-party opponent at all.

"In the legislatures of the land, especially in the U.S. House of Representatives, incumbency reigns supreme," Elaine Ciulla Kamarck of the Progressive Policy Institute wrote in a paper prepared for a recent conference at DePauw University's center for contemporary media. "If the electoral system cannot respond to discontent, and if it is failing to provide alternatives, then something is, indeed wrong with American democracy."

The participants at the conference—which was entitled "Why Are Elections Over Before the Polls Open?"—approved a set of "solutions" to encourage competitive campaigns. Among them were well-worn proposals such as free TV time for all candidates, increased candidate accountability for their campaign advertisements and tax credits for small campaign contributions. They also endorsed more-innovative measures, including four-year terms for House Members and a ballot enabling voters to reject all candidates by marking "Favor a new election."

House and Senate Democrats, meanwhile, have passed separate measures imposing spending limits and providing public subsidies for candidates. Even if they resolve their differences this year in a conference committee, Bush has said that he would veto such a measure, thus continuing the long-running efforts to reform campaign finance rules.

#### REFORM OUTLOOK

Some congressional problems can be self-correcting. If, for example, the voters oust a few well-heeled incumbents in spite of their

financial advantage, or if an improved economy shifts public attention to other arenas, some of the current discontent with Congress may subside.

But two movements—one internal, the other external—suggest that congressional shortcomings have become conspicuous enough to require attempts at corrective action no matter what happens. Sen. David L. Boren, D-Okla.—joined by Sen. Pete V. Domenici, R-N.M., and Reps. Hamilton and Gradison—filed a resolution last July calling for the creation of a joint House-Senate committee on the organization of Congress. At the time, Boren said that he hoped the panel would begin its study in the fall and submit its proposals by the end of 1992.

But the proposal has progressed no further than a relatively friendly hearing before the Senate Rules and Administration Committee in November. Its proponents have encountered objections from Foley, who has expressed concern that past reform efforts have been divisive and have immobilized the House; he also objects to addressing the separate problems of the House and Senate in a single study. Acknowledging internal resistance, supporters pushed back their timetable by at least one year.

In meetings during the recent congressional recess, Hamilton and Gradison received more-positive signals from leaders of both parties. Foley reportedly gave his OK to a House Rules Committee hearing on the study proposal, which has gained some political muscle because of its 136 co-sponsors, including 80 Democrats. In the past, he has favored incremental reforms prepared by the Democratic Caucus with little in the way of public involvement.

Mann, meanwhile, hopes to proceed this year with fellow congressional scholar Norman J. Ornstein of the American Enterprise Institute for Public Policy Research (AEI) with a comprehensive study, which would be sponsored jointly by Brookings and AEI. "We hope to commission some research and essays and hold conferences and roundtable discussions," Mann said, and submit an independent report to the congressional joint committee, once it is established.

The growing support for the studies, in part, is a defensive response to the attacks on Congress. It also provides an alternative to more-radical proposals, such as term limits for lawmakers.

Whether this approach will satisfy the political pressures generated by congressional critics and the public will depend partly on how well Congress manages to clean up its act—both legislatively and ethically—this year. November's election returns may send a signal as to how well it is doing.

#### HOUSE REPAIRS—WHAT WE'LL DO WHEN WE REACH MAJORITY

(By Robert H. Michel, Dick Armey, and William F. Goodling)

Would it make much difference if the House of Representatives were controlled by the Republican Party instead of the Democrats who have run it since January 1955? Policy Review asked Robert H. Michel, Republican minority leader, what he would do differently if he were Speaker of the House. We similarly asked ranking Republican members of more than a dozen committees and subcommittees what they would do differently if they became chairman of their committee or subcommittee. Lawrence Coughlin, ranking Republican on the transportation appropriations subcommittee, said he was happy with the way the Democrats ran his subcommittee and would do nothing

to change it. Most other Republicans we invited declined to respond. We print responses from Minority Leader Michel, Dick Armey, ranking Republican on the Joint Economic Committee, and William F. Goodling, ranking Republican on the House Education and Labor Committee.

ROBERT H. MICHEL

(As Speaker Robert H. Michel received the gavel symbolizing his new office he told his colleagues, "from now on we will do unto ourselves what we have heretofore done unto others." Michel referred to the fact that the House is not subject to a wide-ranging number of laws, from the Social Security Act of 1935 to the Civil Rights Restoration Act of 1988, including the Freedom of Information Act and the Civil Rights Act of 1964. "The House will under my speakership be obliged to abide by all the laws, rules, and regulations that we impose upon the American people legislatively," Michel said.—Front page, Washington Post, January 3, 1993)

A fantasy? Perhaps, but I believe the public's disgust with the way Congress operates makes it possible for the first time in many years for a Republican majority to be formed in the House of Representatives. Overgrown staffs and underhanded procedures, irresponsible budgets and irrational schedules, the arrogance of unlimited power and the power of unchecked privileges—these are the legacy of Democratic control of the House of Representatives for 55 of the past 59 years.

House Republicans claim no monopoly on legislative or ethical virtue, but we alone can provide the will and the vision to rid the House of decades of institutional decay and decline, and create a new Hill order. The Democrats have had their chance, and have failed.

A Republican majority would embark on a truly conservative revolution in the House, for our goal would be to restore the institutional virtues that have been lost, preserve the strengths that have survived, and direct the energies of the House to enhance and protect traditional American values.

As Speaker of the House, I would in the first 100 days lay out a program for broad, comprehensive reform of the House's procedures and practices, and guarantee prompt and expeditious consideration of all the great issues of the day. A Republican-controlled House would work with a Republican president, not thwart his efforts, as the Democratic majority has done on every major issue from the war in the Gulf to a highway bill.

But existing as such a program might seem, it would be impossible to pass unless Republicans first take control of the legislative machinery of the House.

While the often volatile nature of the legislative process does not always lend itself to the managerial disciplines of business, there is absolutely no excuse for the House to be the kind of bureaucratic monstrosity it has become.

In the 35 years I have been a congressman—all as a member of the minority—the House has changed from a relatively small and efficient institution into a chaotic, bureaucratic empire of 11,000 staff members, and 1,800 support staff, including shademaakers, venetian blind technicians, and upholsterers, not to mention 27 committees and 136 subcommittees.

The congressional staff—House and Senate—is nine times larger than the second-largest legislative staff in the world, that of the Canadian parliament. In 1960, three years after I became a member, the legislative

budget was \$131 million. In 1990, it was \$2.24 billion—an increase of 1,610 percent.

As a majority, Republicans would cut committee staffs in half, which would save at least \$26 million. We would get rid of most of the select committees and drastically reduce the number of subcommittees.

In order to make the House more responsive I would insure that all controversial bills come to the floor with rules guaranteeing free and open debate. One of the worst outrages of Democratic Party domination has been its insistence upon closed or semi-closed rules, effectively disenfranchising millions of Americans, who lose the chance to have their representatives offer amendments. When I first came to the House, civil rights bills were debated for days, not hours. In 1977, 85 percent of all rules were open rules. By 1990, that figure had fallen to 45 percent. The phrase "free and open debate" becomes meaningless when the chance for such debate is effectively eliminated by closed rules.

I would also establish a more orderly schedule for the consideration of legislation. The current process of doing very little in the early part of the year and then cramming important legislation into the very end of the schedule is not conducive to thoughtful legislating.

If all of these reforms strike some as being "merely" structural or procedural changes, I can only say that in the House, structure determines process, form dictates substance, and procedure shapes outcomes.

The cancer eating at the House is the inability or unwillingness on the part of the Democrats to undertake a comprehensive House reform, from the rules that govern the House to the rules that govern our election.

The reforms that the House needs are varied, and I have touched on just a few of them. As Speaker of the House I would have the scope—and the majority—to undertake the first comprehensive reform of Congress in modern times. I look forward to it.

(Robert H. Michel, of Illinois, is minority leader of the U.S. House of Representatives.)

DICK ARMEY

As a professional economist, I'd relish the challenge of chairing Congress's Joint Economic Committee, and would assume the position acutely aware of the need to reform this committee. In light of the recent election returns from New Jersey, where the Democratic majority in both state house and senate were shown the door by tax-weary voters, there's some hope that in the next Congress this question may become more than simply rhetorical. In the meantime, I'll look at it from the perspective of "king for a day," and here's how I'd work from morning 'til night.

9 a.m.—Breakfast with the 44-member staff to tell a dozen of them they'll need to find gainful employment elsewhere. Like most congressional committees, the JEC is overstaffed. I'd reduce the staff size and use the budget savings to purchase better computer hardware and software to enable the professional economists to conduct sound analysis.

Once the committee was properly staffed and equipped, I would work to make it the source of some of the most respected economic analysis in Washington, rather than a forum for the politics of the majority party. The staff would have to understand that this is not the Joint Political Committee, but the Joint Economic Committee, and they should go about their jobs accordingly.

Pro-Growth Proposals

10:30—Meet with the other majority members of the committee to outline the issues

we can most directly affect. The JEC does not write legislation, authorize or appropriate spending, and has no oversight authority. It is the closest thing to a "think tank" inside Congress, and its members are freed from the nuts-and-bolts detail work that consumes so much time and energy on other committees. It should deal in the realm of ideas, and its unique mandate should be exploited to explore economic notions.

With a Republican majority, the JEC could lead the way in pursuing desperately needed regulatory and economic reforms. Pro-growth tax proposals such as an indexed and progressively preferential capital gains rate, privatization, regulatory reform, freer labor laws, a free market in agriculture and communications, reform of entitlement spending, and freer world trade are all issues that could be explored if control of Congress were wrested from the Democrats and the special-interest groups to which they are beholden.

Nascent economic ideas like gold-backed bonds or the negative income tax could be examined just out of curiosity. In the first 10 months of 1991, the committee Democrats held 48 hearings, well over one per week. Just about all of them merely reshaped tired rhetoric from other standing committees.

The impact that historically high taxation as a percentage of the gross national product has on our economy, stifling regulations in the communications industry, and antiquated labor laws that serve more to enhance the well-being of lawyers than workers would all make for interesting hearings. While hearings like this would be less frequent, the committee's economists would produce more studies, reports, and economic analyses.

Noon—Lunch with the Ranking Democrat (that has a nice ring to it) to discuss minority rights on the JEC, agreeing on the ways in which we'll disagree. Free and open debate is good for the process, and the minority members would be provided two weeks' notice for hearings and allowed one witness for every two the majority party provides.

Any study or report issued in the name of the Joint Economic Committee would include views from the Democrats in the minority. (Today, Republicans have to resort to separate minority reports.) The best thing Republicans can do is put our economic policies and ideas right next to those of the Democrats and let the public decide which are better.

#### *Disavowing Flawed Studies*

2 p.m.—Press conference to set the record straight on past issuances from the JEC that turned out to be inaccurate, starting by disavowing a series of JEC studies and press releases issued by then-chairman David Obey in 1985 and 1986.

These studies purported to show the loss of millions of manufacturing jobs, the creation of mostly low-paying jobs in the '80s, and a big boost in wealth for those in the top income bracket. Unfortunately, these studies were riddled with factual inaccuracies, and were misleading to boot. The infamous wealth study, for example, contained a \$2-trillion error, the largest in congressional history, and the JEC is still reeling from this blow to its credibility.

On another occasion, JEC Democrats leaked confidential, but erroneous, data on manufacturing jobs to the *Washington Post*. Only when confronted at a hearing did the chairman admit that the report was leaked, and furthermore that it was riddled with inaccuracies. Regrettably, the transcript of the public hearing, with its embarrassing

revelations, has never been published. As chairman, I would not allow such public information to be suppressed.

#### *Dynamic Analysis*

3:30—Call Ways and Means Committee Chairman Bill Archer (R-TX) to discuss the need for dynamic economic analysis of tax proposals. As the primary sponsor of a capital-gains rate reduction, Bill knows that tax initiatives that lead to job creation are a net revenue gainer for the federal treasury.

The current revenue-estimating process relies on "static" models, which view the economy as a finite pie to be cut and distributed. Proponents of static revenue estimates fail to realize that taxes affect the size of the pie, that tax incentives such as a preferential capital-gains rate make the pie grow, and \$160 billion in new taxes like those contained in the last budget deal make the pie shrink.

By ignoring such real economic effects, government budget forecasters consistently overestimate the revenue gain from a tax increase while discounting the economic growth generated by a tax cut. Since government spending is based not on actual receipts but on projected revenue, the Congressional Budget Office must constantly adjust its deficit projections upward, with the latest such "technical reestimate" lowering revenue projections (and thus raising deficit projections) by \$77 billion over the next six years. Of course, there really is no "technical reestimate" of revenues, as this figure is simply the residual after known deficit factors are accounted for.

Forcing a redefinition of the way the government goes about projecting the effects of taxation would help the JEC reclaim its once prominent position as a focus of economic initiative on Capitol Hill.

6:30—Meet with the chairman of the president's Council of Economic Advisers to discuss the direction of the economy. Because the JEC was established in 1946 as the legislative equivalent of the president's CEA, a little dialogue between us would be healthy.

Under the current division of government, contact between the administration and the committee's majority is limited to testimony on the Hill, on which occasions the Democrats flog administration officials before the cameras of C-SPAN. If Republicans controlled Congress and the White House, the interaction could be much more productive.

Together, the JEC and the CEA could press for better data from agencies such as the Congressional Budget Office, the Joint Committee on Taxation, and the Departments of Commerce and Labor. For Congress and the administration to make sound economic decisions requires a good database. Unfortunately, much of our database is antiquated because it was designed to measure the economy of America's past, not its present and future economy.

(Dick Arme, of Texas, the ranking Republican on the Joint Economic Committee.)

#### WILLIAM F. GOODLING

A former Speaker of the House of Representatives, Joe Cannon, once said, "The pendulum will swing back." I look forward to the day it does. There are many things I would do differently were I chairman of the House Education and Labor Committee.

To begin with, the committee would be run with less staff—perhaps a third less—and at lower cost. We have learned to effectively make do with less as the minority in Congress since Eisenhower's presidency and I would apply those same principles of efficiency to Republicans in a majority.

While it would be tempting to adopt the same rules of convenience presently used by the majority, government must represent all Americans. I have often seen instances when we in the minority have strengthened laws that have been reported by this committee. I would enhance, rather than limit, the ability of the minority to play that role.

Similarly, a more rational approach to the legislative process needs to be adopted. For example, committee members should be given five days to review any legislation in advance of a vote. They should also be required to cast their vote in person, or not at all. Both of these requirements would add to the quality of committee deliberations.

#### *Are Our Labor Laws Working?*

Moving to the labor field, many individuals come to Congress thinking the best way to make a name for themselves is to introduce and quickly pass controversial legislation. Unfortunately, this attitude prevents a thorough exploration of whether a problem is serious enough to demand a federal solution, or whether the legislation even properly addresses the perceived problem. While this criticism can be accurately directed at Congress as a whole, it is most obviously applicable in the labor field, where partisan emotions and slogans often take the place of rational debate.

One of my first initiatives as chairman of the Education and Labor Committee would, therefore, be to expand the oversight responsibilities of the committee to explore—through hearings—the question of how well the laws we pass are working. Do they accomplish what they were intended to accomplish? What problems have been created, perhaps foreseeable at the time of passage, that need to be addressed? Similarly, I would encourage more deliberative hearings in evaluating the merits of legislation before passing laws in the first place.

I would also encourage cooperation among government, labor, and business wherever possible in labor legislation. This approach has worked well in programs such as the Job Training Partnership Act (JTPA), and could do much to ensure the optimal efficiency and effectiveness of our labor laws and policies.

I would also work to cover Congress under all labor laws; the institution may learn a few things if it is forced to comply with the laws we impose on the rest of society.

These may seem mundane, obvious concepts; unfortunately, they are rarely followed on Capitol Hill. Indeed, the hearings that do occur are usually orchestrated toward some pre-ordained result—such as placing the administration in the worst possible light—rather than a balanced, objective analysis of what is going on in the real world.

#### *Bipartisan Education Policy*

In contrast to federal labor policy, Republicans and Democrats have tended to work in a bipartisan fashion on education policy. As a result, I have been generally pleased with the education laws enacted during my tenure on the committee.

Even so, looking to the future, if I were setting the committee's education agenda, I would begin to move in a new direction. President Bush and Secretary of Education Lamar Alexander have both been preaching the need to take a hard look at our nation's schools and to make fundamental changes in the way they operate. The president and secretary are building upon a grassroots movement that is pressing our schools to deliver better education to all students.

The implications of this movement for the committee and Congress are profound. We

need to move beyond, but not abandon, programs that serve targeted populations and define a federal role geared toward improving all schools for all students.

A top priority would be to develop national education goals and standards without losing the strength of local control and diversity. I would also try to use the limited federal dollars that go into education to leverage change at the state and local level. Finally, I would make a major effort to amend current laws so education and other human development programs could be coordinated more easily at the local level. This could be accomplished by allowing state and local programs more flexibility in running programs so long as the goals of the programs continue to be met.

(William F. Goodling, of Pennsylvania's 19th district, is ranking minority member on the House Committee on Education and Labor.)

#### SUMMARY OF HOUSE COMMITTEE REFORMS PROPOSED BY THE HOUSE REPUBLICAN CONFERENCE

(1) **Committee Jurisdiction Realignment**—The Rules Committee would be directed to study and report to the House within one year its recommendations for realigning committee jurisdictions along more rational and functional lines to eliminate duplication, overlap and inefficiencies in the present system.

(2) **Oversight Reform**—Committees would be required to formally adopt and submit to the House Administration Committee by March 1st of the first session their oversight plans for that Congress. It would not be in order to consider the funding resolution for any committee which does not submit its oversight plans as required. The House Administration Committee, after consultation with the majority and minority leaders, would report the plans to the House by March 15th together with its recommendations, and those of the joint leadership group to assure coordination between committees. The Speaker would be authorized to appoint ad hoc oversight committees for specific tasks from the membership of committees with shared jurisdiction. Committee would be required to include an oversight section in their final activity report at the end of a Congress.

(3) **Elimination of Joint Bill Referral**—The joint referral of bills to two or more committees would be abolished, while split and sequential referrals would be retained, subject to time limits and designation by the Speaker of a committee of principal jurisdiction.

(4) **Early Committee Organization**—Committees must be elected within seven legislative days of the convening of a new Congress and must hold their organizational meeting not later than three legislative days after their election.

(5) **Party Ratios**—The party ratios on committees would be required to reflect that of the full House (except for the Standards Committee which is bipartisan). The requirement would extend to select and conference committees as well.

(6) **Subcommittee Limits**—No committee (except Appropriations) could have more than six subcommittees, and no Member could have more than four subcommittee assignments.

(7) **Proxy Voting Ban**—All proxy voting on committees would be prohibited.

(8) **Open Committee Meetings**—Committee meetings, which can now be closed for any reason, could only be closed for national security, personal privacy, or personnel reasons.

(9) **Majority Quorums**—A majority of the membership of a committee would be required for the transaction of any business.

(10) **Report Accountability**—Committee reports on bills would be required to include the names of those members voting for and against reporting a bill or, in the case of a non-record vote, the names of those members actually present when the bill is ordered reported.

(11) **Committee Documents**—Any committee prints or documents to be made available to the public which have not been approved by the committee must contain a disclaimer to that effect on their cover, may not contain the names of committee members other than the chairman authorizing the printing, and may not be made public until at least three days after they have been circulated to committee members.

(12) **Foreign Travel Reports**—All Members and staff taking part in foreign travel at House expense would be required to disclose their official itinerary (including meetings, interviews, functions, inspections) by country and date, in addition to currently required expense disclosure, and such reports would be available for public inspection in the offices of each committee not later than 60 days after the completion of travel.

(13) **Committee Staffing**—Committee funding resolutions could not be considered until the House has first adopted a resolution from the House Administration Committee setting an overall limit on committee staffing for the session. The minority would not be entitled to up to one-third of the investigative staff funds on request. The overall committee staff limit for the 102nd Congress could not be more than 90% of the total at the end of the 101st Congress.

(14) **Intelligence Committee Oath**—Members and staff of the Select Committee on Intelligence would be required to take an oath that they will not directly or indirectly disclose to any unauthorized person any classified information received in the course of their duties except by the approval of the committee or of the House.

(Note: For the full text of these amendments to House Rules, see the Congressional Record of January 3, 1991, pp. 43-47.)

#### SUMMARY OF COMPARATIVE DATA ON THE HOUSE OF REPRESENTATIVES

(1) **Time in Session**—The House in the 101st Congress was in session 281 days, 61 days less than the 91st Congress and 25 days less than the 96th. At the same time, the 101st Congress averaged six hours a day, compared with 4.6 hours a day for the 91st Congress, and 5.8 hours a day for the 96th (Table 1.).

(2) **Legislative Output**—The House in the 101st Congress reported 635 public measures—502 (44%) less than the 91st Congress and 243 measures (28%) less than the 96th. It passed 968 measures, 162 (14%) fewer than the 96th and 39 bills (4%) more than the 96th (Table 1.).

Whereas the 101st Congress did not act on 66 reported measures (10% of the total), 61 reported measures (5%) were not acted on by the 91st Congress, and 131 (15%) were not acted on by the 96th Congress.

(3) **Commemorative v. Substantive Enactments**—The 101st Congress enacted 232 commemoratives or 36% of all public laws—164 more commemoratives than enacted by the 91st Congress and 136 more than the 96th. That left 418 substantive enactments in the 101st Congress—209 substantive laws (33%) less than the 91st Congress and 99 (19%) less than the 96th Congress (Table 1.).

(4) **Committees, Subcommittees, Staff and Costs**—The number of standing committee

has remained relatively constant over the last 20 years—21 in the 91st, and 22 in the 96th and 101st Congress—the number of subcommittees has risen from 136 to 158 over those two decades—a 40% increase. The number of committee staff over that period has risen 186%, from 738 to 2,109. And the cost of operating the House has risen 457% in 20 years, from \$203 million to \$1.13 billion (Table 1.).

(5) **Proxy Voting**—Of the 22 standing and 5 select committees in the House in the 101st Congress, 22 permitted proxy voting and only 5 prohibited it (Table 2.).

(6) **One-Third Quorums**—Of the House standing and select committees in the 101st Congress, 18 had rules permitting one-third of the membership to transact all business except reporting a measure, while only 9 required a majority (Table 2.).

(7) **Member & Staff Party Ratios on Committees**—Whereas Democrats comprised 60% of the House membership in the 101st Congress, they held an average of 61% of the committee and select committee seats (\*excluding the Standards Committee which is 50-50). And majority staff averaged 76% of all staff on the standing and select committees. Finally, the average committee ratio of staff to Members was 1.9 to 1, with one committee weighing in with a staff to Member ratio of #6 to 1 (Budget), one at 3.4 to 1 (Post Office, and two at 3.3 to 1 (Appropriations and Energy and Commerce (Table 3.).

TABLE 1.—COMPARATIVE LEGISLATIVE DATA FOR HOUSE OF REPRESENTATIVES (91ST, 96TH & 101ST CONGRESSES)

Item	91st Cong (1969-70)	96th Cong (1979-80)	101st Cong (1989-90)
Days in session <sup>1</sup>	350	326	281
Hours in session <sup>1</sup>	1,613	1,876	1,688
Average hours per day	4.6	5.8	6.0
Total public measures reported <sup>1</sup>	1,137	878	635
Public measures reported but not acted upon <sup>1</sup>	61	131	66
Total public measures passed <sup>1</sup>	1,130	929	968
Unreported measures passed as percent of total	4.8	19.6	41.2
Total public laws enacted <sup>1</sup>	695	613	650
Average pages per statute <sup>2</sup>	4.2	8.1	NA
Commemoratives enacted <sup>3</sup>	68	96	232
Commemoratives as percent of total enactments	9.8	15.7	36
Substantive laws (total minus commemoratives) <sup>3</sup>	627	517	418
Rollcall votes <sup>4</sup>	443	672	878
Average votes per measure passed <sup>5</sup>	3.8	2.2	1.6
Congressional Record pages of House proceedings	25,855	25,079	23,160
Average Record pages per measure passed <sup>5</sup>	15	17	17
House Standing Committees	21	22	22
Select Committees <sup>6</sup>	2	5	5
Subcommittees <sup>7</sup>	136	158	158
House Committee staff <sup>8</sup>	738	2,017	2,109
House Appropriations <sup>9</sup> (in millions)	203.1	645.9	1,129

<sup>1</sup>Data taken from "Resume of Congressional Activity," Daily Digest, Congressional Record, & House Calendars, 91st, 96th, and 101st Congresses. "Public measures" are bills and joint resolutions of a public nature, and do not include private bills, nor do they include simple or concurrent resolutions.

<sup>2</sup>Source: "Indicators of House of Representatives Workload & Activity," CRS Report for Congress by Roger H. Davidson and Carol Hardy, June 8, 1987 (Rept. 87-492 S).

<sup>3</sup>Commemoratives are isolated here as a subcategory of public laws, to be distinguished from more substantive enactments. The term "commemoratives" includes proclamations, commemorations, memorials, naming, coins and medals, and recognitions. Source: "Commemorative Legislation," by Stephen W. Stathis & Barbara L. Schwemle, Congressional Research Service, March 30, 1990 (Rept. No. 90-183 GOV).

<sup>4</sup>"Rollcall Votes" include yea and nay votes and recorded votes, but not recorded quorum calls. Prior to 1971, recorded votes were not permitted on amendments in the Committee of the Whole. Sources: Daily Digest, "Resume of Congressional Activity," final Congressional Record for 91st, 96th, and 101st Congresses.

<sup>5</sup>"Measures passed" here includes not only bills and joint resolutions, but simple and concurrent resolutions as well.

<sup>6</sup>Select committees include an ad hoc legislative committee in the 96th Congress.

<sup>7</sup>Subcommittees include the subcommittees, panels and task forces of standing and select committees. Sources: Vital Statistics on Congress, 1984-85, by Ornstein, by Mann, Malbin, Schick and Bibby, (AEI, 1984); "Congressional Staff Directory, 1990", Ann Brownson, editor (Staff Directories, Ltd.: 1990).

<sup>1</sup>Figures for staff include statutory and investigative staff of all House standing and select committees plus HIS staff. Source: "Vital Statistics on Congress, 1984-85, op cit.; Congressional Staff Directory," 1970, 1980, 1990; House Administration Committee minority staff for 101st Congress; "Report of the Clerk of the House," April-June, 1990 (House Doc. 101-230).

<sup>2</sup>Figures represent the budget authority appropriated for the House in the Legislative Branch Appropriation bills for the 91st (fiscal year 1969-70), 96th (fiscal year 1979-80), and 101st (fiscal year 1989-90) Congresses. Sources: "U.S. House of Representatives and Senate: Budget Authority fiscal year 1962-fiscal year 1988," by Paul Dwyer, Congressional Research Service (Rept. No. 88-260 GOV); Budget of the U.S., Fiscal 1991; and Legislative Branch Appropriations Bill, 1991, House Report 101-648.

TABLE 2.—HOUSE COMMITTEE SURVEY—101ST CONGRESS

Committee:	Proxy voting <sup>1</sup>	one-third quorums <sup>2</sup>	Number of subcommittees <sup>3</sup>	Number of staff, 1990 <sup>4</sup>	Investigative staff budget 1990 <sup>5</sup>
Agriculture	Yes	Yes	8	68	\$2,016,015
Appropriations	No	No	13	190	7 NA
Armed Services	Yes	Yes	12	68	2,070,657
Banking	Yes	Yes	8	105	4,045,000
Budget	Yes	No	6	112	7 NA
District of Columbia	Yes	Yes	3	40	324,512
Education and Labor	Yes	Yes	8	120	3,686,681
Energy and Commerce	Yes	Yes	6	141	5,491,231
Foreign Affairs	Yes	Yes	8	100	3,369,145
Government Operations	Yes	Yes	7	86	3,062,942
House Administration	Yes	Yes	7	65	1,505,000
HIS				231	
Interior	Yes	Yes	6	64	1,873,875
Judiciary	Yes	Yes	7	79	2,189,205
Merchant Marine	Yes	Yes	7	78	2,211,483
Post Office	Yes	Yes	6	78	1,737,075
Public Works	Yes	Yes	6	81	2,630,875
Rules	No	No	2	40	672,413
Science and Technology	Yes	Yes	7	77	2,637,645
Small Business	Yes	Yes	6	51	1,066,395
Standards Official Conduct	No	No	0	8	500,000
Veterans Affairs	No	No	5	38	719,458
Ways and Means	Yes	No	6	82	4,098,565
Select Committees:					
Aging	Yes	Yes	6	35	1,481,499
Children, Youth, Families	Yes	No	0	17	734,479
Hunger	Yes	No	2	14	628,505
Intelligence	No	No	3	25	305,000
Narcotics	Yes	Yes	0	16	700,770
<b>Total</b>	<b>Yes, 22</b>	<b>Yes, 18</b>	<b>158</b>	<b>2,109</b>	<b>56,787,425</b>
	<b>No, 5</b>	<b>No, 9</b>			

<sup>1</sup> House Rule XI, clause 2(f) permits proxy voting in committee if authorized by written rule adopted by the committee. Source for survey on proxies: "Rules Adopted by the Committees of the House of Representatives, 101st Congress," Rules Committee Print.

<sup>2</sup> House Rule XI, clause 2(h) permits committees other than Appropriations, Budget, and Ways and Means, to set the quorum for doing business other than reporting measures, issuing subpoenas, and closing meetings and hearings, at not less than one-third of the membership. Source: same as No. 1.

<sup>3</sup> This figure includes long-term task forces and panels (more than 6 months). Sources: House Phone Directory (Spring, 1988); Congressional Staff Directory.

<sup>4</sup> This figure includes statutory and investigative staff. Sources: House Administration Committee; House Phone Directory (Summer, 1990); Clerk's Report, (April-June, 1990); and Congressional Staff Directory.

<sup>5</sup> This figure consists only of the money authorized through committee investigative expense resolutions and does not include funding for the 30 staffers (18 professional and 12 clerical staff) each committee is authorized by House rule and statute, and which are funded through the appropriations process. Source: Report on Committee Expense Resolution, 1990, H. Res. 346 (H. Rpt. 101-419), Committee on House Administration, March 9, 1988.

<sup>6</sup> The Agriculture Committee permits a chairman to set a one-third quorum rule if notice is given in advance of a meeting.

<sup>7</sup> The Committees on Appropriations and Budget receive no investigative staff funds and instead are funded entirely through the appropriations process under an open-ended statutory authorization.

TABLE 3.—MEMBER AND STAFF RATIOS ON HOUSE COMMITTEES—101ST CONGRESS

Committee:	Total Members	Party ratio Democrat/Republican		Total staff	Staff ratio Democrat/Republican		Staff: Member ratio
		Number	Percent		Number	Percent	
Agriculture	45	27/18	60/40	68	47/21	69/31	1.5:1
Appropriations	57	35/22	61/39	190	145/45	76/24	3.3:1
Armed Services	53	32/21	60/40	68	NA	NA	1.3:1
Banking	50	30/20	60/40	105	84/21	80/20	2.1:1
Budget	35	21/14	60/40	112	87/25	78/22	3.2:1
District of Columbia	11	7/4	64/36	40	30/10	75/25	3.6:1
Education and Labor	34	21/13	62/38	120	92/28	77/23	3.5:1
Energy and Commerce	43	26/17	60/40	141	119/22	84/16	3.3:1
Foreign Affairs	44	26/18	59/41	100	76/24	76/24	2.3:1
Government Operations	39	24/15	62/38	86	71/15	83/17	2.2:1
House Administration	21	13/8	62/38	65	55/10	85/15	3.1:1
Interior	37	23/14	62/38	64	46/18	72/28	1.7:1
Judiciary	35	21/14	60/40	79	65/14	82/18	2.3:1
Merchant Marine	45	27/18	60/40	78	57/21	73/27	1.7:1
Post Office	23	14/9	61/39	78	58/20	74/26	3.4:1
Public Works	50	30/20	60/40	81	53/28	65/35	1.6:1
Rules	13	9/4	69/31	40	28/12	70/30	3.1:1
Science and Technology	49	30/19	61/39	77	59/18	77/23	1.6:1
Small Business	44	27/17	61/39	51	38/17	75/25	1.2:1
Standards Official Conduct	12	6/6	50/50	8	6/2	75/25	0.6:1
Veterans Affairs	34	21/13	62/38	38	26/12	68/32	1.1:1
Ways and Means	36	23/13	64/36	82	61/21	74/26	2.3:1
Select Committees:							
Aging	64	38/26	59/41	35	24/11	69/31	0.5:1
Children, Youth, Families	30	18/12	60/40	17	12/5	71/29	0.5:1
Hunger	29	18/11	62/38	14	9/5	64/36	0.5:1
Intelligence	19	12/7	63/37	25	20/5	80/20	1.3:1
Narcotics	29	17/12	59/41	16	11/5	69/31	0.6:1

Note.—At the outset of the 101st Congress, there were 259 Democrats and 176 Republicans, giving the majority a 60 percent to 40 percent of House seats. Sources: Committee on House Administration; House of Representatives telephone directory; congressional staff directory.

MAJOR CRIME BILL PROPOSALS  
DEATH PENALTY

Workable federal death penalty for murders implicating federal interests or responsibilities, including substantially all drug-related murders.

Workable federal death penalty for certain non-homicidal offenses: "drug kingpin," treason, espionage.

HABEAS CORPUS

General reforms for both capital and non-capital cases: Rule of deference to reasonable state court adjudications of petitioner's claims, arrived at through constitutionally adequate procedures (deference to "full and fair" state court adjudications). Time limit for federal habeas filing by state prisoners.

Time limit for filing of § 2255 motions by federal prisoners.

Additional safeguards against delay and abuse ("Powell Committee" procedures) in capital cases for states extending right to appointed counsel to collateral proceedings: Time limits for concluding adjudication of capital habeas petitions. Prohibition of second and successive petitions except where

new claim is raised that casts doubt on factual guilt and cause is shown for failure to raise the claim earlier.

Equalization of capital habeas funding. Requires provision of funds to state attorneys general or prosecutors for habeas corpus litigation in capital cases in amount equal to federal funding provided to capital defense resources centers.

#### EXCLUSIONARY RULE

General objective reasonableness ("good faith") exception to exclusionary rule, for both warrant and non-warrant cases.

Prohibition of creation of caselaw exclusionary rules by courts based on (non-constitutional) violations of statutes, rules of procedures, or administrative rules or regulations.

[The President's violent crime bill also included elimination of the exclusionary rule for firearms seizures in the presence of alternative safeguards, but this was D.O.A. in Congress.]

#### FIREARMS

Mandatory ten year term for use of semi-automatic firearm in federal crime of violence or drug trafficking crime.

Extend armed career criminal concept by providing mandatory five year and ten year terms for firearms possession by person with one or two prior convictions for violent felonies or serious drug offenses.

Overriding state negation of convictions for armed career criminal purposes when conviction offense was violent felony involving threatened or actual use of firearm or serious drug offense.

Broadening definition of serious drug offense for armed career criminal purposes to include state offense where conduct would have carried maximum term of ten years or more if federally prosecuted.

New offenses of stealing firearms or trafficking in stolen firearms (nearly unlimited federal jurisdiction over such crimes).

Increased penalties for false statements in firearms purchases.

Increasing aggregation period for reporting multiple handgun sales to same purchaser from 5 days to 30, and reporting of such sales to local police as well as ATF.

General ban on clips and magazines that enable firearm to fire more than 15 rounds without reloading.

National waiting period for handgun purchases. (Acceptable to us if packaged with other strong law enforcement measures.)

#### JUVENILES AND GANGS

Broadened retention and availability of records of federally prosecuted juvenile offenders. (We have a complementary rules change which will enable the FBI to receive juvenile records from the states for inclusion in the national criminal records system; it is pending final clearance for promulgation at OMB.)

Broadened federal jurisdiction and adult prosecution for juvenile offenders. (Only weak and fragmentary version of this in Senate bill.)

Serious drug offenses by juveniles as armed career criminal predicates. (Included only in Senate bill in very weak form.)

#### TERRORISM AND INTERNATIONAL MATTERS

Implementing legislation for international conventions against terrorism at airports, maritime terrorism, and maritime platform terrorism, and for the convention against torture.

New antiterrorism offenses, including offense of providing material support to terrorists, and offense of using weapons of mass de-

struction against U.S. nationals or property anywhere in the world.

Sentencing guidelines increase for terrorist crimes, increased penalties for travel document crimes likely to be committed by terrorists, and extension of statute of limitations for terrorist crimes.

Better coverage of crimes in extended territorial sea, and crimes against U.S. Nationals on foreign ships.

Other antiterrorism provisions in the President's violent crime bill included addition of terrorist offenses as RICO predicates, forfeiture for terrorist and other violent acts, admission to U.S. of aliens cooperating in terrorism or other investigations, strengthening of alien enemy act, increased access to communications and credit records in terrorism investigations, and strengthening of wiretap laws for use in terrorism investigations. These largely fell by the way during Congress's consideration of the crime bills, but some were included in weakened form in the Senate or House bill.

[The President's bill also included effective provisions for removing terrorist aliens from the United States, but the proposal was D.O.A. in Congress.]

#### SEXUAL VIOLENCE, CHILD ABUSE, AND VICTIMS' RIGHTS

[The reforms in this part are generally limited in direct effect to federal cases, but most of them would have broader impact as models for state reforms. A more detailed discussion of these provisions will be circulated separately.]

General rule of admissibility in sexual assault and child molestation cases for evidence that defendant has committed offense or offenses of the same type on other occasions.

Increased penalties for recidivist sex offenders, for many sex crimes against victims below the age of 16, and for drug distribution to pregnant women.

HIV testing of defendants in sex offense cases, with disclosure of test results to victim; enhanced penalties for HIV infected sex offenders who risk infection of their victims; government payment of cost of HIV tests for victims.

Provisions strengthening restitution and enforcement of restitution orders.

Giving victims of violent crimes and sex crimes a right to address the court concerning the sentence to be imposed, parallel to the offender's existing right of allocution.

Equalizing at 6 the number of peremptory challenges accorded to each side in felony cases. (The defense now gets ten. This has been included among victims' rights provisions as a measure protecting the victim's right to an impartial jury.)

Removing cap on crime victims fund.

#### EQUAL JUSTICE ACT

Strengthened safeguards against racial discrimination in the criminal justice process. Mandates administration of death penalty and other penalties without regard to race. Prohibits racial quotas and statistical tests for imposing the death penalty or other penalties. Extends to crime victims protections against racial bias which may now be available only to the defense, including right of prosecutor to make inquiry on voir dire concerning racial bias favoring the defendant, and change of venue on motion of prosecutor where necessary to guard against racial bias against the victim. These provisions would apply to state cases as well as federal cases.

In federal capital cases, there would additionally be special jury instructions and certifications guarding against racial bias.

Death penalty authorizations would be added for murders committed in violation of the principal criminal provisions of the federal civil rights laws. The fact that a murder was racially motivated would be a statutory aggravating factor permitting consideration of the death penalty under all federal statutes containing death penalty authorizations.

#### DRUGS

Drug testing of federal offenders on post-conviction release.

Drug testing in state criminal justice systems as a condition of federal justice assistance funding.

Precursor chemicals provisions.

Interdiction provisions, including new offenses and other provisions strengthening legal authority to stop aircraft and vessels.

Miscellaneous provisions increasing penalties or otherwise strengthening drug laws, e.g., increased penalties for drug trafficking in prisons.

There are some additional provisions in the pending bills which did not originate as DOJ proposal, and which we have been more-or-less neutral of indifferent about in the past, but which may merit further consideration in light of the discussion at the planning meeting. These include broadening drug-free zones to include additional areas (public housing, truck stops), and crackhouse eviction.

#### PUBLIC CORRUPTION

The Senate bill contains a version of our proposal, albeit with lesser penalties than we want for the main offenses (10 years maximum rather than 20).

#### OTHER PROVISIONS

[We have proposed various "miscellaneous" provisions which relate to issues that do not have a high degree of visibility, but which may have considerable practical importance from an operational standpoint. Some examples:]

Filling gaps in existing laws by adding attempt liability for robbery, kidnapping, smuggling, and property damage offenses; creating offenses of receiving proceeds of extortion, kidnapping, and postal robberies; and extending coverage of mail fraud statute to frauds perpetrated through mail carried by private interstate carriers.

Undercover operations against trafficking in stolen or counterfeit items are currently hampered by statutes which limit liability to cases where the item involved in a transaction is actually stolen or counterfeit. One of our provisions would eliminate this problem by providing that it is sufficient if the defendant believed on the basis of a representation by a law enforcement operative that the item was stolen or counterfeit.

#### REMARKS BY GEN. COLIN POWELL, CHAIRMAN, JOINT CHIEFS OF STAFF TO THE NATIONAL ASSOCIATION OF WHOLESALERS/DISTRIBUTORS

Gen. POWELL: Thank you very, very much, Alan, for your very, very kind words, and thanks to you and to Jay and to all the members of the association for this porcelain bowl. It is very, very beautiful. And without the contribution of every soldier, sailor, airman, Marine, and Coast Guardsman, this award would not have come my way. So it really is to them that you are presenting the award, and I am merely their surrogate. I will keep it and treasure it in their honor. I can't tell you how very pleased I am to be with you today. Three months ago when Alan asked me to be here, I told him that I would be here subject to war, crisis, or congressional hearing. (Laughter.) I don't know

which one is the worst of the three—(laughter)—but thank God there is no war. Thank God that at the moment there is no crisis and the hearings are still a few weeks in the future. (Laughter.)

But for two consecutive Christmas seasons, America was at war. In 1989, we were executing Operation Just Cause in Panama. And in 1990 at this time we were in the middle of Operation Desert Storm, having spent the previous five months in Operation Desert Shield, watching this incredible buildup of American force. And I missed standing at this podium last year because of that operation. On this very day one year ago we were four days into an incredibly successful air operation that paved the way for our ultimate victory in the Gulf. This year—this year—is thankfully different. First and foremost, we are at peace. I said about a year ago at a press conference that our strategy for defeating the Iraqi Army in Kuwait was going to be very, very simple. First, we were going to cut it off, and then we were going to kill it. We did. We won the Gulf War. And all—(applause)—and all of the second guessing and Monday morning quarterbacking isn't going to change that simple fact. Kuwait is free, and that's what we went to do.

Moreover, as a result of our victory the number one military threat to Israel and to our other friends in the region is a shadow of its former self. There's also underway an unprecedented Middle East peace conference. Our hostages are free. We are building a new regional security structure to prevent anything like this from happening again in that particular part of the world. Yes, Saddam Hussein is still there. He's still a problem. He still causes me to grind my teeth. But he's principally a problem for the people of Iraq, not for us.

He is hanging onto power tenuously. The UN is pulling up all of his means for unconventional warfare. The sanctions will stay in place as long as he is there and continues to perform the way he has for the last two decades. And in the final analysis, it is up to the people of Iraq to determine how much longer they wish to suffer under his leadership.

And so as you listen to all the one-year retrospectives that are so popular right now, don't be confused. The President set clear objectives. The United Nations set clear objectives. The Congress set a clear objective when they passed the resolution permitting us to use force. We achieved those clear objectives and then we came home. It was a victory for American leadership, it was a victory for the armed forces of the United States, and it was a victory for our vision of a new world order. Continue to be as proud of that victory as are all the young men and women who went out and accomplished that victory for America.

There is another war behind us as we begin 1992. The Cold War is also over. The Soviet Union was put in its grave last month and a new Commonwealth of Independent States was born, committed to the principles of democracy, the principles of free market economics, and respect for human rights. We, in a transformed Europe, have an unprecedented opportunity to build a new relationship of cooperation with those who had been our former enemies.

And if you look to the Pacific, we were helping South Korea mark out a new path with the hostile regime in North Korea. And if North Korea can put aside its ambitions to build a nuclear weapon, if it can put aside this Xenophobia that has existed in that country for the last 40 years, we have hope for peace in that final bastion of the Cold War in Korea.

President Bush's early January trip to the Pacific reassured our regional friends and allies of our concern, of our interest, and our commitment to peace and stability in the Pacific. And if you look in our own part of the world, in Latin America, democracy—democracy—dominates the horizon for as far as you can see for the first time in history. Yes, there is still Cuba and there's a troubled Haiti, but they are the only blemishes on that horizon. And who can believe that these two nations will not soon succumb to the powerful forces of freedom, powerful forces that forged an historic peace agreement in El Salvador just last week.

So these are great times. These are wonderful times, wonderful times to be the Chairman of the Joint Chiefs of Staff, a wonderful time to be an American living in this period of great and positive history. And yet at the same time, with all of this positive change, with all of the opportunity for the future, we must remember that we are just at the beginning of a new phase of history, not the end.

There is war in Yugoslavia. There is war in Georgia. There is war in Armenia. There is economic and political instability in the Commonwealth of Independent States. We have to remain concerned that about 27,000 nuclear weapons are still in what had been the Soviet Union. And we have to watch with some concern how the old Red Army and the old Red Navy will be broken up and disbursed among the various republics. And yes, there is still unease in Southwest Asia and in Southeast Asia. In Cambodia, we are moving in peacekeeping forces for the first time, in a solid effort to bring peace to that troubled country that has known nothing but war for almost a half-a-century.

And so as we enter 1992 we see hope and opportunity, we see challenge and danger. We see a brighter future but with remaining clouds of a darker past. America must have a national security that deals with this very challenging and unclear world, a strategy that holds the promise of opportunities fulfilled and the clouds dispersed. And we have such a strategy. Its most crucial pillar is continued American engagement in the world. We must remain active partners in our alliances across the Atlantic and across the Pacific.

In the meetings that I hold with my counterparts around the world, the message they give me is the same: America, don't go home. America, don't go home. We have seen twice in this century—twice—what happens when America does not play its destined role in world leadership. Both times it has cost the world dearly. Please, they tell me, please, don't let it happen again. Stay engaged, America. And we will stay engaged.

At the same time, though, the prospect of global war has disappeared. You won't find any Colonel Blimps in the Pentagon wandering around, bemoaning the fact that the Soviets are no longer there for us to plan a global war against. We are proud of this, we are happy for this new environment to be on our doorstep to work with. And we can reshape our armed forces for a new military strategy that focuses on possible regional conflicts and unexpected crises but no longer on the prospect of a global war.

Across the Atlantic and Europe, we will maintain our military forces to cement this trans-Atlantic link as part of our new strategy. Those forces overseas in Europe will be smaller, much, much smaller, but they have to remain on European soil so long as our European allies want us there, and they do. There is no more positive way to ensure the

continued coherence and strength of the Atlantic Alliance than to keep US military forces engaged in Europe. And today I'm even more convinced than ever that a strong and coherent NATO is critical to Europe's future, not to counter any longer the Red Army sweeping across the plains of Germany but to help build stability in the East while undergirding stability in the West.

Also across the Atlantic, we will have to keep military forces in the vital Persian Gulf area. Our decisive victory against Iraq last year has given us new opportunities for peace and stability in the region, and we must not squander these opportunities by picking up everything and coming home. We must be prepared to stand with our forces in the Middle East until permanent peace and stability are a reality. And we will keep a military presence in the Mediterranean no longer oriented as in the past toward the Soviet Union but looking south and east towards Africa, the Middle East and Southwest Asia, where we still see the potential for trouble and crises.

And so the forces we will maintain for the Atlantic will be oriented eastward. Some will be forward deployed in Europe, in Southwest Asia, and others will be here in the United States, capable of reinforcing at whatever point they are needed, just as we reinforced so effectively during Operation Desert Storm and Desert Shield.

I was talking to some of my table companions about the business of distributing things and what it's like to be a middle man. You've got nothing on us. If you want to know what it's like to distribute the supplies necessary for 541,000 people 8,000 miles away from home starting from zero, come see us later. We're the real experts in this business. (Laughter, applause.)

We will have continuing needs elsewhere than just across the Atlantic. If you turn to our other great ocean frontier across the Pacific, I maintain we have to keep a forward military presence in the Western Pacific, in Japan, and in Korea. The nations of the Pacific are major trading partners for us, as well as partners in providing security and stability. They are counting on us to remain engaged. Why? Because countries in the Pacific trust us. They look to us for leadership. They look to us for counsel. And they look to us for security in the broadest sense. No other power on earth can claim the position that we enjoy in the Pacific as a security partner. We abandon that position only at our peril. So our Pacific forces, those military forces that we have there, will ensure that we stay engaged in that dynamic region of the world.

In addition to these forward military forces across the Atlantic and across the Pacific, we must have military forces here in the United States that are able to react promptly to a crisis or to a contingency that no one had predicted, no one said would come along. On a moment's notice, these forces must be able to move to a trouble spot, such as to evacuate Americans in trouble as they did in Liberia and in Somalia, or eliminate a threat to American lives as we did in Panama in 1989. In the 28 months that I have been Chairman, I have dealt with some 14 separate crises that involved in one way or the other the armed forces of the United States. And nothing on the horizon, even in this most promising environment, indicates to me that such crises will vanish in the new world ahead of us. So we have to have forces able to deal with these sorts of crises.

And finally, and very, very importantly, we must have military forces that can deter

the use of nuclear weapons against this country. I never let a day go by without reminding myself that in all of this change there are 27,000 nuclear weapons in the Soviet Union and at any moment thousands of them are pointed at the United States. And until someone tells me that he has located and destroyed every nuclear weapon in the Soviet Union I will continue to include those nuclear weapons in my calculations. And I do not believe the American people would have it any other way. So we have to have the strongest possible nuclear forces on our side in order to be able to deal with the continuing, although low likelihood threat of nuclear warfare.

An essential new element to our strategic force posture, however, is the use of defenses to protect ourselves against nuclear weapons as opposed to relying solely on our own nuclear weapons to deter an enemy. And that is why the President's Strategic Defense Initiative, as reflected in the new Global Protection Against Accidental Launch System, as we call it in the Pentagon, is so, so essential. And you will see the President strongly defend the continued development to strategic defenses.

When you put these military forces together—what we need for the Atlantic, what we need for the Pacific, what we need for crises response, and what we need to deter nuclear attack—you have what we are calling the base force—the minimum essential force America needs to meet the future in safety. It is a force much, much smaller than the size force we maintained to deal with the Cold War. Your Department of Defense is moving quickly to implement the base force. It is about 25 percent smaller than the force we had just 18 months ago. We are reducing your armed forces over the next several years by half a million young men and women, and we are doing this as rapidly as common sense and the art of the possible will allow us. We have taken strategic bombers off alert for the first time in the post-Cold War era—in the Cold War era. We have deactivated 45 percent of our land-based intercontinental ballistic missile launchers. We have cut the number of Trident submarines that we're planning to have from 22 to 18. We are in the process of not only destroying many of our own strategic nuclear weapons, but we are also offering our help to the new Commonwealth of Independent States to do the same thing with theirs. And we are looking at proposals that would reduce our nuclear stockpiles even further. We are destroying and putting into storage thousands of tactical nuclear weapons. We are removing these weapons from all of our ships at sea. And in Europe, under the provisions of the recently ratified Conventional Forces in Europe Treaty, we are beginning the monumental task of destroying hundreds of thousands of conventional weapons from tanks to infantry fighting vehicles to artillery cannon. Your Navy is mothballing two battleships, two aircraft carriers, and 24 other combat vessels in the near future.

Since the end of Desert Storm in February, your Army alone has pulled out of Europe 40,000 soldiers and 48,000 wives and husbands and children. And by September of this year, another 25,000 soldiers will have come home from the United States Army in Europe.

We are closing over 250 of our Army installations in Germany. The Air Force is reducing its main bases complex in Germany from a total of nine main base complexes down to five. We're closing bases all over the United States. Just this past weekend, we inactivated the two divisions in Europe that

were sent to Desert Storm to help defeat the Iraqi army last year. The 1st Armored Division, all of those troops are now gone, and we've given the flag of the 1st Armored Division to the 8th Infantry Division so that we keep the lineage, and the 8th Infantry has gone out of the structure. And we have completely inactivated another division, the 3rd Armored Division, the division that I began my career in some 34 years ago. Gone. Finished.

The first post I ever went to is now being turned over to the Germans for use as a shopping center. The library that was at that base has had all of its books packed up, and the books are being sent to East Germany and behind the old Iron Curtain to help educate a new generation of Europeans.

On the other side of the world, we have closed Clark Air Force Base in the Philippines. We are now in the process of closing Subic. And by the end of this year, more than 15,000 people will have been withdrawn from our forces in Japan and in Korea.

So, every day a base is closing or a battalion furls its flag or a fighter squadron comes home or a troop who planned to stay in the service, a GI who volunteered and wanted to make a career of it is making a different career choice and is returning to civilian life, looking for help when he gets into civilian life with respect to a job or educational opportunities.

So, if you want to know where the peace dividend is, if you want to know why we're not cutting, the answer is we are cutting. We're cutting massively, and we're cutting across the world. And we're only one year into our planned 25 percent reduction. We aren't even halfway there yet. To put it in simple terms, over the next four years, a million people, civilian and military, both in the active force and in the reserve force, will be released from the rolls of the Department of Defense.

Now, we must not go any faster. There will be a great enthusiasm in Congress next month to get us to move even faster. And the argument that Secretary Cheney and I and the Chiefs will give back is we don't want to go any faster. We have a strategy. We have a glide path. We have a base force that we're going down to. Don't try to do it any faster or we will break the force. We will break faith with the young men and women who have served us so well.

At the same time, we also don't want to move so fast as to exacerbate our economics problem here at home. Hundreds of thousands of young men and women must be worked back into the economy, into productive jobs, and must serve to boost our economic prospects and not degrade them. Hundreds of programs will be canceled, and we have to do that over time so that the impact can be modulated somewhat as it goes through all of the American economy.

I want you to also understand in this group that you are having made available to you a great group of new American veterans. I know we're in a recession, but these young men and women are the best and brightest of the nation. They're drug free; they're motivated; they've demonstrated they can do a job. You saw them on television sets day after day after day. You're missing a bet, ladies and gentlemen, you're missing a bet if you're not active in your community and in your firms and in your association in seeing what you can do to integrate those fine young men and women back into civilian life.

Over the next several years, 500,000 active troops going out, tens of thousands of civil-

ians. I hope that doesn't produce 500,000 more unemployed people because these are the best and the brightest. And I ask your help in making their transition back to civilian life as easy as possible. They are truly great talent.

We must also understand that no one is clamoring to leave your armed forces. This isn't like World War II or Korea, where there were tens of thousands of telegrams to Congress demanding that the draftees be let go, that sons and daughters and husbands all come home as soon as possible. Your armed forces are all volunteers. They are all under contract, all disciplined and proud. We simply in this environment cannot tell them, "thank you for winning a couple of wars. Thank you for representing us so well," thanking them for being so wonderful, but now, you're out on the street. Do the best you can. Find a job. You're on your own. We can't let that happen.

And that is why on our side of the equation in the Pentagon we've put together a major transition program to help ease the restructuring pains for these outstanding young volunteers. We're setting up telephone hotlines for GIs to call businesses, and for businesses to call our GIs. We have established liaison with educators who want our young people to be school teachers under new alternative certification programs that exist in a number of communities. The Congress has also allowed us to create financial incentives and benefits to encourage young people to leave voluntarily rather than being eliminated involuntarily. And these financial benefits and initiatives will also provide them a transition cushion for those, of course, who accept them.

All of this build-down effort takes time. These actions cannot be precipitous. They cannot be rushed. We are not demobilizing the force and breaking it apart as we did in 1919 and in 1945.

And so the point I want to make to you this afternoon is that your Defense Department does have a strategy. We are not living in the cold war past. We see the future, and it's a future of opportunity. It's a future of challenge. And we're going to take our force down to what we believe is the correct level in order to meet our responsibilities in this changing world. President Bush will lay this all out in greater detail to the American people in his State of the Union address next Tuesday. You will hear about a solid, well thought out strategy, and about a dynamic base force to support that strategy.

When we complete our reductions, we will be using in the Pentagon only 18 percent of the overall federal budget. You put this 18 percent beside our peacetime cold war high of just under 60 percent at one point—you can appreciate how small that 18 percent really is. It amounts to about 3.6 percent of our gross national product. This will be the lowest percentage of the federal budget devoted to defense since before World War I. And so, to argue today that all of the domestic ills of America can be cured by tapping this 18 percent of the budget and ignoring the other 82 percent of the budget is really incorrect and quite misleading.

And so, you'll see us in the Pentagon fighting to protect the base force. We need that force to preserve our role in the world. We need it to ensure against that which is still unknown. The threats are no longer as clear as they used to be, but we have a pretty good idea of what parts of the world those threats are liable to emerge again if we do not remain engaged, if we do not remain strong. We owe that to the American people, and the

American people would never forgive us if we let down our guard.

We also need the base force to protect your armed forces, especially to protect the young people who have given so much of themselves to serve this nation. For them, history has not ended. There are still 1,700 young GIs at Guantanamo Bay in Cuba caring for 7,000 Haitian refugees. There are 26,000 men and women still manning F-15 fighters in Saudi Arabia, or manning FA-18 fighters aboard our carriers in the North Arabian Sea. Our men and women still stand guard along the DMZ in Korea. The men and women of the North American Air Defense Command still watch the Soviet nuclear weapons half a world away pointed at us. Your Marines are still afloat in the Indian Ocean, remembering all too well the harrowing evacuation that they had to conduct last year of American citizens from the U.S. embassy in Somalia.

Around the world, in a thousand places, these wonderful young troops still have a job to do. It is these wonderful young men and women who have sacrificed and have served so well; these American GIs about whom we must remain concerned. They are well-trained. They are proud. They are ready. They care about their profession. They are wise and they are brave. They love this country that they call America, and we must, above all, not break faith with them. And I assure you, as long as I'm around, we won't. Thank you. (Applause.)

Alan (sp) told me I could stay up here and take questions all by myself. (Laughter.) Let me also say that I'm especially flattered to have been introduced by my good friend Alan Kranowitz (sp). You've got a heck of a guy in charge of your association. I was worried for a moment that he might really tell some of the stories—(laughter)—about our days together in the White House, but he didn't. Thank you, Alan (sp), for your kind words earlier.

I'd be delighted to take a few questions. Yes, sir?

Q. (Off mike.)

Gen. POWELL: I don't have that at the tip of my tongue, but take off that thing you're wearing, and we'll get back to you—let us have it. No, if you give us a business card—

Q. (Off mike.)

Gen. POWELL: Call—no, this—Col. Smullen will have some one for you to call within an hour.

Q. (Off mike.)

Gen. POWELL: In your case, Riley is probably best, but I'm going to do better than that. We'll have somebody at Riley call you. I guarantee it. (Laughter.) Fort Riley is about to have a lot of excitement. They're just—(laughter)—no, I guarantee it. You'll—somebody from Riley, probably the division commander—(laughter and applause)—now I want everybody in this room—no, in seriousness, that's what I need. And you let us have your card, and somebody from Fort Riley will be calling you, if not when you—if not within the hour—(laughter)—then right after you get home. And I need each and every one of you who can help us within this to give Col. Smullen here your card, or give it to Alan, and get it to me, and I'll make sure that you're contacted.

But obviously we can't reach the whole country in this one room. I'm really pitching to the cameras so that people all over the United States in those communities look out for these great young men and women. But I do thank you, sir. Would you like to stand up and get a plug? If you'll give me your name, I'd be—(laughter)—

Q. (Off mike.)

Gen. POWELL: Thank you, sir. (Applause.)

Q. One of the other great victories that—I think that the country really appreciates with the war was not only winning it, but getting the rest of the world to participate in most of it. How do you see in the future, you know, you mentioned that different countries are saying they want our continued support. Do you see this as part of the overall strategy, and in the future, do you see other countries participating in such—

Gen. POWELL: Yes, I mean—

Q. Once more, how in the future, when things come up and—(inaudible)—

Gen. POWELL: Desert Shield and Storm, to a large extent, was not paid for by the American taxpayer in terms of money—money-wise. Very generous contributions from those we came to help and others who had reason to want to participate, as well as the presence of forces from 28 different nations, there in the desert alongside our forces. It is becoming more and more common for that kind of ad hoc coalition to come together to deal with regional problems. When we had the humanitarian relief effort in northern Iraq and eastern Turkey right after Desert Storm, similarly about 12 countries came together there to help us. Sometimes these arrangements will be ad hoc as countries have common interests, but what I'm especially pleased about and proud of, frankly, because we worked it a bit at the tail end of the last administration, is that role that the United Nations is playing in solving one lingering regional crisis after another. It is a heck of a success story. The UN was instrumental in the Iran-Iraq War settlement in '88, in the southern African and Angolan situation, in the Nicaraguan elections, in the El Salvador situation, in southeast Asia, Cambodia. The UN is playing a much more important role. Why? Because they are willing to get involved, and secondly, the Soviet Union is no longer a spoiler. The Soviet Union has been on our side in almost every one of these recent issues that we could take before the UN. And I hope, even with the changes in the Soviet Union—now the Commonwealth of Independent States, we can see an even more forthcoming attitude on the part of our former enemies. And I think this is all to the good. And I think you will find that more and more nations will be willing to make contributions to the settlement of these regional disputes and conflicts.

We also get good support from our Japanese friends, from those who want us to stay in the region, in the Pacific, we are getting very attractive offers. We are closing down our presence in the Philippines but we will be in Singapore, Malaysia, Indonesia, continue to be in Korea and Japan, they want us there and they are willing to do their share to keep us there.

Yes, sir.

Q. Those of us in Florida do admire you a lot as a leader. What are the chances that we would be able to vote for you? (Laughter.)

Gen. POWELL: Alan (sp) answered that. I have no political ambitions. I sometimes say "at the moment," I sometimes say "maybe," "never," you know. I don't know why I should preclude running for alderman in Kansas City at the age—when I am 75 years old, so I don't feel the need to give Shermanesque-type statements but I am a soldier, chairman of the Joint Chiefs of Staff, that's all I want to do for the next two years and then I'll go into private life and at the moment private life does not include any political aspirations.

But if Kansas City needs an alderman—(laughter)—when I am 75 years old. I'm kid-

ding a little bit but I have no political—nothing is motivating me in a political way.

Now, the other gentleman, who I should have called on. (Laughs and laughter)

Q. General, I noticed recently on the news that they talked about reducing the reserve units here in the United States by 250,000 and in view of the role that they played in the recent war over in the Persian Gulf, maybe you can enlighten on the types of units that you're thinking of and how you plan to work on the replacement.

Gen. POWELL: The Reserves have performed magnificently in the last two years that I have been closely associated with them. We have no intention of breaking up the Reserves or braking what we call the total force concept of active and reserve working together. The simple facts are that over the last 10 years, during the period of the Reagan buildup, we built up the Reserves by about 300,000 troops, roughly a 25 percent increase. The reason for that buildup was to orient on the Soviet threat in Europe. We discovered that we did not have enough force structure in the event that we had a sustained war in Europe, so we built up the Reserves for that purpose.

A large part of our reserve structure, particularly within the Army is oriented and associated with specific active units. So when we brought the active units out of the force structure and when the Red Army has disappeared, it's gone, it only seems prudent that we take down the growth that was put into the Reserves over the last (10?) years, and so we are planning to reduce it by about 250,000, especially taking out those units that are directly affiliated and associated with active units that are no longer there. It doesn't make any sense to take the active unit out but leave all the Reserve supporting units there. There is nothing there to support.

Congress has given us some degree of grief over this issue because Reserves are very popular, they should be popular. These are great units in communities throughout the country who are enormously helpful in sustaining public support for our efforts in Desert Shield and Desert Storm, and I wish I didn't have to cut or recommend cutting a single one of them. I'd just as soon not cut anything in the active Army either, or the Navy, or the Marine Corps, or the Air Force or the Coast Guard, but cutting the budget 25 percent, cutting the force 25 percent means cutting the force and pain is associated with cutting.

It's enormously frustrating to go up on the Hill and be told, "No, we don't want you to cut that. No, we don't want you to close any bases. Well, don't close these programs down because they are important to us, but when are we going to see our peace dividend?" (Laughter)

I don't know how to manage an environment like that, and so they want—if you want the budget cut we have to cut it in a sensible way, it has to affect all parts of our total force. You can't protect this in order to have a disproportionate cut over here. And that will be the debate we will have with Congress, have been having with Congress.

And so we love the Reserves, we have no intention of breaking the total force concept that exists, but it is not good stewardship on our part to keep forces in the structure that the American taxpayer is paying for if that structure is no longer needed. It makes no difference whether it's active or reserve. If it's not needed we ought to eliminate it from the structure and give that money back to the American taxpayer, and that's what

those of us in uniform are saying and we are having difficulty with the Congress on that issue. Yes, sir, the gentleman.

Q. General, at the risk of maybe putting you on the spot, one of the greatest risks still remaining perhaps to this country is drugs coming inside. In your opinion, and perhaps the military is playing a role in that I'm not aware of that you can't talk about, but in your opinion is there a role that the military could play to make sure some of that material doesn't get in?

Gen. POWELL: There is a role we can play and we are playing it. We're very—I'm delighted to talk about it. We're very actively involved with the Coast Guard and INS and a number of other federal agencies in intercepting ships coming into the country as well as aircraft penetrating our air space. Most of the early-warning radar planes that we have in the United States are used for counter-drug purposes. The forces command, which is our Army command here in the United States, are using their troops and equipment to try to seal the border with Mexico. Our commander in Panama we call CINC South, responsible for Central and South America, is deeply involved with the countries of the Andean region not only in cutting the transit routes coming to the United States but in helping those countries go to the source of drugs within the country.

And so we're doing a lot, we're going to do a lot more, we're spending billions on this. I think it's a legitimate role for the armed forces of the United States. Having said that, though, don't think that cutting off drugs is the solution. Until we kill the drug problem right in our own community, the money is just too good and you won't be able to cut it off. And so it begins right here in the United States, in our community, in our schools, and we have to just educate a generation of young people that the use of drugs is stupid, it's criminal, it's destroying our inner cities, it's destroying our country, and we've got to stop it here while the armed forces and other agencies are trying to interdict the amount of drugs coming into the country. (Applause.)

Q. The theft or transfer of even one Soviet tactical nuclear weapon to an undesirable entity could have profound and tragic implications. How comfortable are you with regard to the security and the controls in place to keep that from happening in the Soviet Union?

Gen. POWELL: Reasonably comfortable. You can't be completely comfortable when you're talking about 27,000 things that are not under your direct control. But historically the Soviets have shown a great deal of care with respect to the storage of nuclear weapons, the counting of nuclear weapons, the safeguards they have on their nuclear weapons. And in all the turmoil of the last six months in the Soviet Union and now the Commonwealth of Independent States, I have been impressed and I think my intelligence colleagues have been impressed at how their system for controlling nuclear weapons has not been buffeted the way every other segment of their society has been buffeted.

Their strategic weapons, the ones that can reach the United States, are firmly under control. The tactical weapons are all being removed from the outlying republics back into Russia for further control and dismantling, and that process is going well. They give us repeated assurances that they are handling it with the care it deserves and so far their assurances seem to be well founded and we can accept.

Having said that, one has to remain concerned. It is always possible that their very

fine system could break down during this period of uncertainty and turmoil within that land, and we'll continue to keep our eyes on it. But it would be an event of profound consequences should one of them get loose and turn up in an awkward place. So we'll watch it, but so far we're reasonably comfortable with how they're handling it.

Yes, sir?

Q. The other day the Wall Street Journal ran an article about demolition of explosives and various mines and so forth in Kuwait, and they stated there that fully one-third of the ordnance dropped on the Iraqi army in Kuwait didn't explode. Would you care to comment on their accuracy?

Gen. POWELL: Yea, I don't—I didn't see the report and the one-third number seems—does not seem right, it seems high. There is always a dud rate associated with munitions, especially dumb munitions, that is, it sets itself off by hitting the ground. And there are some problems with the type of battlefield we had with soft sand not detonating. We have a continuing demolition problem in Kuwait. The Kuwaitis have asked us for our assistance; we're providing it. And they've also contracted for private firms to come in and help remove munitions that have not exploded. A continuing problem. I haven't seen that particular report. The number of one-third sounds high to me.

Yes, sir?

Q. A recent news report talked about the Persian Gulf and perhaps that President Bush called off the forces a little bit too early. Would you care to comment about this? (Laughter.)

Gen. POWELL: Thank you sir! (Laughter.) One of the generals who was intimately involved in the war, General Buster Glossan, who was the mastermind of the air campaign, was asked a similar question last week and he says it's never too early to call off a war.

The fact of the matter is that about the 26th of February, a day or so before we stopped the war, it was becoming clear that our objectives were rapidly being accomplished. The Marines were in Kuwait City, the Army units were sweeping around the flank, there was starting to be an incredible amount of destruction on the road going back into Basra, and it was becoming clear that we were near the end, that beyond a certain point it wasn't war. It isn't war when you're fighting after having achieved our objectives.

And so on the morning that we—the day that we decided to terminate it, there was complete consultation between military authorities—myself and General Schwarzkopf and his commanders in the region. We told the President that it was near the end, and after further consultation and watching the battle develop throughout the course of that morning and into the afternoon, and then also seeing images of some of the destruction taking place.

But fundamentally, we had done what the President told us to do. That's the time you should end a war, and that's what we did. The President was absolutely right. Whether you killed people and continued the war for another 12 or 24 hours—which is what Newsweek was alluding and other critics have alluded to—was irrelevant to what might have subsequently happened. We were only fighting the Iraqi army in Kuwait. We were not fighting the other half of the Iraqi army that was intact throughout all of Iraq and quite able to handle internal security matters within Iraq.

Every time this country has gotten in trouble it's because we lose sight of what our

objectives were with respect to the use of military force. The President gave us clear political objects. We gave him a clear military plan to achieve those objectives. The military plan unfolded flawlessly—I will stick with that, "flawlessly"—compared to any other military plan in many a year. And when we reported to him that we had achieved the objectives set out, he ended the war. And that took leadership. That took courage. It would have been the easiest thing in the world to say, "No, somebody might say we stopped too soon. Let's just keep it up." And I think that would have—history would have treated us that well.

Now, obviously, it's become a source of great commentary. And lots of people who were nowhere around, and lots of people who didn't want to go to the war in the first place—(laughter)—suddenly are surfacing to say, "Yeah, but now that I know it wasn't going to be that hard I would have been there." (Laughter, applause). And I have played the tape back many times in my mind, as you can appreciate, and particularly last week when it was such an interesting subject of discussion.

The conclusion we came to a year ago last February was the correct one. The President made the right choice and the troops in the field know it. They accomplished their mission, they're home and we should be proud of it and not find ways to denigrate our success, which seems to be becoming something of a national pastime these days. (Applause.)

Q. General, I appreciate and share your support of what the United States seems to be doing—coming alive and doing with us. It's my understanding, however, that we're still badly in arrears in our financial support of the United Nations, and I'm wondering what we're going to do about it. Particularly it seems to me a very cost-effective way to solve some of the problems of the future.

Gen. POWELL: It's a—we are in arrears with respect to our obligations to the United Nations. Alan (sp) and I were together when we at least acknowledged we were in arrears a few years ago and reversed our policy to start being a more responsible financial partner. It has not been possible to clear up all of the arrears because of our own financial difficulties. What position the administration will be taking in the months ahead with respect to this issue—I hate to take a dive on you, but that really belongs to the State Department, so I will take a dive on you. (Laughter.)

Yes, sir?

Q. How has the television camera changed the way the Army or our armed forces fight?

Gen. POWELL: A fundamental question. A good question. It's changed the way national security policy in general has to be managed. A little story I tell is whenever I did a press conference, or any of the chiefs or General Kelly, my operations officer, who you all know and love so much, General Schwarzkopf, Secretary Cheney, the President, you always had to remember when you went out there that you were talking to five audiences at once.

First, you were talking to the media, the ladies and gentlemen who were asking the question. Then, you were talking beyond them to the American people, who were watching the whole press conference. The third audience was the international community. Every capital in the world, 150 nations, 150 kings and prime ministers and presidents, other heads of state, foreign ministers, defense ministers are watching and will make their own individual nation judgment based on what they see coming out of

Washington. That's a third audience. A fourth audience is the enemy. Saddam Hussein and his folks are watching, or any other opponent that we may have to go up against will now be seeing it all in real time.

And then the fifth audience, which many people might not think about but which I had to think about, and so did my colleagues, the Joint Chiefs and Secretary Cheney, were the troops. We have some very smart, well-educated troops. Ninety-nine, roughly 98 percent of them are high school graduates, very sophisticated, and we were talking to them, too, and they had to receive the right message from home.

And so you just can't get up in front of a camera in a crisis situation like that without recognizing there were five audiences. Now, audience one, the media, would sometimes get upset because we didn't give information that we thought was not useful to give audience four—(laughter)—or which might have a morale effect on audience five, or which might affect audience two and three, as well.

So, we are accused of managing the news. We were accused of not handling this very well. Frankly, I think we handled it very well. (Applause.)

And, frankly, I think the press did a good job. There should be criticism between the press and the government. They ought to pull my chain all day long. That's their job. And they do it well. (Laughter.) It's the nature of our system. And by this conflict that sometimes exists between the government and the press, it's held in the public, in the open, and the American people are the beneficiaries of the conflict because you see your government in action.

So, I think we did reasonably well, as you might expect I would feel that way, and television has fundamentally changed the way you do things. Everything is seen instantaneously now around the world as long as you can get a camera there, and it is not that hard to get a camera there, with jet travel and the ease of sending electronic images around the world.

I think I have to—is that it?

Thank you all very much. (Applause.)

#### DOD TO SLOW PACE OF MODERNIZATION, CUT STRATEGIC NUCLEAR ARSENAL WHILE MAINTAINING ESSENTIAL FORCES

The President's FY 1993 budget calls for a new approach in the way the Defense Department buys major weapons systems and keeps its forces modern, while maintaining a military capable of responding to regional contingencies. And the President's FY 92-97 program includes changes to the US strategic nuclear program, beginning to move the US away from a relationship of nuclear confrontation with the republics of the former Soviet Union. Defense Secretary Dick Cheney said today.

The administration is seeking \$267.6 billion in DOD budget authority for fiscal year 1993, \$9.9 billion below the budget passed by Congress for FY 1992 and a decline of seven percent in real terms, adjusted for inflation. The cuts in the defense budget go beyond the steep cuts already undertaken—amounting to a decline in budget authority of over one-third in real terms since 1985.

The FY 93 budget submission also cuts the Department's six year defense plan, for FY 1992-1997, by \$63.8 billion, compared to the six year plan presented last year for the same period. That total includes \$50.4 billion in cuts to the defense program and \$13.4 billion in adjustments required under the budget summit agreement, based on changes in the

1991 rate of inflation. The budget proposes FY 1993 outlays of \$272.8 billion, \$9.8 billion below FY 92. Outlays for FY 92-97 would be cut by \$27.4 billion over last year's defense plan.

"The national security picture for the United States has changed substantially since last year. The disintegration of the Soviet Union has reduced the threat to US interests and eliminated the urgency for producing several advanced weapons systems," Cheney said. Many of the developments were anticipated in the regional defense strategy first announced by President Bush in August of 1990, he said.

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The growing proliferation of ballistic missile capability and weapons of mass destruction makes the funding of the President's program for global protection against limited strikes a high priority for our strategic programs. Funding for the strategic defense initiative remains a top priority, with a request for \$5.4 billion in budget authority for FY 1993, compared to the FY 1992 total of \$4.1 billion.

#### DEFENSE BUDGET TRENDS

From FY 1993 through FY 1997, DOD budget authority will decline, in real terms, an average of four percent each year. By FY 1997, the cumulative real decline in budget authority since FY 1985—the year of peak defense spending—will total 37 percent. Budget authority for FY 1997, adjusted for inflation, will produce about the same buying power as the 1960 defense budget and only slightly more than that of the post-Vietnam drawdown defense budgets of 1974-76.

Defense outlays as a share of the US gross national product are expected to fall to 3.4 percent in FY 1997, well below any time since before World War II. In FY 1997 defense outlays should be down to 16 percent of total federal outlays.

While defense spending has been shrinking since 1985, domestic spending has been growing—going up by about the same rate at which defense spending is going down. By FY 1997, the cumulative real decline in defense outlays since FY 1985 will be 26 percent. Mandatory federal spending will increase about 33 percent in real terms over the same period, and domestic discretionary outlays will increase about 8 percent.

#### NEW APPROACH TO ACQUISITION

The disintegration of the Soviet Union has reduced the military threat to US interests, making the need to produce advanced weapons systems less urgent. The Department of Defense can afford to take more time in developing and evaluating new technologies before making decisions on weapons production. With more reliance on its research and development efforts, the Department can preserve the technological capability to quickly equip larger forces if major threats to US interests emerge in the future.

While DOD will put fewer new advanced weapons systems into production in the future, the aggressive pursuit of new technologies will be essential to maintaining the advantages US armed forces need to deter and to prevail in future conflicts. A weapons program will move to full-scale production only after verifying the need for producing the system, and after minimizing technical, manufacturing, and operational risks.

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The Gulf War confirmed the advantage of combining precision weapons and stealth technologies. Twenty B-2's will allow the Air Force to maintain two squadrons while also

permitting aircraft maintenance. With the transformation of the Soviet threat, America's strategic bomber force is less likely to face the sophisticated air defenses for which the B-2 is designed. The current strategic force of B-1B's and B-52's can be adapted to ensure adequate capabilities for strategic nuclear and conventional missions. Stealth technology remains a key advantage for U.S. forces, and the Department will initiate vigorous exploration of improved stealth technologies. Total B-2 program adjustments will save \$14.5 through 1997.

Minuteman III ICBM: To help compensate for the termination of the Midgetman small ICBM, DoD will fund an improved guidance system for the Minuteman III ICBM and other measures to extend its service life, yielding net savings of \$1.0 billion through 1997.

Seawolf submarine: With the Soviet Union's collapse, the United States no longer needs to proceed with a new class of attack submarine. The Seawolf program will accordingly be terminated. The existing SSN-688 submarine is among the most capable in the world and will serve the nation well for many more years. DoD plans to consider a lower cost submarine design that will enable it to modernize in the future while maintaining adequate submarine force levels for the coming years. DoD also will continue to develop other antisubmarine warfare systems. These changes in the submarine acquisition program will save \$17.5 billion through 1997.

Comanche helicopter: With their focus shifted from a Soviet threat to regional contingencies, US forces can be adequately supported with the existing Apache helicopter fleet, to be upgraded with the Longbow advanced fire control radar system, OH-58D reconnaissance and light attack helicopters, and greater use of unmanned aerial vehicles. DoD will restructure the Comanche light helicopter development program by deferring production and concentrating instead on building prototypes, developing avionics, upgrading the engine, and incorporating Longbow. Redirecting the program will save \$3.4 billion through 1997.

Air defense antitank system: Because non-Soviet air threats to US ground forces are limited in number and capability, US forces can maintain adequate air defense assets with existing air defense fighters and with such defense systems as the Patriot, Hawk, and Stinger. The Department is therefore terminating the Army's air defense antitank system (ADATS).

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To offset these incremental costs, US allies have pledged to contribute \$54 billion. The US will not replace some types of damaged or destroyed equipment, valued at \$1.2 billion, because the Department has sufficient remaining supplies. That leaves a net cost to the US for the war of \$5.9 billion.

Of these costs, transfers within the previously appropriated 1990 defense budget covered \$1 billion, and a supplemental request in 1990 covered another \$2.0 billion, leaving \$2.9 billion in costs for long-term personnel benefits for those who served in the war. Those costs will be paid in future years by the Veterans Administration.

"The war in the Gulf set a remarkable standard of cooperation, and not only on the battlefield. It is absolutely unprecedented that more than four-fifths of the cost of the US part in the operation was paid for by our allies in the Persian Gulf and elsewhere around the world," Cheney noted.

As of January 1992, allied contributions to the US for Gulf war costs were \$52.6 billion—

\$47.0 billion in cash and \$5.6 billion in in-kind assistance. Allied payments continue, and the remainder is expected by July 1992.

#### OTHER FY 1993 DEFENSE BUDGET HIGHLIGHTS

**Readiness:** Although the size of the US military is shrinking, the Department of Defense is committed to ensuring the maintenance of a fully manned, trained, and equipped force. The FY 1993 request accordingly provides the training, maintenance, and other requirements to sustain the high level of readiness achieved by US forces over the past decade. Active Army ground and air training operations are kept at 800 miles per year for combat vehicles and 14.5 tactical

flying hours per month for air crews. Navy steaming days remain at 50.5 days a quarter for deployed fleets and 29 days a quarter for non-deployed fleets. Flying hours for active Air Force tactical air crews will hold at about 21 hours per month.

**Research, development, testing, and evaluation:** Reflecting the Department's emphasis on advanced technology research for application in weapons systems of the future, funding for science and technology—research not tied to a specific weapons program—will grow to \$12 billion in FY 1993, from \$10.6 billion in FY 1992, a real growth rate of 9.1 percent. Total RDT&E will show a 1.5 percent real growth in FY 1993.

#### DOD BUDGET AUTHORITY

(In billions of dollars)

	1992	1993	1994	1995	1996	1997	Cumulative 1992-97
President's fiscal year 1992 budget	278.3	277.9	278.2	280.7	282.6	287.4	
Adjusted summit level	277.5	275.6	275.8	278.3	279.9	284.6	(-13.4)
Program adjustments (rescissions/supplemental)	-6.6	-8.0	-8.0	-8.4	-9.5	-10.0	-50.4
President's fiscal year 1993 DOD budget	270.9	267.6	267.8	269.9	270.4	274.6	(-63.8)

<sup>1</sup> Excludes cost of Desert Shield/Desert Storm.

#### DOD BUDGET AUTHORITY BY TITLE<sup>1</sup>

(In billions of dollars)

	1990	1991	1992	1993
Military personnel	78.6	78.4	78.3	77.1
O&M	87.0	85.3	86.4	84.5
Procurement	81.4	66.5	58.5	54.4
RDT&E	36.5	36.1	36.9	38.8
Military construction	5.1	5.2	4.9	6.2
Family housing	3.1	3.3	3.6	4.0
Revolving funds transfer				2.0
All other - 7	1.2	2.3	.6	
Grand total	291.0	276.0	270.9	267.6

<sup>1</sup> Excludes cost of Desert Shield/Desert Storm.

#### DOD BUDGET AUTHORITY BY SERVICE<sup>1</sup>

(In billions of dollars)

	1990	1991	1992	1993
Army	77.9	72.5	67.0	63.3
Navy	99.5	94.9	84.9	84.6
Air force	92.4	83.6	80.2	83.9
Defense agencies	18.3	20.6	21.2	21.3
Defense wide	2.9	4.4	17.7	14.6
Defense medical program			(9.1)	(9.5)
Grand total	291.0	276.0	270.0	267.6

<sup>1</sup> Excludes cost of Desert Shield/Desert Storm.

#### MANPOWER

(End strength in thousands)

	Fiscal year 1987	1987-95 Delta	Fiscal year 1995	Fiscal year 1997	Total reduction 1987-97
Active military:					
Army	781	-245	536	536	-245
Navy	587	-78	509	501	-86
Marine Corps	199	-29	170	159	-40
Air Force	607	-178	429	430	-177
Total active	2,174	-530	1,644	1,626	-548
Selected Reserves	1,151	-229	922	920	-231
Civilians	1,133	-221	912	904	-229

#### IMPACT OF NEW ACQUISITION APPROACH

(In billions of dollars)

	Prior years	Fiscal year 1993	Cumulative through 1997
B-2/Stealth technology		-0.6	-14.5
SSN-21 submarine/submarine technology		-3.4	-17.5
Comanche helicopter/LH prototype		-1	-3.4
SICM/improved guidance		-2	-1.0
ADATS air defense system/anti-aircraft seekers		-2	-1.7
ACM missile/cruise missile targeting		-4	-1.3
FDS sensor/mobile sonar			-7
AAM missile/air-to-air seeker and propulsion		-1	-6
BLOCK III tank			-4

#### IMPACT OF NEW ACQUISITION APPROACH—Continued

(In billions of dollars)

	Prior years	Fiscal year 1993	Cumulative through 1997
LOSAT missile			-9
Total adjustments	-3.6	-4.4	-42.1

#### THE REPUBLICAN AGENDA

The SPEAKER pro tempore (Mr. MONTGOMERY). Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 60 minutes.

Mr. SOLOMON. Mr. Speaker, if I might, I ask unanimous consent to yield my hour to the distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL] to control the time, so that we can continue this very, very important debate on the floor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. SOLOMON] to allow the gentleman from Illinois [Mr. MICHEL] to control the time?

There was no objection.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman for his courtesy; anticipating that there would be any number of Members who would want to be participants here, I appreciate that and I am sure we will not use the entire hour.

Mr. Speaker, I am happy at this juncture to yield to the distinguished gentleman from Ohio [Mr. GRADISON] who serves again as our ranking member on the Budget Committee and serves in our leadership. If we had a majority in this House, he would be the chairman. He would be calling the shots on that Budget Committee, yes, and we would be a lot better off.

Mr. Speaker, I am happy to yield to our distinguished friend, the gentleman from Ohio.

Mr. GRADISON. Mr. Speaker, I thank our distinguished leader for

#### NATIONAL DEFENSE TOPLINE<sup>1</sup>

(Current dollars in billions)

	1992	1993	1994	1995	1996	1997
Budget authority:						
DOD 051	270.9	267.6	267.8	269.9	270.4	274.6
DOE and other	12.9	13.3	13.9	14.5	15.3	16.0
Total 050	283.8	280.9	281.7	284.4	285.7	290.6
Outlays:						
DOD 051	282.6	272.8	267.4	267.9	270.9	273.6
DOE and other	12.6	13.1	13.6	14.1	14.9	15.5
Total 050	295.2	285.9	281.0	282.0	285.8	289.1

<sup>1</sup> Excludes cost of Desert Shield/Desert Storm.

yielding to me to talk about this terribly important subject of bringing the budget under control. Certainly, bringing the Federal budget under control in this decade involves two fundamental tasks: eliminating the chronic deficits that are sapping the economy, and getting control of spending. A Republican Congress would pursue both by putting the Nation's long-term economic health ahead of shorter term political convenience. The process would not be painless; but it would be sound, realistic, and honest.

#### THE NEED FOR A SURPLUS

Consider the deficit first. Frankly, trying just to reduce the deficit, or balance the budget, is not good enough. Bringing the budget under control means running an annual on-budget surplus—a surplus equal to at least the excess contributions to the off-budget Social Security trust fund.

Why is this necessary? Only by having an on-budget surplus will we be able to pay Social Security benefits three decades from now when the time comes to draw on the Government securities in which the trust fund is invested. This is what the Greenspan Commission had in mind when it revamped Social Security benefits and taxes in 1983 to assure the trust fund's solvency when the baby boomers begin retiring. Fulfilling that goal now depends on Congress.

In addition, an on-budget surplus is a prudent long-term economic strategy. It will increase net national savings, which is needed to foster economic growth, enhanced productivity, and higher living standards.

To put it simply, long-term economic growth depends not on fiscal stimuli or quick fixes, but on Congress' ability to balance its own books and meet its future obligations.

#### TAXES VERSUS SPENDING RESTRAINT

But setting a goal and achieving it are, of course, quite different matters.

Turning chronic deficits into recurring surpluses will not be easy, even for a Republican Congress.

Public opinion polls offer little useful advice. They seem to say the following: First, balance the budget; second, don't raise taxes; third, don't even think about cutting any programs important to me. These are the same polls that tell us the solution to the deficit problem is cutting out Government waste, fraud, and abuse. I only wish it were so easy.

Nor does the answer lie in higher taxes. Taxes have rarely been higher than they are today. Total Federal revenues averaged about 18 percent of GNP in the 1960's, about 18.5 percent in the 1970's, and about 19 percent in the 1980's. For the 1990's, revenues appear to be heading toward 19.5 percent of GNP.

This point was dramatically underscored in Congressional Budget Office projections through the year 2001 that were published last October. In those projections, revenues chugged along in the range of 19.5 percent of GNP, while spending wound up at almost 22 percent of GNP by 2001. The spending line and the revenue line never converged, meaning that the deficit would continue unabated at about 3 percent of GNP. With GNP expected to be around \$10 trillion in the year 2001, this would translate into a deficit of about \$300 billion. More taxation is not the cure for the budget problem.

#### WHERE TO CUT

But if spending is the problem, what spending needs to be controlled?

A popular suggestion is cutting foreign aid. This may be a sore political issue, but it is no answer to the deficit. This year we will spend about \$20 billion on foreign aid out of a \$1.5 trillion budget; that's about 1.3 percent of total Federal outlays. Even completely eliminating foreign aid would scarcely dent the deficit.

Another prominent target is defense spending. The end of the cold war and the collapse of the Soviet Union do permit a reassessment of the priority given to defense spending, and such reviews are under way in both the administration and the Congress. The result is that defense spending will soon fall to the lowest levels in decades measured in real terms or as a percent of GNP. Indeed, in the next 5 years—1993 through 1997—defense outlays already are scheduled to be nearly \$150 billion lower than what they would be if adjusted only for inflation. Nevertheless, these substantial defense reductions do not translate into a budget surplus. Most of the so-called peace dividend gets swallowed up somewhere else.

Then there is overall discretionary spending. But the truth is, this is not the budget buster that some would make it out to be. Expressed as percentages of GNP, all discretionary spending declines from 9.6 percent in

1991 to about 6.8 percent by 2001. Appropriations are not the problem.

Deposit insurance costs are expected to turn around by the middle of the decade. Interest payments to service the debt accumulated through decades of deficit spending is an inescapable burden which we must pay no matter what.

Examining the CBO projections suggests where the trimming must be done. It's where the true spending problem lies: Entitlements, especially those involving health care.

While most entitlements are flat or even declining slightly as a percent of GNP, Medicare and Medicaid are projected to grow from 2.9 percent of GNP in 1991 to 5.2 percent by 2001. Until the rising costs of these two programs are brought under control—and total national health care costs as well—it will not be possible to reduce or eliminate the budget deficit.

#### THE PROBLEM IS THE PROBLEM

No one enjoys admitting this. It is much easier to look the other way, pretending these entitlements can continue expanding and that spending can be controlled elsewhere. This fear of short-term political pain is the enemy of the long-term good that would come from an on-budget surplus.

Many clever changes in the budget process have been suggested. Some of them are appealing, such as a biennial budget resolution that must be signed into law. Others are simplistic. Most are politically appealing. But, as was observed by a former CBO director, the problem is not the process, the problem is the problem. Therefore, a Republican Congress would not waste much energy on revamping budget procedures and processes. Instead it would tackle the tough job that has been avoided too long: Controlling Government spending, with first priority given to getting health costs under control.

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Mr. MICHEL. I thank the gentleman from Ohio for his fine exposition here.

Mr. Speaker, I am reminded when the gentleman made reference to waste, fraud, and abuse, that I was serving on the Committee on Appropriations a number of years ago. The General Accounting Office said there was half a billion dollars of waste, fraud, and abuse in the old Health, Education and Welfare Department. So I thought that when I came to the floor, well, I am going to test the waters out here. We offered an amendment to cut a half billion dollars from waste, fraud, and abuse. Would you believe it, it went down 2 to 1 in this House because that is the way we were outnumbered in this body?

But to give some measure of faith to the American people out there, there was 1 year when proposition 14 was on the ballot in the State of California. Now, that ballot proposition had to do

with the rising tax rates and resentment of the people to paying more and more taxes without having a rightful say to hold them in line.

The people passed that referendum to admonish and, yes, to force the legislature to change its way.

Three days after that it just so happened our bill was on the floor again in that year. I raised the ante to a billion dollars; "waste fraud, and abuse, let us eliminate it." We got a 3-to-1 vote for it because across the country came that wave of resentment from California voters saying, "We are serious about this thing; why don't you take heed, Congress?"

So it can be done, and we would encourage each and every one of those within the sound of our voices today to not lose all faith in the process. You can still be heard.

Unfortunately, we lost that ultimate billion-dollar amendment then in conference, but at least we were trying to do the best we could under the circumstances.

But, again, may I thank the distinguished gentleman from Ohio [Mr. GRADISON], for his valuable contribution today and for not only that but his deliberations in the Committee on the Budget. He has been a very valuable member also of our health task force, which has been laboring over a long period of time to help come up with our solution to that problem.

There is no one better informed, nor well versed and schooled in the entire field than our distinguished friend, the gentleman from Ohio [Mr. GRADISON].

Might I take this time then to yield to the distinguished Member who would become chairman of the Committee on Energy and Commerce if we had a majority in the House of Representatives, the distinguished gentleman from New York [Mr. LENT].

Mr. Speaker, of course, this is the committee that has to do with commerce, telecommunications, health, and some of those everyday problems that we have got to deal with. And there is no one better to do that for the Members of this House than the gentleman from New York [Mr. LENT].

Mr. LENT. I thank the gentleman for yielding.

Mr. Speaker, I commend our leader for giving this House the opportunity to describe how the House would work so much more efficiently, more democratically, more in tune with the aspirations and sentiments of the American people if we were in power here in the House of Representatives.

Let me just describe one area, energy policy.

Mr. Speaker, I say to the leader that it is simply unconscionable that 1 year after Operation Desert Storm and almost 1 full year since President Bush submitted his national energy strategy, the House has yet to consider, much less pass, a comprehensive energy bill.

Mr. Speaker, President Bush had the foresight in July 1989, long before the Iraqi invasion of Kuwait put energy back on the front page, to instruct his administration to develop a national energy strategy. He recognized the fact that 50 percent of the oil consumed in America now is imported from foreign sources and that our Nation is dangerously overdependent on the vagaries and whims of the OPEC oil cartel.

I was honored to meet with the President on February 20, 1991, to discuss the release of a national energy strategy later that day, and how to proceed with the legislative component of that strategy as soon as possible.

Mr. Speaker, I am very proud of the fact that Republican members of the House Committee on Energy and Commerce were among the first in both parties in either House of Congress to develop an energy plan, when we introduced H.R. 5735 in September 1990.

Around that time, he gentleman from Illinois, our Republican leader, BOB MICHEL, named a House Republican Energy Task Force, comprised of members from committees with energy jurisdiction.

The creation of the task force underscored the priority that we Republicans place on crafting a new energy policy.

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We, as Republicans, wanted to be in a position, able to move forward on energy policy, without delay.

By contrast, Mr. Speaker, in 1990, H.R. 5735 was referred by the leadership of this House Speaker to no fewer than seven different disparate committees. Last year H.R. 1301, the President's National Energy Strategy Act, was referred to nine different disparate committees. As we meet today, Mr. Leader, not a single one of those committees chaired by the majority has yet to report such a bill, although the Democratic leadership on every television talk show we see usually bemoans the lack of a national domestic energy strategy.

The people out there in the hinterlands and in the cities of this country have to recognize that that is all talk, no action. No action has been taken by them, although it is within their power to do so.

On March 21, 1991, on behalf of the leader's task force I introduced H.R. 1543, the Comprehensive Energy Policy Act. The bill represents House Republican efforts to develop a comprehensive and balanced energy package in a timely fashion. This bill, I might add, was cosponsored by the entire House Republican leadership, the ranking Republican members of key House committees with energy jurisdiction and dozens of other Republican Members. Our bill accepted virtually all of the President's national energy strategy and added over 3 dozen new provisions

offered by various Republican Members.

When I announced the introduction of that bill at a hearing, I presented it to my Democratic colleagues with the challenge that we had a comprehensive energy plan and asked, "Where is your plan to match it?" We also wrote to the Speaker to set a schedule for committee and floor action on energy. Mr. Leader, we are still waiting 10 months later, 10 months later waiting for an answer to that letter.

Mr. Speaker, this lack of coordination among the seven, eight, nine different separate House committees with energy jurisdiction has in effect crippled us in our efforts to place and enact comprehensive energy legislation. The fact of the matter is that a sound energy policy is important to the development of a growing economy. We have some problems with our economy right now, and we know that energy is important and the supply of energy is important to a sound and growing economy. We simply cannot afford to leave our economy hostage to future political developments in overseas oil markets, and yet that is precisely what will happen if congressional inaction, congressional indecision on energy policy, is permitted unabated to continue as it has.

The irony of our lack of energy policy is that the Office of Technology Assessment informed the Congress as recently as last October that we could be dependent on imported oil for almost three-quarters of the oil that we use in the next 20 years unless corrective actions are taken. The economic and geopolitical implications of that dire forecast are profound. This demonstrates, I think, the compelling need to send a satisfactory energy package to the President for signature before the end of the year.

While House Republicans have put such a package forward, as the minority and the leader have pointed out, we do not yet control the agenda. We can only hope that our efforts in working with the majority party will bear fruit. We are pleased that much of H.R. 1543 was incorporated in the bill approved last October by the Committee on Energy and Commerce Subcommittee on Energy and Power. That is the good news. Unfortunately there is not much time left in this Congress to enact an energy bill unless we move quickly and efficiently in the full Committee on Energy and Commerce and the other eight or nine other committees of jurisdiction, none of which have yet done a darn thing.

So, our goal, Mr. Leader, must be a comprehensive energy policy, one that emphasizes both supplying and conserving energy, as well as using it more efficiently. Republican or Democrat, we Americans share a common interest in a sound energy policy.

As we saw in Operation Desert Storm, military servicemen died, and

military action in large part was due to the strategic importance of oil and America's dependence on the continued flow of oil. Now, armed conflict and periodic economic shocks due to energy disruptions are preventable if the United States and other countries move forward on this issue. House Republicans, and this is the point I would like to make in conclusion, House Republicans have taken the lead in the energy area, and we stand ready, willing and able to bring an energy bill to the floor at the earliest opportunity, and, if Republicans were in control of this Congress—and unfortunately we are not, but were we to be in control—I can assure my colleagues, Mr. Leader, a new national energy strategy would already be the law of this land.

Mr. Speaker, I thank the gentleman from Illinois [Mr. MICHEL] for yielding to me, and I appreciate this opportunity to put forth our position.

Mr. MICHEL. Mr. Speaker, let me thank the gentleman from New York [Mr. LENT] for his great service to our party and, yes, to this entire House of Representatives. What he has said highlights one of our problems and frustrations here in this House, for example, when a complicated piece of legislation is sequentially referred to any number of committees out there, and then gets bogged down in our own bureaucracy.

As a matter of fact, we could streamline the rules around here to avoid just that kind of situation. We are speaking of an important piece of legislation having to do with energy requirements of this country, not only for today, for the generations to come, that must move through this body and the other body, and eventually get that enacted into law and signed by the President. So, we appreciate again what the gentleman from New York [Mr. LENT] does to try and move the process, frustrated only by the fact that we simply do not have the votes to make the gentleman's move a positive thing in this particular body.

Now, Mr. Speaker, probably to wrap up on our side of the aisle, the distinguished vice chairman of our Republican conference who serves with such distinction, yes, on the Committee on the Judiciary and in so many other ways around here, the distinguished gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, I thank our majority leader, the gentleman from Illinois [Mr. MICHEL], very much. As the others have said, I join in thanking him for giving us the opportunity to present the Republican case to the American people about some of the frustrations we have had, and what I want to talk about today, and talk with my colleagues about, is the whole question of crime.

Mr. Speaker, it has been exceedingly frustrating for us Republicans working

in that area for some time, as our majority leader well knows. There are four essential elements for any major crime reform, any major crime reform in this country:

One, changes in habeas corpus law to limit the virtually endless appeals of death row inmates which delay the carrying out of their sentences; two, the expansion of the so-called good-faith exception to the exclusionary rule of evidence in cases involving search and seizures so that more evidence is admissible and more convictions are obtainable; third, the restoration of the death penalty for a number of heinous Federal crimes by revising the sentencing procedures to comply with a 1973 Supreme Court ruling which declared all death penalties in the United States unconstitutional on procedural grounds; and, fourth, the creation of a provision permitting the award of the death penalty in cases of trafficking in very large quantities of narcotics. Republicans and President Bush, as my colleagues well know, have made these four key provisions the centerpiece of our crime initiatives for several years, but liberal Democrats thwarted these efforts every time.

Mr. Speaker, most recently a stacked House-Senate conference committee produced a crime bill that came out just before our recess in November with provisions on habeas corpus and the exclusionary rule which are worse than present law. Amazingly, if these provisions became law, death row inmates could use habeas corpus proceedings to delay the carrying out of their sentences even longer than they can now.

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It would be more difficult for prosecutors to get into evidence contraband seized by police with search warrants, meaning that fewer criminals would ever be convicted of crimes. That is amazing to me, but that is what is in that bill that may go down to the President in a few weeks.

In habeas corpus proceedings the Democrats would give convicted murderers twice as long to file appeals in Federal court as the proposal of President Bush. The Democrats would also allow criminals to file multiple petitions, raising issues that have already been determined in the courts. Elimination of this repetitious and unnecessary litigation has been at the heart of the Republican proposals to reform habeas corpus.

In contrast, Democrats in their proposal will increase the delay and repetitious litigation in this country. They overrule a recent Supreme Court decision to allow convicted murderers to get additional rounds of Federal litigation based on rules that were not even in existence at the time the court originally decided the case. This means that every inmate presently sitting on

death row would be given a new opportunity to file not one but many more petitions, and depending upon how long they drag out on appeal, delay could truly be endless.

That is why so many prosecuting attorneys have told us, and they have told the Democrats too, that if this became law there would never be another death penalty carried out in the United States. That is how absurd that bill is that came out of conference, that the President is going to have to face, probably with a veto, in the next few weeks.

The exclusionary rule, the one I mentioned earlier, is a court-made rule of evidence to prohibit the admission into trial of any contraband seized by police in violation of the constitutional protections against unreasonable searches and seizures. It was designed to discipline the police and to discourage the kind of unconstitutional searches that took place long, long ago.

A few years ago the Supreme Court carved out a so-called good faith exception in those cases where there is a search warrant and a police officer has a reasonably objective belief that the warrant and his search were legal. The Federal courts of appeal in two different circuits have adopted the same standard as an exception with respect to searches that are conducted without warrants, such as consent searches. No other courts have ruled on the matter, but probably if the Supreme Court got it up there, they would say, "Fine, that exception should apply there is well with the search warrant cases."

The Republican legislative initiative simply codified this so it became uniform nationwide, and all types of searches and seizures would have this exception and we would get more convictions. In the Democrat bill these exceptions are forbidden except for the cases that involve search warrants, and in cases where the warrant has been issued, not only must the prosecutor under the Democrat will show that the police officer acted in a reasonably objective manner, but he has to show also that the magistrate issuing the warrant did so properly and in good faith. This is a much tougher burden. It is a new burden. It is going to make it more difficult to get contraband into evidence and it means that more criminals are going to go free on the streets. That is how bad this bill is that the Democrats have proposed.

I am not going to get into any great details, but in 1973 the Supreme Court issued its edict on unconstitutionality of all our procedures for death row, all of the procedures for death sentences in this entire country. All of the States of the Union that had the death penalty on the books in 1973 have long ago reinstated the death penalty by changing the procedures to meet the constitutional requirement.

We have not done that at the Federal level. If somebody assassinates the

President of the United States, he does not have any death penalty threat at all. We cannot give it.

For years Republicans have proposed, as we well know, and they know, too, to restore these procedures, at least for those crimes that are already on the books. Time and time again this body has voted to do that, voted to do the right thing, but every time we have been thwarted because there has always been somebody hiding in a conference committee or finding a procedural way to keep this from happening.

The same thing is true with respect to the death penalty for drug kingpins, a little bit newer provision, but we have brought it out there two or three times, voted on it overwhelmingly here. Both of those things are in the Democrats' bill, but they have tacked on provisions I have just described on the exclusionary rule and on the habeas corpus provisions dealing with those endless appeals that would make passing these provisions meaningless, because you would never have another death penalty provision carried out in this country if you had those other provisions in there. The president is bound to veto it. This is a theater of the absurd.

While we all want to see reform, just to call it reform and pass a crime bill is not reform. What we want is to allow more evidence into trials and more convictions to result, and to stop the endless appeals of death row inmates, and that is all we want. It is long overdue. That is the bottom line. That is the basic thrust of everything we have proposed in our Republican initiatives.

It is time for the liberal Democrats in the Congress to stop playing games and pass the reform that will allow the American law enforcement community to do its job and put away heinous criminals in this country.

Mr. Leader, thank you for the time you have given me to talk about this. There are a lot of other things in criminal law we could discuss, but this is the heart of it. This is the gist of it. This is where it really matters.

Local law enforcement uses those tools we are talking about. The habeas corpus thing is not just a Federal issue, nor is the exclusionary rule. It means the difference to whether we get convictions or we do not. It means the difference of whether people go free on the street, and it means the difference of whether we will ever have a death penalty carried out again. We certainly need to watch it, and we need our proposals to get into law. It is ridiculous that they are not there.

Mr. MICHEL. Let me thank the gentleman again for all that he does on our side of the aisle in this field. It is very important to us in attempting to do what we feel is right with the problem of crime at the local, State, and Federal level.

He has made these moves as he has outlined here in his committee. But

outnumbered in the subcommittee, outnumbered in the full committee, he has had to wait until he has come to the floor to get a little bit better mix, and hopefully, since his arguments are as persuasive as they always are, to win a majority vote in this House. But then there is the frustration to have that fall apart in what is called a conference.

For those of our friends who are not aware of the procedure, remembering, of course, early on from grade school days "how is a law made." It has to pass this House of Representatives, and it has to pass the U.S. Senate. Then the differences in the bills between the two houses are resolved by representatives from this body and representatives from that body, meeting and coming together hopefully for a resolving of differences. Then back to this House again for approval by this House, back to the Senate for approval by that house, if it is approved, before it ever goes to the President for signature.

So there are all these kinds of moves here where we as Republicans, outnumbered as we are by 110 votes in this House of Representatives, do not win the day very frequently because we are simply outnumbered politically.

But I always have to give a little bit of air of confidence to our younger, junior Members who fight to get into this body to serve their country as a Representative of their people. They do play an important role, even as a vastly outnumbered minority Member.

When one is as gifted in articulating an issue as the gentleman from Florida [Mr. MCCOLLUM], who takes the well of this House and can convince the Members that his position is right and that it ought to prevail, that ought to be the kind of measure of inspiration to those of you who say, "I would like to be a participant in the process, but it seems to be so fruitless and useless. Is there any opportunity to serve?" You bet there is, and we welcome that opportunity.

Obviously, we would like you, running as a Republican, to beat a Democrat incumbent so that we would have a majority one day in this body. I would sure enjoy it before I leave this body, to one day say, "We are in the majority." I think that would make a great deal of difference around here.

That is why we took this special order today, not because we have any real antagonism toward our Democratic counterparts. It is a free country and we are all subjected to the electorate out there. But we want to underscore and emphasize what the plight of our Republicans in the House has been over my entire tenure in this body.

To be subject to being a permanent member of a minority party, for all practical purposes, gets to be mighty frustrating, yes, and debilitating at times. But I would like to hold out

that measure of hope. I think we are going to make significant progress this year, because we have got the arguments on our side, and yes, because we have such fine people as you have heard here today in our special order as incumbent Republican Members presenting their case.

Hopefully there will be many, many more young Members out there, men and women alike, who will see fit to stand for election and to serve in this very distinguished House of Representatives. I have devoted I guess better than half of my life to it. I like the service. I enjoy the service. We are frustrated because we cannot have our way on so many of the important issues of the day. Be that as it may, nevertheless, we all have a chore to perform.

I want to thank my Members, each and every one who participated today and made this special order what it is, for the RECORD.

□ 1310

#### THE OLDER AMERICANS' FREEDOM TO WORK ACT

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

Mr. DOOLITTLE. Mr. Speaker, I have enjoyed what I have heard of the Republicans' presentation, basically talking about the effort to cut taxes and improve job growth and economic opportunities for Americans. I am here as well to speak on one aspect of that as it relates to older Americans, people who have retired and are on Social Security.

Mr. Speaker, I am here today to advocate that the earnings limit on retired Americans who are working should be repealed.

This limit has no place in modern America. It was placed into the law, frankly, in the Depression, in order to take productive people and move them out of the work force into retirement to create jobs for unemployed younger people that were in desperate times.

We now need to recognize that 65 is not as old as it once was, and that we have many Americans who desire to be active and take a job and be able to enjoy the fruits of their labor.

Yet, shockingly, this group of older Americans who are retired pay at the highest marginal tax rate of anybody in the country, even multimillionaires.

Why is that? Because not only do they pay State and Federal income taxes, but they also pay, of course, Social Security taxes. Then in addition they have this huge earnings limit which imposes a 50-percent tax above a certain level of income earned.

Mr. Speaker, that is unjust, it is wrong, and we need to change it and recognize that older Americans ought

to be able to make their contribution to society and be able to enjoy the fruits of their own labor.

Mr. Speaker, I have coauthored the Older Americans' Freedom to Work Act which is pending in the House of Representatives. This act will repeal this outdated and unfair earnings limit. I hope that my colleagues will join with me in restoring freedom of opportunity to work for older Americans.

#### THE NECESSARY REVOLUTION: WHAT AMERICANS MUST DO TO CREATE JOBS, PROSPERITY, AND SECURITY

The Speaker pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I am going to speak today about the necessary revolution replacing the welfare state. I want to share with my colleagues a set of principles about the future of the country that would allow us to create an opportunity for society to replace the welfare state and to have the kind of future we want.

I want to start by quoting Edwards Deming, the man who taught the Japanese quality.

Transformation of American style of management is not a job of reconstruction, nor its revision. It requires a whole new structure, from foundation upward.\*\*\*Only transformation of the American style of management and of governmental relations with industry can halt the decline and give American industry a chance to lead the world again.

That is from a book by W. Edwards Deming, "Out of the Crisis."

American needs "transformation" and we get timidity. We need "a whole new structure, from foundation upward" and we get half-steps, partial reforms, and marginal changes. The result is loss of jobs, loss of real purchasing power, and loss of security.

While most American leaders hide in the decaying institutions of the past which are the base of their leadership, most Americans know in their heart and their gut that we are failing to compete, failing to solve problems, and failing to lay the foundation for a better future. This deeper understanding by people than their leaders is at the core of the anxiety people feel about the current recession.

The failure to create "a whole new structure" leads Americans to believe we will continue to lose ground in the world market and continue to see our standard of living erode and our jobs disappear. The fact that Americans are ahead of their leaders underlies Federal Reserve Chairman Alan Greenspan's recent testimony that, "There is \*\*\* a deep-seated concern which I must say to you I have not seen in my lifetime."

We will not solve our problems by half measures. Years ago, when quality

was first taught in America we might have made a gradual, cautious transition. It is now too late for that approach. We have wasted too much time. The great irony is that the changes we need revolve around four American ideas of quality, technological change, entrepreneurial free enterprise, and the basic American values which are at the heart of our more than two century experiment in freedom.

First, consider the revolutionary impact of quality. Edwards Deming first lectured the Japanese on his concept of quality in 1950. Today, the highest award for productivity in Japan is the Deming Award. Deming's quality is a concept which has allowed the Japanese to develop extraordinary productivity. Yet it was originally an American concept developed by Americans and used by Americans. If we are again to create high value, based on high productivity, producing high take-home pay, we must master the concepts of quality. That mastery will require constancy of purpose and the flexibility to engage in continuous improvement. Yet the welfare state's values and structures block the development of that quality. We believe America's survival as a prosperous, free country requires the replacement of the welfare state. The national transformation must start with a peaceful, political revolution.

Second, if quality requires a revolution to replace the welfare state, that is even more true of the impact of technological change. Consider the use of technology in 24-hour automated bank tellers, instant credit card verification and authorization, or the nationwide realtime air traffic control system and then look at most government. Most of our schools are preaudio tape and precomputer. Most of our bureaucracies are at virtually a manual typewriter rhythm of inefficiency.

The opportunities to use technological change to improve our quality of life, our productivity, and our competitiveness in the world market are extraordinary. The opportunities to dramatically improve education and health care are virtually untapped. The opportunities to redesign bureaucracy using technologies to give citizens greater choices, greater convenience, and lower costs are virtually unending. Yet the current welfare state simply blocks the future.

A thorough revolution will have to replace the current bureaucratic structures with a technology oriented opportunity society. Only then will we and our children have the opportunities technological advance offer and Government currently blocks.

Third, we are preaching the principles of entrepreneurial free enterprise in Poland, Hungary, Russia, and the Ukraine but not in our own country. We issue more Government regulations while urging Mexico and Argen-

tina to deregulate. We advocate more Government intervention in our own society while telling the Czechs and East Germans they need less government.

We live in a time when the mayor of St. Petersburg—formerly Leningrad—is literally to the right of the mayor of New York City. We live in an age when we are urging the privatization of apartments in Moscow but our biggest city retains rent controls from World War II.

We must reestablish the central importance of small business, entrepreneurship, and the principles of free enterprise. We must replace the bureaucratic mindset with the entrepreneurial spirit. We must replace the constant growth of welfare, of redtape, and of bureaucracy with a new generation of opportunity, job creation, and new businesses.

Fourth, and finally, we need a reassertion of the basic American values which have made this country a unique center of freedom and opportunity for all humans everywhere.

For two generations we have attempted to force Americans to accept welfare and to obey bureaucracies. It is time to recognize that the Great Society vision of centralized government and redistribution of wealth has failed. Ultimately, it led to speeches about malaise and the limits to growth.

The vast majority of Americans agreed with Ronald Reagan's first inaugural address in 1981 when he reminded us that, "We have every right to dream heroic dreams, after all we are Americans."

Our heroic dream is that hope can replace malaise, opportunity can replace welfare, the unbounded genius of free men and women can surmount so-called limits to growth, and freedom can overwhelm bureaucracy. We must encourage achievement, encourage dreamers, and create incentives for greatness. Compared to the redtape, envy, and limitations of the welfare state, that would truly be a revolution.

Some will argue that revolution is too strong a word, that our goals are too bold. Yet consider just the following examples of absolutely necessary changes that any reasonable analysis would consider revolutionary.

□ 1320

If you tuned into the local evening news for a week and did not see a single murder because we had won the war on violent crime and drugs—that would be a revolution.

If our 12-year-old girls and boys were in no danger from AIDS or pregnancy because they were too busy studying to beat the Germans and Japanese at math and science—that would be a revolution.

If every able-bodied adult under 65 who got a government check worked for it and, with their help, our streets

were clean and safe—that would be a revolution.

If we had a revitalized health system that guaranteed every citizen insurance while maintaining choice for the consumer and a commitment to the best quality and most advanced care in the world while cutting out destructive red tape and unnecessarily expensive lawsuits—that would be a revolution.

If our tax and welfare laws combined to make us a work oriented, savings oriented, investment oriented, and achievement oriented country so American workers had the best jobs with the greatest productivity and the highest take-home pay because we once again dominated the world market—that would be a revolution.

Finally, if our government was lean, efficient, and customer friendly—that would be a revolution.

The goals of most Americans are simply not compatible with the welfare state. Either we have to accept the decay and decline the welfare state is causing or we must have a peaceful political revolution to reestablish opportunity for all Americans.

We believe this revolution is vital to the prosperity of Americans and the survival of America as a world leader. We believe the welfare state is literally crippling our country.

We believe another generation of drug addiction, violent crime, illiteracy, skyrocketing health cost, expensive litigation, and antijobs tax and regulatory policies will destroy America's capacity to lead and will permanently impoverish our children both economically and spiritually.

A world without a strong America will be less democratic and less governed by free markets. That world will be more dictatorial and more violent.

Therefore, we believe that our entire future is at stake. We believe the safety and prosperity of our children and the world's children is at stake.

We believe a revolutionary replacement of the welfare state is literally a question of success or failure, prosperity or poverty, safety or danger, both for our children and our country.

We believe it is possible in an opportunity society to offer health, learning, safety, and jobs to our poorest children in our poorest neighborhoods.

We believe it is possible to create the opportunity for every American to develop a more prosperous future while establishing a framework of security for senior citizens truly to relax in their retirement years.

In an opportunity society, Americans can dream again of a boundless future. In the welfare state, we're trapped in decay. That is why we are committed to fighting for the necessary revolution to replace the welfare state with an opportunity society now.

The failure of the welfare state is clear.

This revolution is necessary because the welfare state has failed both to

achieve its goals and to reform itself. The welfare state has increased poverty, not decreased it. The welfare state has increased ignorance while spending more on education, increased fears about health while spending more on health care, increased fears about drugs and violent crime while ineffectively decrying the very violence it spawns.

The welfare state has proven most destructive in the cities it most dominates. It is precisely where the most money has been spent and the most bureaucrats hired that the welfare state has crippled and deformed the largest number of human beings. In New York City, Boston, Philadelphia, Detroit, Washington, DC, and virtually every large city, we have spent more on the welfare state and the result has been extraordinarily destructive of human lives and human hopes.

If any private business had mistreated people as badly as the welfare state has in our largest cities, we would have forced the business into bankruptcy and tried its executives for criminal negligence. The time has come to end the welfare state and to replace it with an opportunity society based on very different principles, processes, values, and goals.

We emphasize three principles: That this must be a change so complete as to be a revolution; that such a revolution is unavoidably necessary; and that our Founding Fathers gave us the political process through which the American people can peacefully enact a revolution.

#### A REVOLUTIONARY REPLACEMENT OF THE WELFARE STATE

First, we believe no reforms within the welfare state can be effective. For over a decade we have participated in partial reforms affecting welfare, crime, drugs, education, health, and the effectiveness of government bureaucracies. By any reasonable standard, these reforms have failed.

We have concluded that the very values, structure, and nature of the welfare state doom it to failure. It is impossible for unionized bureaucracies with rigid work rules to adopt quality programs, to involve volunteers effectively, or to show flexibility and creativity in stretching scarce resources and setting priorities.

The core values of the welfare state when put into practice have the effect of protecting the criminal at the expense of the innocent. They have the effect of encouraging 12-year-old girls to have children. The welfare state is encouraging 15-year-old boys to promiscuously impregnate girls, in effect to father without becoming a father. These values have the effect of spending more and more resources on unproductive bureaucracies while taxing and regulating small businesses and job creators until they either leave for a better environment or simply close and kill the jobs they have created.

The list could go on, but the principle is clear. Whatever the intentions of those who favor the welfare state, the effect has been devastating.

We conclude that it is necessary to replace the welfare state because its most fundamental flaws cannot be reformed. They cannot be reformed because they are the core of the welfare state.

We would replace its welfare values with opportunity society values based on work, savings, achievement, and effort. We would replace its liberal values with conservative values including strong support of police, prosecutors, and prisons; requirements that prisoners work and learn; and a determination to take every step necessary to defeat drugs and violent crime within the framework of our constitutional safeguards. We are committed to discipline, homework, and an achievement-based educational system that can match the Japanese and Germans in math and science.

We favor the marketplace over bureaucracy as the primary mechanism to encourage change. We favor volunteerism and service to others whenever possible. We believe government should be redesigned to reinforce the marketplace and voluntarism. We see a welfare state that is opposed to free markets and hostile to volunteers.

We believe the concept of quality taught by Deming, Joseph Juran, Phil Crosby, and others has to be applied to our government as well as our corporations. Indeed, we believe every citizen must learn the key principles of quality so that our country can be committed to quality at all levels. Yet it is clear from any study of Edwards Deming's profound knowledge" that the welfare state cannot possibly achieve quality. The process of continuous improvement, flexibility, and change required by quality is simply impossible within the current bureaucracies of government. A quality change by definition must be a revolutionary change.

We favor a bold shift away from an absurdly expensive litigation approach to malpractice and liability. We cannot continue to graduate more lawyers than engineers and compete in the world market. As President Bush has advocated for the last 3 years, we must shift toward arbitration, mediation, and conflict resolution processes. That would clearly be a revolution compared to our current legal system.

We believe in helping create American jobs. The current government approach to business is that of an adversary, regulator, and policeman. That approach must be replaced by government as the ally of American business in the world market. From antitrust to trade negotiations and to research and development strategies, American businesses and American workers are crippled when their own government

establishes one-sided rules and one-sided behaviors. These weaken American jobs but have no impact on foreign competitors. The opposite is necessary. Americans must work together as a team successfully to compete in the world market and create jobs.

We believe the burden of health care cost, redtape, and litigation is now a major handicap to American business in world market competition, a major burden to every taxpayer, and a threat to every American family. We must shift away from rigid centralized bureaucracy and absurd malpractice rules. We must maximize preventive health care, emphasize wellness, and provide incentives to reestablish the consumer's choice and consumer's responsibility while ensuring every American's access to health care. We must decentralize decisions on health care for the poor to State and local government, establish a commonsense approach to malpractice, and reestablish the commitment to having the best health and wellness system on the planet.

□ 1330

We believe education is a vital key to a successful, competitive American economy. The information-industrial revolution places a greater and greater premium on education and training. Since technology and competition are changing constantly, we will have to learn constantly. We need a thorough revolution in education to establish lifelong learning. We must create a convenient, easy to use approach that allows all Americans to learn as rapidly as possible and make us much progress as quickly as possible. We cannot write off millions of adults who need to keep learning. We cannot continue to lose millions of young people who graduate with inadequate preparation. There is no sector in American life in which the coming revolution is more necessary or more vital.

We believe the welfare state combination of welfare payments, rules for health care, and the Tax Code as created a strong bias against work, savings, and investment. Our major competitors all have tax systems that are much more prowork, prosavings, and proinvestment. As a result they are building newer factories, buying newer technology, and creating greater productivity. Since higher productivity is the essential foundation for any real increase in income, it is the most vital economic goal of a healthy society. We must replace welfare with workfare for all able bodied adults under retirement age who receive government checks. We must create a transitional process actually to encourage people to leave welfare by providing an opportunity to buy into basic health insurance as they have work, savings, investment, and achievement. We want the maximum number of new entrepreneurs creating

new businesses and new ventures. That will create the largest number of new American jobs with the highest productivity, the greatest value added, and the highest take-home pay in the world. We also want strong tax incentives for existing businesses to invest in education, training, new equipment, and research and development so its employees will also have the world's highest take-home pay. Only a thorough revolution in both the welfare system and the tax laws will create the kind of economic growth we believe the American people deserve and the American Nation needs.

We believe this new effort to create an economically dynamic America should include special efforts for urban and rural pockets of poverty. In order to create jobs for poor Americans, we believe in the strongest possible tax incentives, including zero capital gains, a massive investment tax credit for each new job, and special tax credits for hiring the hardcore unemployed and developing special job-related apprenticeship and training programs for lower-income workers. We also recognize that inner city and rural America each have unique problems that must be resolved before prosperity can occur.

We believe no real job growth can occur in the inner city until we have truly won the war against violent crime and drugs. No reasonable person will invest in a war zone. Within our constitutional safeguards, we favor the strongest and most thorough measures in a combined local-State-Federal effort to ensure safety and impose order. We favor whatever steps are necessary to end the cycle of violence and drug use which are destroying our inner cities and killing our children, including a combination of additional police, special deputies, temporary prosecutors, temporary judges, and additional prisons—including the use of surplus Federal military bases as prison sites—and requiring work and study in prison.

We also believe big city bureaucracies must be challenged to cut their redtape for business by 50 percent and to return to the number of municipal employees per thousand citizens they had in 1950. Ironically, the more cities have decayed economically the more bureaucrats they have hired, the more taxes they have imposed, and the more antibusiness regulations they have created. Big city governments have become antijob, antigrowth, antitake-home pay engines which devour their own city's future. Our revolution must take place at city hall for jobs and economic growth to return.

We believe rural America could be on the verge of a generation of breathtaking growth and an explosion of opportunities. The new technologies are shrinking time and space. With creative cooperation between government and business and an appropriate set of economic incentives—including tax

credits—it should be possible to bring world class education, health care, and job opportunities to the most rural communities. Fiber optic cable, satellite transmissions, and high-speed computing may revolutionize rural America for the 21st century even more fully than the railroads did in the 19th century. The bureaucracies, regulations, taxes, and subsidies of the welfare state focus almost entirely on subsidizing the past and, in the process, help block the future. We want to revolutionize opportunities for income, quality of life, education, and health care and expand the list of possibilities for rural Americans just as rapidly as possible.

We believe these opportunities must be available to all Americans without discrimination. We also believe the government itself should not favor or enforce discrimination. We oppose quotas and set-asides based on ethnic definition or genetic code. We believe in an integrated America in which each person in every part of the country should have the maximum opportunity to improve his or her life. We believe in affirmative opportunities for those from a culture of poverty or in genuine economic need. However, helping a millionaire's son or daughter because they fit the right quota, while denying the child of a low-income worker because they are in the wrong quota, is simply wrong. We also believe that any efforts to set up group politics based on quotas and set-asides is inherently destructive of that ideal.

Finally, we believe that America is permanently tied to the world market and has a permanent interest in maintaining international security. We must learn to compete in the world market because we cannot retreat from it. The greatest productivity, the highest value added, the widest choice of products, and the greatest take-home pay are all going to be found by competing in the world market. To retreat from competition is to accept decay. We must be tougher in negotiating with our trading partners, but our goal should be to increase American exports and to create American jobs, not to decrease imports and kill foreign jobs.

We believe that American involvement in the world must continue to include a strong military and foreign policy leadership role. The world will remain dangerous. The end of the cold war may lead to an increase in violence around the planet. Because of the new technologies of mass destruction, increased travel by Americans, the worldwide communications and transportation system, and the interactions of the world market, it is clear that America and Americans may be more vulnerable in the future. Therefore, our national security requirements in the military, diplomatic, and intelligence areas will remain vital to our safety and security.

While we consider national security the first duty of government, we do believe every commitment of defense and foreign aid developed during the cold war must be critically reexamined. We are living in a new revolutionary era with new national security requirements. In the new post-Soviet era, every military base, every aspect of force structure, every procurement item, and every dollar of foreign aid needs to be critically questioned. Similarly, our intelligence activities need to be reexamined and restructured to meet the new requirements of American national security. We are just as prepared to be revolutionaries at the Defense and State Departments and with the intelligence agencies as we are with the domestic welfare state.

#### THE NECESSARY REVOLUTION

We believe this revolution to replace the welfare state is vitally necessary to America's prosperity and safety. We do not believe this is merely a matter of desirability or of ideological preference. We believe that continuation of the welfare state will kill jobs, lower the American standard of living, and end our ability to lead the world.

There is a quality revolution sweeping the planet which has an amazing impact on productivity. Companies that develop a process of continuous improvement, that focus intensely on the customer, that involve all their employees in training and improvement, and that apply Deming's "profound knowledge" are literally in a different era of productivity than those which do not. By applying the principles of Deming, Juran, Crosby, and their associates, it is possible to develop new systems, apply new principles, and achieve levels of effectiveness and quality that were historically impossible.

This quality revolution is a cultural revolution as decisive and as powerful as Henry Ford's invention of the mass production assembly line and Frederick Taylor's Scientific Management. Just as the American system of mass production changed the world and won two world wars, similarly the American system of quality, as taught to the Japanese and improved by them, is changing our world.

In the early 20th century, countries found that they had to learn the new mass production and assembly line system or simply be economically overwhelmed. Further, they discovered that their military power relied on the same revolution in production technologies. In the late 20th century, we are learning that we have to adopt the quality revolution or we will cease to be competitive.

Those American companies that are intensely committed to quality, Motorola and Milliken are two examples, are making dramatic progress. However, individual companies will not be able to save America. As Deming points

out, our education system, our health care system, and our legal system are enormous handicaps to American quality efforts. Our work force simply is not educated enough to compete in the world markets.

Our health and litigation systems impose economic burdens on American companies that their foreign competitors do not have to carry.

These three failing systems are the equivalent of our entering a footrace carrying a 50-pound weight that the other racers can ignore. As powerful as it is, the quality revolution does not exist in isolation.

Four revolutions are transforming the world. These four concurrent revolutions are: first, the political revolution; second, the world market economic revolution; third, the technological revolution; and, fourth, the cultural revolution as people seek permanent values in a world of constant change.

The news about the former Soviet Union, South Africa, Europe 1992, and other virtually daily events prove that there is a political revolution. A walk through any mall or store will convince you that there is world market undreamed of in your childhood: microwaves, VCR's, cable television, and portable telephones are small reminders of the scale and momentum of technologies that did not exist 30 years ago.

Finally, the revival of values seems worldwide and driven in part by a search for stability in a changing world.

With four concurrent worldwide revolutions under way, the only practical position is to favor a peaceful political revolution in the United States. It is inconceivable that the current structure of the big-city welfare state can compete in a revolutionary world. The drug-ridden, violence-ridden, uneducated, and unproductive neighborhoods that can be found in almost every major city are disgraces to the American people.

We owe it to the residents who have been denied safety, prosperity, and opportunity to replace the welfare state which has so thoroughly failed them. We owe it to the country's future to replace the welfare state everywhere and replace it with a proquality, pro-technology, profree-market opportunity society. Failure to replace the welfare state will not merely be an ideological defeat for conservatives. The survival of the welfare state will cripple America in the 21st century and our leadership role in the world and it will dramatically lower the standard of living for most Americans.

This revolution is truly necessary and not merely desirable. It must happen, a peaceful political revolution.

The Founding Fathers created a powerful system for each generation to have, to paraphrase Thomas Jefferson, its own necessary revolution. Our Civil

War should be cultural and political, not military.

We have political campaigns led by candidates rather than military campaigns led by generals. We use ballots and not bullets, and our battlefields are the precincts in which Americans vote.

Every citizen who has complained about taxes, bureaucracy, inefficiency, indifference, and ineffectiveness of the welfare state now has an alternative.

Most Americans are tired of violent crime, drugs, inadequate education, overly expensive health care, too many lawsuits, welfare that encourages decay, and taxes and bureaucracies that kill American jobs and weaken the American standard of living. If every person who is fed up with these failures will register and vote to replace the welfare state, the revolution will occur in 1992 and 1993.

We will seek to run candidates at every level, from school boards, to city and county governments, State legislatures, and on to Congress who are committed to replacing the welfare state. We will fight for a revolutionary platform that will lead to the replacement of the welfare state.

The challenge to our generation of Americans is clear. America met challenges in the cold war and in Desert Storm. We believe we can find just as much courage and commitment to meet the challenge here at home.

If you want jobs, you have to register and vote. If you want a lasting standard of living, you have to register and vote. If you want good education and health care, you have to register and vote. That is our message to those who want change: revolutionary vision, incremental steps.

We are not advocating a sudden overnight wholesale replacement of our current welfare-state structure. We do not believe that any one group is able to plan and execute changes on the scale now required.

Furthermore, the lessons of the quality revolution clearly indicate that continuous improvement and constancy of purpose are dramatically more successful than sudden bursts of effort. We believe the key is to establish the revolutionary vision of an opportunity society, and the key principles which would distinguish that society from the current welfare state.

As President Bush has said:

There is a better way, one that combines our efforts, those of a government properly defined, the marketplace properly understood, and service to others properly engaged. This is the only way, all three of these, to an America whole and good.

Then we would encourage every level of government to begin reforms and experiments designed to replace the welfare state. HUD Secretary Jack Kemp's HOPE Program for public housing tenant self-management and ownership is one example of the right incremental

change for a revolutionary goal. Education Secretary Alexander's America 2000 Program is an effort to organize communities and recruit citizen participation to break away from the welfare state failures in education. Health and Human Services Secretary Louis Sullivan's commitment to preventive health care and his bold pronouncements on male and family responsibility are a clear break from welfare-state values.

Govs. John Engler of Michigan and Tommy Thompson of Wisconsin and Bill Weld of Massachusetts have brought about exemplary breakthroughs in welfare and health reform at the State level.

While Deming discovered profound knowledge and quality, and Adam Smith outlined the principles of a free market over 200 years ago, the fact is that each community, State, and Federal department will have to learn the basic rules and then apply them to their own locality. America is too large and complex for any centralized approach to work.

Finally, just as Deming and other quality experts emphasize employee involvement in creating a corporate culture of quality, we will need citizen involvement to create a quality of replacement for the welfare state.

Precisely because this is truly a revolution in vision, values, principles, and goals, there are virtually no experts to define the correct steps. In fact, the vast majority of so-called experts and professionals know exactly the wrong things. They studied the principles of the welfare state and the values of a philosophy that simply does not work. In many instances, citizens will be much better off following their own instincts rather than relying on experts in a failed program.

First, we must establish the revolutionary vision, goals, values, and principles of the opportunity society and build a consensus that we are going to replace the welfare state, then the cumulative impact of hundreds of thousands of small incremental steps taken on a decentralized basis will begin to build momentum. Once the process of replacement has begun, the creativity of millions of Americans in thousands of locations will ensure the success of an opportunity society and the demise of the welfare state.

When I first began talking about the necessary revolution over a month ago and sharing with people where we had to go and what we had to do, and gathering ideas and talking with a wide range of people in the Federal Government, in State government, in city and local government, the response over and over was that that was the right general direction, that if we could follow a basic model of developing the right vision, then collecting and developing strategies to implement that vision, then designing projects to imple-

ment those strategies, then developing the day-to-day tactics that we need to work together so we could begin with a radical vision of where America has to go to replace the welfare state, and then gradually develop the specific strategies and tactics, that we could, in fact, succeed.

In talking with a number of Governors, in talking with a number of mayors, in talking with Members of Congress, in talking with the President and his senior advisers, it became obvious that it was possible to launch a revolution to replace the welfare state.

Let me suggest that if anyone listened carefully to President Bush's State of the Union Message, you see the same key direction. He described the need for real change and the scale of real change.

□ 1350

He said, for example:

The workplace of the future will demand more highly skilled workers than ever—more people who are computer literate, and highly educated.

We must be the world's leader in education. We must revolutionize America's schools.

My America 2000 strategy will help us reach that goal. My plan will give parents more choice, give teachers more flexibility, and help communities create New American Schools.

In other words, in the area of education, the President uses the word "revolutionize." He talks about a revolution. He suggests a scale of change which if we are honest with ourselves is literally a revolution in education and is a replacement of the current patterns with new, more powerful patterns.

We talked about the importance of technology, and what did the President say?

We must encourage research and development. My plan is to make the R and D tax credit permanent, and to provide record levels of support—over 76 billion dollars this year alone—for people who will explore the promise of emerging technologies.

The President went on to describe the need to rethink from the ground up how we deal with the very real human problems. He said:

We must strengthen the family—because it is the family that has the greatest bearing on our future. When Barbara holds an AIDS baby in her arms, and reads to children, she's saying to every person in this country "Family matters."

I am announcing tonight a new Commission on America's Urban Families.

You know, I had Mayors, leading Mayors from the League of Cities in the other day at the White House and they told me something striking. They said that every one of them, Republican or Democrat, agreed on one thing: That the major cause of the problems of the cities is the dissolution of the family.

They asked for this Commission, and they were right to ask, because it's time to determine what we can do to keep families together, strong and sound.

President Bush is right at the core of things. Until you rebuild and reestab-

lish the family, until you change laws to strengthen the family, until you reshape the bureaucracy to help the family, until you replace welfare with workfare to help the family, until you do the things necessary so that a child grows up in a decent family with adequate prenatal care, with the clear sense that their family owns and controls their immediate space, with an opportunity to know that work matters, to live in a safe neighborhood, to go to a school that works so they can actually learn something, until those things happen, we are never going to solve the problems of the current city, and throwing money down the current welfare state rat hole will not improve anything.

The President went on. He said:

Ask American parents what they dislike about how things are going in our country, and chances are good that pretty soon they'll get to welfare.

Americans are the most generous people on earth. But we have to go back to the insight of Franklin Roosevelt who, when he spoke of what became the welfare program, warned that it must not become "a narcotic" and a "subtle destroyer" of the spirit.

Welfare was never meant to be a lifestyle; it was never meant to be a habit; it was never supposed to be passed from generation to generation like a legacy.

It's time to replace the assumptions of the welfare state, and help reform the welfare system.

States throughout the country are beginning to operate with new assumptions: That when able-bodied people receive government assistance, they have responsibilities to the taxpayer. A responsibility to seek work, education, or job training—a responsibility to get their lives in order—a responsibility to hold their families together and refrain from having children out of wedlock—and a responsibility to obey the law.

We are going to help this movement. Often, state reform requires waiving certain federal regulations. I will act to make that process easier and quicker for every state that asks our help.

Now, the President is indicating the strong support of those of us who want to replace the welfare state with workfare. A bipartisan movement toward workfare is appearing across the country. Democratic Gov. Jim Florio of New Jersey signed a dramatic reform program. Gov. John Engler of Michigan, a Republican, has a dramatic reform program. Governor Thompson of Wisconsin has pioneered Learnfare where if your children do not show up at school after missing three times in 1 month, they deduct \$100 from your welfare receipts, and that has changed the bias in favor of making sure that those poor kids get to the classroom. In California, Gov. Pete Wilson may be proposing a most dramatic and bold welfare initiative in the country to replace the current welfare system with a big step toward workfare, and President Bush is leading the way, trying to move the country toward the right values, toward the right hope.

And of course, we want to have people who are able to control their own

lives. That is why it is so important that the President said, as he did the other night:

I ask you tonight to fund our H.O.P.E. housing proposal—and to pass my Enterprise Zone legislation, which will get businesses into the inner city. We must empower the poor with the pride that comes from owning a home, getting a job becoming a part of things.

Jack Kemp's leadership in that area, like Lamar Alexander's leadership in education, gives us a real chance to create real opportunities to have a much better, much healthier country.

Let me say finally that we have to expect that those who live off the welfare state bureaucracy, those who have profited from the welfare state, those trial lawyers who believe that their personal future, their income, is tied to the current system of litigation and malpractice, those union leaders who have had unusual advantages, all of those people who believe ideologically in a left-wing socialist redistributionist welfare state system, legitimately are going to fight for their world.

You may say, but who would really fight against this kind of change? Who would really try to keep poor people trapped in a welfare state? Who would really oppose reform?

Let me give you an example of some people who have a big vested interest in protecting the welfare state and raising taxes on working Americans and avoiding the revolution we are describing. It is described in an article in Reader's Digest entitled "How Unions Stole the Big Apple" in the January issue, which I recommend to everyone. The subhead is "Public-Employee Unions Have Brought a Great American City to Its Knees. Could It Happen Where You Live?"

I want to read this article, and think about these folks who have unbelievably padded jobs, who are described by one person after I explained this, they said, "You know, they have negotiated welfare, because their jobs would make no sense in any business in America, and these folks are going to fight bitterly, long and hard, against the necessary revolution. They are going to try to block the opportunity society, because they are one of the few groups making a profit out of the welfare state.

Let me read to you Rachel Flick's article from the Reader's Digest in January, "How Unions Stole the Big Apple."

#### HOW UNIONS STOLE THE BIG APPLE

(By Rachel Flick)

When principal Perry Sandler of New York City's Intermediate School 145 learned that custodian Al DeCiantis would be assigned to his school, he called DeCiantis's former school. The other principal could not have been happier that the man was leaving. DeCiantis, Sandler would find out, "goes by the contract"—the four words that strike dread in the heart of every New York public-school principal.

The custodians' work rules—thanks to Local 891 of the International Union of Operating Engineers—require DeClantis to sweep only every other day and to mop only three times a year. Cafeteria floors must be mopped just once a week, even though the cafeteria at I.S. 145 handles five lunch shifts a day and serves as a classroom after that. In those classes, says Sandler, "the kids pretty much learn around filth." In the rest of the school, squads of students and teachers pick up trash the custodian won't.

For work like this, New York's school custodians average \$57,000 per year. With part-time contracts at other public schools, some boost their salaries as high as \$80,000 and pad them with taxpayer-subsidized equipment—from weed-cutters to Jeeps—that after five years is theirs to keep.

Custodians are not the only New York City employees whose union-negotiated contracts beggar and infuriate taxpayers. By 1990, there were 353,000 people, from police officers to teachers, on the city payroll. Their collectively bargained labor contracts cost the city \$13.3 billion a year. That's bigger than the budgets of 47 states.

By May 1990, a \$3.5 billion budget deficit threatened the city with bankruptcy. Yet even in this emergency, public-employee unions resisted efficiencies, refusing—in the words of Teamster leader Barry Feinstein—"to be cowed by the fiscal crisis." The bottom line as one city manager sees it: "The unions have a stranglehold on New York."

How have public-employee unions brought one of America's great cities to its knees?

1. *Contracts that guarantee bloat.* According to the independent Citizens Budget Commission, in 1989 New York was forced to employ nearly 40 percent more workers per capita than other large cities to do the same work.

Ten years ago, for example, three men rode on New York City's garbage trucks. Two could do the job, and eliminating the third would save \$30 million a year. But the Uniformed Sanitationmen's Association was opposed. To bring the union around, New York made a deal that plagues it to this day.

The city promised to kick back 25 percent of the savings from two-man trucks to the remaining workers. Today, those bonuses cost taxpayers \$16.5 million per year. And New York promised that it would not reduce the number of garbage trucks it sent out each day unless the union agreed.

In 1986, New York added recycling trucks to its sanitation force. Because the union would not agree to the number of regular trucks being cut back, many sanitation routes became substantially lighter and briefer. Today many \$40,000-a-year sanitation workers finish their work in as little as four hours and spend the rest of their salaried day lifting weights and relaxing.

2. *Maximum time off.* The average New York City employee works considerably less time than his private-sector counterpart. An entry-level worker gets three weeks of paid vacation his first year on the job. That's on top of 12 days' sick leave and 12 holidays. Most private-sector workers get only seven to nine holidays. After 15 years, city employees get a total of 51 days off. Yet giving every employee just one day off costs taxpayers \$4.2 million.

New York City teachers have even more generous schedules. And because the school day is short, an estimated 40 percent have second jobs.

Alexander Levy began teaching English in New York City's public schools in 1963. His salary when he retired this year was \$52,750. For this he worked 180 days a year, six hours

and 20 minutes per day, including lunch and preparatory periods. This schedule left him time for second jobs in the afternoons and summers.

In 1978 Levy took a year's sabbatical to work on his doctorate. In 1983 he took a second sabbatical to travel the country developing a private student-counseling business that he ran while still teaching. Through both sabbaticals, the city continued to pay Levy 60 to 70 percent of his salary.

Levy took a retirement incentive that gave him pension credit for three more years of work than he had put in. As a retiree, he is thus entitled to \$40,800 a year. For life. He is 55.

3. *Resisting discipline.* In 1989, the United Parcel Service complained to New York City's Department of Investigation (DOI) that its trucks were getting billed for parking tickets they never received. In an undercover investigation, the DOI observed traffic-enforcement agents writing phantom tickets while they loitered in restaurants or browsed through luxury stores.

How could city employees have ignored their duties so brazenly? For one thing, those in charge of watching the traffic agents are members of the same union. Not surprisingly, investigators found that the traffic agents' supervisors made "infrequent and ineffectual field visits." What's more, even to reprimand a worker, an agency must serve him with written charges. The employee is entitled to a hearing, to representation by his union or a lawyer and to call witnesses in his behalf.

4. *Protecting their turf.* Unionized city employees don't just object to private competition—they fight it. Last June the Astoria Pool, a public swimming pool in the borough of Queens, was getting a badly needed coat of paint from the mayor's City Volunteer Corps. The CVC organizes teenagers, many of them school dropouts, to work on city projects for carfare, lunch money and work experience.

But before the CVC could finish the pool, Al Carrozza, president of Local 1969 of the Civil Service Painters' Union, appeared on the scene and told the youths that the work they were doing was dangerous and illegal. The volunteers "stopped right away," says John Ciaffone, assistant commissioner of the Parks Department. The job then had to be finished by unionized employees.

Unions do not shy from strongarm tactics. Last August, the New York City Transit Authority was ordered to pay \$1 million in damages because its unionized members had harassed a private van service that competed with public transportation. The service's "crime": vans that offered bathrooms, TVs and phones, carrying 800 commuters a day for a lower fare than city buses.

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I could go on and talk about more of this, but let me make the point about the difference. This article points out that when Phoenix privatized trash collection in 1978, its own sanitation department had to compete for the contracts. It became dramatically more efficient. The city saved \$16.2 million. In 1989, Chicago, under Mayor Richard Daley, established a service of having private towing of abandoned cars. The service used to cost Chicago millions. Now they make \$1.2 million, they made that much during the last year because the private service pays the city for the right to tow.

In 1990, Mayor Daley privatized parking ticket collections and gained taxpayers \$12 million.

Let us go back to New York for just a second and point out that while we are going to hear lots of big-city mayors saying, "Oh, you have got to send more money, you have got to raise taxes, you have got to subsidize us." If New York City simply had the same level of efficiency as the other average big city—not talking now about IBM, not talking about UPS or Federal Express or any other private business—based on the study of the Citizens Budget Commission, if New York City simply reduced its work force to be as efficient as other big cities, it would eliminate its budget deficit just by insisting that the people it already employs do the jobs they are paid to do.

Let me summarize very briefly because we are running out of time: First, we must have a revolution to replace the welfare state with opportunity society values; second, there are going to be people who fight that revolution. There are going to be some public employee unions in places like New York who, frankly, have their own kind of welfare and do not want to have to go to work. There are going to be trial lawyers who object to the idea of reforms because they are doing pretty well, basically charging a lawyer tax to every American for the right to file suits without any responsibility, without any kind of penalty.

There are going to be professional politicians tied into the big-city machines and the old welfare state. There are going to be legitimate leftwing ideologues, college professors, intellectuals who believe in socialism, believe in redistribution, believe in bureaucracy. They are going to honorably believe that. It happens to be wrong; most Americans think it is nuts, and it clearly has failed. But that is their right.

But because they still control the Congress, because they are the dominant force in most State legislatures, because they are so powerful politically, unless every citizen decides that they are prepared to insist on change and unless every citizen registers to vote, helps candidates committed to the revolution and gets involved, the necessary revolution will not happen. And if it does not, the welfare state will make us weaker, the welfare state will weaken us in education, will weaken us in health, will weaken us in jobs and in the long run America will not be able to lead the world.

So, if we are to lead the world, if we are to live up to what President Bush said the other night when he said we have gone from being the leader of the West to the leader of the world, then we must have this revolution. And I hope all of my colleagues will join in, and I hope every citizen will join in.

I thank the Speaker.

**THE FAIR TRADE FRAUD: HOW CONGRESS PILLAGES THE CONSUMER AND DISSEMINATES AMERICAN COMPETITIVENESS**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes.

Mr. DELAY. Mr. Speaker, I was intrigued by the minority whip, the gentleman from Georgia, Mr. GINGRICH'S call for a revolution, and I join in that revolution. I think part of joining that revolution is that we must look at the world as the world economy and we must look at the world as an opportunity for the United States to build a very strong economy because without a strong economy nothing else can happen. We can no longer be leader of the free world unless we have a strong economy.

Mr. Speaker, I come to the well of the House because I am very perplexed and very concerned over discussions, especially those of the last couple of months, coming from the mouths of some industries, coming from the mouths of some elected officials, as it regards trade.

There is a lot of misconception going around this country and permeating throughout this country about trade, about free and open trade. And the biggest misconception is the phrase "fair trade," because usually what fair trade means is that one industry wants to be protected from another industry that is not located in the United States. And it is usually one industry that does not care to compete in the world economy and wants to be protected from that competition.

It is very devastating to this country, and I think there is a lot of misuse of statistics and a lot of misuse of our examples of what is going on in this country.

□ 1410

Mr. Speaker, I ran across a book that was just recently released that I think is one of the best treatises I have ever read on trade in the world, and it is entitled "The Fair Trade Fraud, How Congress Pillages the Consumer and Disseminates American Competitiveness," written by James Bovard who is an associate policy analyst at the CATO Institute and a former World Bank consultant. Some Members of this House may remember that he wrote a highly successful book entitled, "The Farm Fiasco," which was published in 1989. He has written well over 300 articles in publications such as the New York Times, the Wall Street Journal, Washington Post, the Los Angeles Times, and the New Republic.

James Bovard in his book "The Fair Trade Fraud" in a very objective way presents a treatise on trade in this world of ours, in this international economy, and he produced under the heading "Policy Analysis" put out by

the CATO Institute excerpts from his book, and I thought these excerpts were so poignant in the argument on trade that I take the well of this House in order to read this article into the RECORD. Mr. Speaker, and it is entitled, "The Myth of Fair Trade," by James Bovard.

**THE MYTH OF FAIR TRADE**  
(By James Bovard)

Americans' freedom and prosperity are being sacrificed on the altar of fair trade. Each year protectionists discover new moral pretexts for further restricting how American citizens may spend their paychecks. Fair trade is a moral delusion that could be leading to an economic catastrophe.

Unfortunately, the louder politicians have demanded fair trade, the more U.S. trade policies have become a travesty of fairness. The U.S. government has created a trade lynch law that can convict foreign companies almost regardless of how they operate. Between 1980 and 1989, the U.S. Commerce Department found only 5 percent of the foreign companies it investigated not guilty of dumping. Two thousand foreign companies have been penalized since 1980 for selling their products to Americans at prices lower than those approved by the U.S. government.

When politicians call for fair trade with foreigners, they routinely use a concept of fairness that is diametrically opposed to the world's normal meaning. In exchanges between individuals—in contract law—the traditional test of fairness is the voluntary consent of each party to the bargain: "the free will which constitutes fair exchanges," as Sen. John Taylor wrote in 1822. When modern politicians speak of unfair trade, they do not mean that buyers and sellers did not voluntarily agree but that federal officials disapprove of the bargains American citizens chose to make. Fair trade, as the term is now used, usually means government intervention to direct, control, or restrict trade. Fair trade means government officials decide what Americans should be allowed to buy and what prices they should be forced to pay. Fair trade is paternalism in international commerce.

Fair trade often means that some politician or bureaucrat picks a number out of thin air and imposes it on foreign businesses and American consumers. Fair trade means that Jamaica is allowed to sell the United States only 970 gallons of ice cream a year, that Mexico is allowed to sell Americans only 35,292 bras a year, that Poland is allowed to ship us only 350 tons of alloy steel, that Haiti is allowed to sell the United States only 8,030 tons of sugar. Fair trade means permitting each American citizen to consume the equivalent of only one teaspoon of foreign ice cream, two foreign peanuts, and one pound of imported cheese per year. Fair trade means the U.S. government imposes import quotas on tampons, typing ribbons, tents, twine, table linen, tapestries, and ties. Fair trade means that the U.S. Congress can impose more than 8,000 different taxes on imports, with tariffs as high as 458 percent.

In practice, fair trade means protectionism. Yet every trade barrier undermines the productivity of capital and labor throughout the economy. A 1979 Treasury Department study estimated that trade barriers routinely cost American consumers 8 to 10 times as much as they benefit American producers. A 1984 Federal Trade Commission study estimated that tariffs cost the American economy \$81 for every \$1 of adjustment cost

saved. Restrictions on clothing and textile imports cost consumers \$1 for each 1 cent of increased earnings of American textile and clothing workers. According to the Institute for International Economics, trade barriers are costing American consumers \$80 billion a year—or more than \$1,200 per family.

We will examine the U.S. anti-dumping law, U.S. countervailing duty law, U.S. retaliations against alleged foreign unfair trade barriers, and the moral essence of fair trade.

**THE "DUMPING" MYTH**

Economic xenophobia is the core of the U.S. anti-dumping law. The Commerce Department acts as if every sale of a foreign product at a low price is a Trojan Horse—an insidious attempt to undermine the American economy. While American politicians lecture the world on fair trade, our anti-dumping laws are an inquisitorial nightmare for foreign companies, a mockery of due process and justice.

Dumping occurs when a company charges a lower price for a product in an export market than in its home market. Differential pricing according to demand and market conditions is a normal business practice, yet the U.S. government considers it highly pernicious when done by foreign companies exporting to the United States.

Dumping has long been portrayed as a serious threat to the American economy. A 1921 House of Representatives report warned against "a now common species of commercial warfare of dumping goods on our markets at less than cost or home value if necessary until our industries are destroyed." The Senate Judiciary Committee warned in 1986 that "the unlawful dumping of foreign goods . . . has become a serious threat to American industries." In 1989 a federal judge characterized dumping as inherently "predatory" and declared that dumping involves an element of "wrong-doing."

U.S. anti-dumping practices routinely expel foreign corporations from the U.S. market as punishment for normal business practices. The anti-dumping law forces foreign companies to run a nearly endless gauntlet of American bureaucrats. A more perceptive federal judge concluded that the anti-dumping law allowed American companies to conduct "economic war" against their foreign competitors.

While many people consider dumping an arcane subject, penalties for dumping have forced Americans to pay more for photo albums, pears, mirrors, ethanol, cement, shock absorbers, roofing, shingles, codfish, televisions, paint brushes, cookware, motorcycle batteries, bicycles, martial art uniforms, computers and computer disks, telephone systems, forklifts, radios, flowers, aspirin, staplers and staples, paving equipment, fire-place mesh panels, dry cleaning, and many other things. Anti-dumping laws increasingly prevent American businesses from obtaining vital foreign supplies and machinery. Commerce Department officials now effectively have direct veto power over the pricing policies of thousands of foreign companies. Anti-dumping law constitutes potential political price controls over almost \$500 billion in imports a year.

Anti-dumping law exists to prevent foreign companies from selling goods in the United States at "less than fair value." What is less than fair value? The Commerce Department's creative definitions would challenge even a medieval scholastic. Technically, "less than fair value" means selling a good in the United States for less than its price in the foreign home market or for less than its cost of production plus a large profit. Com-

merce Department regulations state, "Fair value . . . is an estimate of foreign market value."

The "crime" of dumping results solely from applying different tests of fairness to U.S. and foreign prices. The Treasury Department, in a 1957 report on dumping, defined "fair value" for foreign prices: "the word 'fair' as used here simply means what one ordinarily conceives of as the 'fair market' value—what a willing buyer will pay a willing seller." But U.S. anti-dumping law rejects voluntary agreement as the measure of fairness of U.S. prices for imported products. The U.S. price of an imported product is "fair," not according to whether a foreign seller and American buyer voluntarily agree, but according to whether the foreign company can pass dozens of arbitrary tests imposed by the U.S. government.

Commerce convicted a Brazilian company for selling its frozen concentrated orange juice for 1.96 percent less than fair price. The United States has a 40 percent tariff on orange juice, so Commerce subtracted 40 percent from the Brazilian company's U.S. sale price before comparing it with the Brazilian price. The Brazilian government imposes a 3.5 percent export tax on orange juice, and shipping and insurance costs probably added at least another 2 or 3 percent. Thus, Brazil was selling orange juice for at least 45 percent more in the United States than in Brazil. But the Commerce Department still considered the U.S. price unfairly low.

Anti-dumping laws are a relic of the days of fixed exchange rates. Commerce will convict a foreign company for a price difference as small as 0.5 percent between its U.S. and foreign prices. Yet the dollar routinely fluctuates 10 or 15 percent or more in value annually. Naturally, the number of dumping convictions has soared as exchange rates have become more volatile.

Commerce officials have used the capricious rules on exchange rates to encourage American companies to file anti-dumping cases against foreign competitors. In early 1988 the newsletter *Inside U.S. Trade* reported: "The Commerce Department is trying to cajole industries into filing dumping cases against Japanese imports for products that it feels are being sold at prices that do not sufficiently reflect the recent appreciation of the Japanese yen, according to many sources including Commerce officials. Commerce has been unofficially compiling a list of products suspected of being dumped by Japanese companies." One Commerce official declared that the agency was "trying to force Japanese concessions on contentious trade issues—such as restrictive bidding on construction projects and agricultural quotas—by 'creating an anti-Japanese climate.'"

Commerce sometimes penalizes foreign companies for selling different products for different prices. In 1984 an Italian company was convicted of having a less-than-fair-value margin of 1.16 percent on its sales of pads for woodwind instruments. Commerce compared the price of a smaller woodwind pad sold in the United States with that of a larger woodwind pad sold in Italy. Since the smaller pad sold for less than the larger pad, the Italian company was dumping. In a brief defending its action to the Court of International Trade, the U.S. government admitted that it had not compared the sales price of identically sized pads—and then claimed that Commerce has unlimited discretion to accept or deny comparisons of that sort.

In a Japanese TV case, one company had its dumping margins increased because it do-

nated unsold televisions sets to charity. Commerce assessed the firm as if the television sets had been "sold" for \$0 in the U.S. market—the ultimate act of unfair trade. Companies have also received higher dumping margins for selling TVs to employees at a large discount and for selling damaged or defective televisions at a markdown.

In the case of stainless steel products from the Swedish company Avesta, Commerce compared sale prices of small quantities of steel sold in Sweden with the prices of large quantities of steel sold in the United States. As Avesta's brief noted, "Over two-thirds of the sales in Sweden were for quantities less than 500 kilograms, and the average price of these sales is over 22 percent greater than the average price for sales with total order quantities between 501 and 5,000 kilograms, and over 60 percent greater than the average price of sales with total order quantities over 5,000 kilograms." Because Avesta sold 5,000-kilogram quantities for lower prices than 500-kilogram quantities, it was acting unfairly.

U.S. anti-dumping law also imposes a cost-of-production test on foreign companies. If a foreign company is not making an 8 percent profit on its exports, the Commerce Department automatically penalizes the company for selling at a loss. The 8 percent assumption is totally arbitrary and extremely biased against foreign companies. The International Trade Commission reported that average "profits before income taxes for all U.S. corporations in 1986 were 6 percent of sales." Thirteen of the 15 largest companies in the Fortune 500 failed the 8 percent profit test in 1989.

Cost-of-production analyses tend to be sinkholes of quibbles and capricious judgments. Commerce usually considers only the cost of production during the six-month period in which it is examining the foreign company's U.S. sales. A major issue in a case involving Canadian raspberries was how to amortize the cost of a raspberry plant—whether 10, 15, or 25 years was the proper time frame. In one cost-of-production analysis, Commerce included the expenses Suzuki incurred in defending itself before the U.S. Consumer Product Safety Commission on charges that its all-terrain vehicles were unsafe. In a 1990 sweater investigation, Commerce penalized two Korean firms for making donations to local charities, claiming that the unrelated donations were part of the cost of making sweaters and should have been reflected in higher sweater prices.

Commerce effectively wrecked the exports of hundreds of Taiwanese sweater companies because a few small Taiwanese companies could not quickly respond to Commerce's massive information requests. Commerce sent the Taiwanese firms a 100-page single-spaced questionnaire in English; the average Taiwanese firm was commanded to quickly provide over 200,000 bits of information. Commerce conceded in its Federal Register notice that "none of the investigated [Taiwanese] companies refused to provide the information requested, refused verification, or otherwise significantly impeded the Department's investigation." The management of one Taiwanese sweater company consisted of the owner and his wife. Commerce imposed punitive duties on the company, declaring that "lack of manpower" to answer the questionnaire was no excuse. Commerce imposed punitive duties on another Taiwanese company largely because the company's factory had burned down and it had lost many of its records. Since the United States also imposes a 34 percent tariff on the sweaters,

hundreds of Taiwanese sweater companies are effectively locked out of the U.S. market.

Every dumping duty is an attempt to create an artificial scarcity, to deter foreign companies from exporting, and to decrease the supply of goods on the American market in order to allow American companies to charge higher prices. Politicians measure the success of the anti-dumping law by the number of foreign companies that are banned from the U.S. market or are forced to sharply raise their prices here. Sen. Arlen Specter (R-Pa.) declared at a 1986 Senate Finance Committee hearing on the administration of the anti-dumping laws: "I am not looking for more people to collect damages from, frankly, I am trying to stop the [foreign] goods from coming in."

The anti-dumping law turns foreign companies into economic lepers. Perpetual jeopardy is the natural condition of companies under anti-dumping orders. Although a company may be complacent with a 1.93 percent margin established in an initial dumping investigation, Commerce can raise the dumping margin to 92 percent with only a short notice in the Federal Register. An anti-dumping order can easily torpedo a foreign company's exports to the United States.

Federal officials have bragged about the chilling effect of anti-dumping laws. Deputy Assistant Secretary of Commerce Gilbert Kaplan told the Senate Finance Committee in 1986: "The minute a case is filed, an importer or a customer faces an undetermined liability, an undetermined price basically, for items, for an indeterminate period of time, into the future. . . . If you are a purchaser, you have to think very long and hard before buying from an exporter given that undetermined liability that you are going to face for quite a number of years." Secretary of Commerce Malcolm Baldrige declared in 1986: "The [dumping] penalty is actually applied to the U.S. importer, but it means if he's got to pay that penalty, he just ain't going to import any more. That's the stick that you're looking for." The anti-dumping law provides a way for Commerce to beat up on American companies that import foreign products.

Commerce officials are sometimes quite candid about their biases. In a 1991 speech, Marjorie Choralins, deputy assistant secretary of Commerce for import administration, thanked the American Wire Producers Association for their frequent use of the anti-dumping law against wire imports and declared, "The partnership which the AWPA and Import Administration have enjoyed over the past ten years has been active and rewarding." In 1989 Secretary of Commerce Robert Mosbacher described himself as "the advocate for U.S. business in the [Bush] Administration." Mosbacher is the highest "judge" in the Commerce Department in dumping cases. Since the judge has proudly declared his bias in favor of U.S. businesses, it is not surprising that anti-dumping proceedings are often a kangaroo court.

The basic premise of anti-dumping law—that it is a crime for a company to sell the same product for two different prices in two different markets 15,000 miles apart—is an economic absurdity. Price differentials usually prove nothing except that prices are different. If a businessman sells ice cream to Eskimos and to people on a tropical island—and the people on the tropical island willingly pay more—does that mean the businessman is unfairly dumping ice cream on the Eskimos because he is selling it to them at a lower price? Are the Eskimos harmed by

the price differential between the arctic and the tropics?

Although fear of predatory pricing was the fount of the U.S. anti-dumping law, the list of products that have been hit with dumping duties makes a mockery of the predatory argument. Did Washington bureaucrats really believe in 1972 that Canadian companies were conspiring to dump ice cream sandwich wafers in the United States to destroy their American competition? And what good would it have done to corner the ice cream sandwich wafer market anyhow? If the Canadians had obliterated their U.S. competition and tripled the price of ice cream sandwich wafers, Americans would simply have bought more ice cream cones and fewer ice cream sandwiches.

#### THE SPECTER OF FOREIGN SUBSIDIES

U.S. trade policy appears to assume that every handout given to a foreign business is automatically a stab in the back of a competing American corporation. Foreign subsidies have long been a prime hobgoblin of American protectionists. Rep. Thomas Hartnett (R-S.C.) warned in 1986 that "foreign governments, through the introduction of subsidies, rebates, and other economic incentives have made fair competition an impossibility."

The United States imposes countervailing duties on imported products that allegedly received foreign government subsidies. The CVD is supposed to insulate the United States from the effect of a foreign subsidy, thereby preventing foreigners from cornering the American market. The U.S. government does not hesitate to penalize foreign companies even when it is providing larger subsidies to competing American firms.

U.S. CVD policy presumes that regardless of how large a benefit foreign subsidies provide to American consumers, the subsidies must be penalized. CVDs have boosted prices Americans pay for wool, steel, ham, castor oil, cotton yarn, orange juice, scissors, carnations, sugar, pistachios, roses, auto glass, cement, leather apparel, cookware, lamb meat, shop towels, agricultural tools, footwear, ball bearings, rice, and aspirin. Disputes over foreign subsidies have greatly antagonized our trading partners.

American CVD law effectively hangs a sign at the U.S. border warning foreign companies: "Nonvirgins need not apply." But the U.S. government is constantly amending its definition of "virginity." While governments disagree about whether subsidies are good or evil, no other government in the world has such an expansive definition of subsidies as does the U.S. government. Over time, the administration of U.S. CVD laws has become increasingly protectionist, arbitrary, and divorced from economic rationality.

In April 1986 Commerce imposed a 0.82 percent surtax on Thai rice imports. Commerce, after an exhaustive investigation, concluded that a Thai government price support program provided a subsidy equal to 0.004 percent of the value of Thai rice exports to the United States, a government cooperative assistance program provided a 0.09 percent subsidy, a mortgage program provided a 0.02 percent subsidy, discounts to rice millers provided a 0.01 percent subsidy, and so on. While the Thai government was providing a trickle of aid to Thai farmers, it was also imposing export taxes on rice. The U.S. Department of Agriculture, in an unrelated study, concluded that, after subtracting the amounts spent on credit, fertilizer, and marketing assistance from the export taxes, Thai government policies imposed a net 5 percent tax on rice production in 1985.

At the same time the U.S. Department of Commerce was nickel-and-diming Thai rice growers, the U.S. Department of Agriculture was bankrupting them. The U.S. government spent \$2 billion in 1986 to flood international markets with American rice, driving down the world rice price by 50 percent. The Thai rice program spent less than \$100 for each Thai rice grower, while the U.S. program spent the equivalent of over \$1 million for each full-time American rice grower between 1985 and 1990. Thailand's average per capita income is \$860, while the average American full-time rice grower was a millionaire even before receiving lavish subsidies in the mid and late 1980s.

In 1983 the United States imposed a CVD on Argentine wool. Commerce justified the penalty on the grounds that the Argentine government, through a regional development program, paid a bonus of 6 percent for products exported from Argentina's southern ports. (The United States has a similar program: the Appalachian Regional Commission, which has given billions of dollars in grants and loans to businesses in that region.) While Argentine sheep producers were allegedly receiving a 6 percent subsidy, the Argentine government was also imposing a 17 percent tax on wool exports. Commerce disregarded the export tax because "the export taxes and duties and the [export subsidy] programs were enacted under separate laws." In the same year that Commerce began penalizing Argentine wool growers for receiving a 6 percent subsidy, the U.S. Department of Agriculture's wool program gave American wool growers direct payments equal to 150 percent of the value of their wool.

In 1990 Commerce imposed a 14.17 percent surtax on Argentine leather imports because the Argentine government had banned the export of cattle hides in 1985. (The United States imposed a similar ban on the export of hides in 1966.) Commerce alleged that the export ban on Argentine cattle hides was equivalent to a direct subsidy to the Argentine leather-tanning industry. Commerce created a simple test of the fairness of Argentine prices: "the best measure we have of what [Argentine] prices would have been in the absence of the current embargo is a benchmark based on U.S. hide prices." The fact that U.S. hide prices were higher than Argentine prices in the years 1985-89 proved that the Argentine leather producers were subsidized. But in the late 1980s Argentina suffered from hyperinflation, massive currency devaluations, a deterioration in the quality of cattle hides, and government policies that severely disrupted the economy and exchange rates. Commerce disregarded all those factors in judging Argentine prices by U.S. prices.

In some cases foreign companies and governments must spend more defending themselves than the total amount of the alleged subsidy. In January 1990 Commerce issued a preliminary determination alleging that a Singapore government research contract provided a subsidy to a Singapore software manufacturer. Commerce claimed a subsidy existed because Commerce's contrived estimate of the Singapore government's future revenues from the research results was \$42,891.57 less than the amount the Singapore government paid the private firm to do the research. In the final determination, Commerce conceded that no subsidies existed. Commerce's investigation cost the Singapore government and the software company over \$170,000—almost four times the amount of the alleged subsidy. Commerce's lengthy in-

vestigation of a Singapore software firm for allegedly receiving a \$42,891 subsidy showed true chutzpah, as the U.S. government, a few months before Commerce's investigation began, committed \$100 million to SEMATECH, a U.S. public-private semiconductor research consortium.

A major goal of CVDs is to force foreign governments to end their subsidies and play fair. But even when foreign governments reduce or abolish their subsidies, Commerce still routinely refuses to abolish the CVDs. Commerce also refuses to repeal CVDs levied on companies that can prove that they do not receive government subsidies. Leonard Shambon, the chief of the Compliance Division, which oversees CVD orders, observed in 1987, "In the area of countervailing duties, the actual prospects for receiving a revocation because of the elimination of subsidies are dim, if not nonexistent." There were no revocations of CVD penalties between April 1981 and June 1987.

Protectionists often justify CVDs by warning that foreign governments must be penalized or they will monopolize the American market. If we look at the list of nations currently hit with CVDs, we see that the vast majority are Third World nations—countries that are unable to pay their own bills, much less take over the world. Of the 76 current CVD orders, 8 are against Argentina, 7 are against Brazil, 10 are against Mexico, 5 are against Peru, 2 are against Venezuela, 1 is against Zimbabwe, 1 is against Ecuador, and 2 are against Iran. Almost half of all CVD actions have been against nations that have effectively defaulted on their foreign debt—not exactly a sign of imminent economic hegemony. Despite the widespread perception that Japan heavily subsidizes its industry, there are no CVD orders against Japanese products.

The effect of foreign subsidies on exports is usually far less than the effect of gyrations of currency exchange rates. Though business subsidies, as are every other type of misguided government intervention, are pervasive in Latin America, they are dwarfed by changes in the exchange rate. The average CVD on Argentine exports was 5 percent, and the Argentine exchange rate fluctuated 244 percent between 1980 and 1987. The average Brazilian CVD was 12 percent, and the Brazilian exchange rate fluctuated 135 percent. For Chile, the average CVD was 12 percent, and exchange values fluctuated 223 percent; for Colombia, the values fluctuated 7 and 189 percent; for Costa Rica, 17 and 152 percent; for Mexico, 10 and 204 percent; and for Peru, 25 and 131 percent.

Countervailing duty laws are premised on the idea that even minimal subsidies from a government are "magic beans" that enable a company to grow into the sky and conquer the world—that government aid is a steroid that vastly increases the strength of a foreign company. But the history of government subsidies is one of burning money almost as fast as tax collectors can scoop it up. Export subsidies are usually artillery shells that explode in the face of the nation that fires them.

International disputes over subsidies resemble a couple of drunks lying in a gutter, each accusing the other of overimbibing. While the U.S. government calculates foreign subsidies out to the millionth of a percentage point, it pours tens of billions into the coffers of American business. During the 1980s, when the Commerce Department launched over 300 CVD investigations of foreign firms, U.S. government policy provided \$260 billion in benefits to American farmers,

over \$5 billion to the merchant marine, over \$30 billion to small businesses, and over \$30 billion in subsidized credit to exporters. Total U.S. government subsidies and liabilities for aid to business since 1980 exceed \$500 billion. That amount is probably 20 times greater than the total foreign subsidies paid on products exported to the United States.

The clearest proof that foreign subsidies do not pose a grave threat to the United States is that few foreign countries have been troubled by the effect of subsidized imports. Switzerland, Austria, Sweden, and Norway have never imposed a single CVD; yet neither U.S., nor European, nor Asian subsidies have allowed foreign companies to corner those markets. Hong Kong imposes no CVDs, no dumping duties, and almost no tariffs. With that "bare-the-throat" policy, Hong Kong has had the highest economic growth rate in the world since 1960; Hong Kong's per capita income increased from \$180 in 1948 to over \$9,000 in 1989. Hong Kong's per capita income now exceeds that of Israel, Ireland, and Saudi Arabia.

We have no national interest in obsessing over misguided foreign tax and economic policies. Does the U.S. government need to "countervail" every foolish act by every other government in the world? Most CVDs amount to economic shadowboxing—American bureaucrats and politicians thrashing the air to pummel imaginary enemies. Or, more accurately, U.S. countervailing policies resemble the scene from *Don Quixote* in which Quixote beats Sancho Panza and insists that he is actually beating a horde of evil demons. CVDs have had far more effect on American consumers than on foreign governments.

The U.S. subsidies policy is based on a doctrine of immaculate competition—any foreign company with the slightest taint must be sent to bureaucratic purgatory. Commerce essentially tries to apply the "Caesar's wife" standard to international commerce, demanding that foreign companies be free of even the suspicion of receiving aid from their governments. That is profoundly unrealistic and hypocritical.

#### THE 301 SOLUTION

When U.S. Trade Representative Carla Hills took office in February 1989, President Bush presented her with a crowbar to symbolize her task of prying open foreign markets. Section 301 of the Trade Act of 1974—the main U.S. crowbar—authorizes the U.S. government to investigate and retaliate against foreign trade barriers that are judged to be unfair. Under section 301, U.S. producers may petition the Office of the U.S. Trade Representative to take action against a foreign practice or barrier, or the USTR can initiate an investigation. Once the USTR officially decides a foreign barrier is unfair, the United States gives the foreign government a deadline by which it must reform its policy or face American retaliation. As the *Wall Street Journal* noted, "American [trade] retaliation is supposed to be the nuclear deterrent that forces the rest of the world into submission."

It is surprising how often the United States itself engages in the same practices that section 301 penalizes. The first section 301 case targeted Guatemala for requiring that cargo being shipped to Guatemala be carried by Guatemalan ships. The United States itself has extensive cargo preference laws, which the General Accounting Office estimated in 1985 added over \$100 million to the cost of providing food donations to foreign countries.

In 1976 the United States brought suit against Taiwan because of "confiscatory tar-

iff levels on imports of major home appliances." (The Taiwanese tariff on refrigerators and air conditioners was 60 percent.) But the United States has confiscatory tariff levels on many items, including a 151 percent tariff on low-priced watch parts exported from Taiwan.

Many section 310 complaints have involved agricultural export subsidies, including European Community export subsidies for poultry, wheat, and wheat flour and Taiwan rice subsidies. In recent years the U.S. government has also provided export subsidies for all of those items; it has paid export subsidies of 11 percent for poultry, 78 percent for wheat flour, 94 percent for wheat, and over 100 percent for rice. The United States denounces Japanese rice import quotas, though unlimited U.S. export subsidies have done far more to distort the world rice market than has Japan's ban on rice imports. The United States brought a case against Korea for its beef import quotas, even though the United States also has beef import quotas. Five section 301 cases involved allegations that foreign governments subsidized their steel industries—as does the United States. The Footwear Institute of America persuaded the USTR to launch seven section 301 cases against foreign trade barriers on footwear—even though the United States itself maintains tariffs of up to 67 percent on footwear.

In May 1988 the United States launched an investigation of Japanese citrus quotas. In the press release announcing the case, U.S. Trade Representative Clayton Yeutter noted, "The Florida citrus industry . . . believes that removal of Japan's unfair barriers could cut the price of oranges for Japanese consumers by one-third." By amazing coincidence, that is roughly the amount that the price of orange juice in the United States could fall if the 40 percent tariff on Brazilian orange juice imports were abolished.

In August 1988 the USTR settled a second unfair agricultural trade case with Japan. Under heavy U.S. pressure, the Japanese agreed to end their quotas on ice cream, cheese, and sugar; of course, American trade policymakers believed that the United States had a right to continue its own import quotas on the same items.

In December 1988 the European Community banned the import of American beef produced with growth hormones. That action outraged the United States, as U.S. policymakers believed there was no scientific evidence that the beef hormones had adverse effects on humans. The EC ban was unjustified, but the United States has an equally unjustified ban on imports of German ham. German ham has an international reputation as a luxury product, yet the United States insists that it is not safe enough for Americans.

The United States retaliated against the EC beef ban by imposing 100 percent tariff surcharges on European hams and pork shoulders, cranberry juice, instant coffee, alcoholic beverages containing less than 7 percent alcohol, and pet food packaged for retail sale. The U.S. retaliation devastated some American businesses. As the *Journal of Commerce* noted: "A Chicago food importer's mid-size business will lose almost \$3 million in revenue this year as a result of the trade sanctions. . . . National Food Trading Corp. saw 10 percent of its export business evaporate when the peeled tomatoes it imports from Spain were hit with the 100 percent tariff." The importer of Riunite wine dodged the super tariff by raising the alcohol content of the wine by 25 percent. (Some Americans who drink low-priced sweet wine and

were not aware of the U.S.-EC trade war may have been awarded drunk driving tickets as a result.) Christina McCown, a spokesperson for the USTR, justified the 100 percent tariff: "The amount of retaliation equals the amount lost in U.S. exports. We were not trying to cause any U.S. businesses a hardship." The beef war sought to placate American cattlemen by padding the pockets of American pet food makers.

Other U.S. trade retaliations have also harmed U.S. companies. As Jim Powell noted: "In 1978, American broadcasters filed a complaint because Canada had abolished tax deductions for advertising on stations in the United States. The United States retaliated by removing tax deductions for advertising on Canadian-owned stations. The consequence, of course, was that American advertisers had a harder time reaching the Canadian market. Twelve years later, these retaliatory measures are still in place—and Canada has not changed its original policy."

Section 301 victories often skewer American consumers. In the 1985 settlement of a dispute over Japanese leather quotas, Yeutter declared: "The agreement is a significant victory for the principle of free and fair trade. . . . This is far preferable to protectionist measures that would restrict imports without increasing U.S. exports." Yet as part of its "victory for free trade," the United States raised tariffs on Japanese leather imports from 12 to 40 percent—with the explicit goal of sharply reducing Japanese exports to the United States.

In 1988 the United States decided to punish Brazil for its denial of patent protection to American chemical and pharmaceutical companies operating in Brazil. The USTR imposed a retaliatory 100 percent duty on Brazilian penicillin and tetracycline, among other products. Apparently, some higher justice was served by punishing Americans with pneumonia (forcing them to pay higher prices for their drugs) in order to placate wealthy American multinational corporations. Six months later Brazil announced cessation of interest payments on the \$22 billion it owed U.S. banks.

American trade negotiators are often blinded by moral arrogance. Carla Hills told the House Ways and Means Committee in 1989, "I hasten to tell other nations that we are the freest and most open market in the world and that even in those areas that are most restricted, we do import per capita far more than our largest trading partners." As Hills must know, Hong Kong has far fewer trade barriers than the United States, as do the United Arab Emirates and Singapore. Sweden and Austria also may be more open than the United States. And, in making her claim that "even in those areas that are most restricted, we do import per capita far more than our largest trading partners," Hills forgot that Canada, the largest trading partner of the United States, imports far more sugar, peanuts, and cotton per capita than does the United States. The assertion that the United States has the world's most open markets has long been a cardinal tenet of American trade theology and is often made as a prelude to demanding new trade barriers, somewhat like people loudly announcing that they are good Christians before slamming the door in their neighbor's face.

The U.S. government has done more to reduce exports than has any other government in the world. The amount of increased exports gained due to all the section 301 cases in the last decade is less than the annual estimated amount of U.S. exports lost thanks

to the Export Control Administration. As George Gilder notes, "By constantly imposing special export controls for nonsensical national security concerns and changing policy from month to month in response to utterly spurious emergencies, the U.S. government has become the chief obstacle to U.S. competitiveness in electronics." The National Academy of Sciences estimated in 1987 that unnecessary Commerce Department export controls on U.S. technology and products that pose no threat to national security reduced American exports by \$9 billion. U.S. agricultural exports would be far higher if the government abolished federal farm programs. A study by Andrew Feltenstein of Kansas State University estimated that unilaterally abolishing farm programs would have reduced the U.S. trade deficit by \$42 billion in 1986. A 1988 study by Purdue professors Thomas W. Hertel, former USDA chief economist Robert L. Thompson, and Marinos E. Tsigas concluded that the misallocation of resources and capital to agriculture depressed the productivity of other sectors of the U.S. economy and reduced American manufacturing exports by \$7.5 billion and service exports by \$3.4 billion. An American Enterprise Institute study concluded that U.S. tobacco exports would double if the government abolished its tobacco quota and price support system. The USDA imposes severe limitations or quotas, or both, on the export of lemons, almonds, raisins, peanuts, and peanut butter.

#### THE MORALITY OF FAIR TRADE

Every restriction on imports is an attempt by the U.S. government to compel some Americans to pay higher prices to other Americans than they otherwise would have paid. Consumers do not offer to voluntarily pay higher prices; they pay higher prices only because 17,000 U.S. Customs Service officials leave them no choice.

Trade is not simply a matter of exchanging widgets for gadgets; it affects the way people live their daily lives. Since practically no one can make all the things he wears, eats, and uses, a person's standard of living and opportunity in life depend largely on his opportunities for trading the product of his labor with others. Pervasive trade barriers effectively force people to use inferior building blocks for their lives. Trade barriers are an attempt by politicians to control the market. And politicians cannot control the market without commanding everyone who must rely on that market.

Trade barriers raise prices, and price hikes have the same effect as a federal decree that some Americans shall no longer be allowed to buy the restricted product. As John Stuart Mill noted in "On Liberty," "Every increase of price is a prohibition to those whose means do not come up to the augmented price." The Joint Economic Committee observed in 1956, "For a government official to make a moral judgment on how we ought to spend our money is an invasion of liberty and privacy which is acceptable only where obvious public harm follows." Government cannot drive up prices without knocking some people out of the market—without taking a notch out of someone's living standard, changing the types of clothes some people wear, the cars some people drive, the food some people eat, the medical care some people receive. The 1986 Softwood Lumber Agreement added \$1,000 to the cost of constructing a new house in the United States,<sup>82</sup> thereby knocking as many as 300,000 people out of the home-buying market and effectively decreeing that many families would be forced to live in trailer homes instead of real

houses. If the federal government intervened to cause old people's bones to automatically break when they fell, that intervention would be denounced as the height of idiotic tyranny. But apparently federal intervention in the form of a quota that imposes the equivalent of a 170 percent tariff on dairy imports, thereby ensuring that many Americans will have calcium deficiencies and weak bones, is okay. What is the moral difference between putting a 50 percent surcharge on imported clothing and commanding millions of poor people to wear tattered garments?

Every trade restraint is a moral issue, forcibly sacrificing some Americans for the benefit of others. Treasury Secretary Robert Walker observed in 1845, "If the Marshall were sent by the federal government to collect a direct tax from the whole people, to be paid over to the manufacturing capitalists to enable them to sustain their business, or realize a larger profit, it would be the same in effect as the protective duty." If a businessman pulls a gun on a customer and demands 20 percent more for a product, that is robbery. If a politician intervenes to the same effect, it is fair trade. As the Supreme Court said in 1875, "To lay with one hand the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called a taxation."

Protectionism rests on a moral glorification of an economy's least competitive producers. A member of the other body announced in 1988: "The market will take care of consumers. The Government must take care of producers. No government was ever organized to get everybody something for a cheap price. The market does that." (Hollings made that observation in a speech calling for further government suppression of the market.) Protectionism is a Dred Scott policy for consumers—the federal government promises not to let American buyers escape from American businesses that want to charge consumers higher prices.

Fair trade is based on the doctrine that producers have rights and consumers have duties. Fair trade assumes that the consumer's freedom of choice is an injustice to the producer. The soul of protectionism is that government should force customers to carry a company that cannot stand on its own two feet. Protectionism is an economic no-fault insurance policy: no matter how often an American company crashes in the marketplace, the consumer must pay the bill.

Federal officials have long talked and acted as if they had a *droit du seigneur* over American consumers. U.S. Deputy Trade Representative Linn Williams declared on December 4, 1989, "I should also note that the U.S. has 'contributed' a substantial part of its domestic market to imported steel." It is outrageous for a high-ranking government official to speak of the U.S. government allowing some Americans to buy imported steel as a contribution—as if government officials own the consumers' dollar and can decide to "contribute" it to whom they choose. That statement epitomizes the notion that government officials own the market they seek to control. Rep. Joseph M. Gaydos (D-Pa.), executive chairman of the House Steel Caucus, declared in 1988, "We're not going to allow domestic companies, if we can help it, to buy [steel] overseas." Federal officials talk as if they have the right to dispose of the dollars of any American company or citizen that needs to buy steel, or sugar, or cheese, or an auto. In 1990 another member

of the other body denounced U.S. textile policy "that gives our market to foreigners." The gentleman apparently believes that the U.S. Congress should have the right and power to give the market to whom it chooses. To talk of giving the market is, in reality, to talk of giving away the dollars of anyone who must depend on that market. For politicians to allocate market share is to treat consumers like serfs who can be freely traded by their lords.

Medieval theologian Duns Scotus declared that a price was just when "the owners of things . . . preserve equality of value in the things exchanged, according to right reason judging of the nature of the thing exchanged in relation to its human use." U.S. trade law assumes that goods have an objective value in themselves that can be determined in a bureaucratic vacuum thousands of miles from the market where the product is exchanged. The soul of American trade law is that bureaucrats and politicians, not buyers and sellers, are the proper judges of fair value. All the absurdities, biases, and scholastic methods follow from that principle. Fair trade essentially substitutes the moral and political values of federal policymakers for the economic values of private citizens.

#### CONCLUSION

Fair trade is an income redistribution system based on the capture of political power. In the end, the morality of fair trade is pure realpolitik—the deification of power as an end in itself. Should the capture of political machinery give some Americans a right to put their hands in other Americans' pockets? Should politicians have the right to reduce one man's standard of living in order to buy another man's vote?

There is no way that restricting Americans' opportunity to buy and sell can make America a richer land. Protectionism is the ultimate "less is more" policy—a policy based on the idea that the United States will become richer if the government forces Americans to pay higher prices for fewer goods. Every trade barrier imposes an opportunity cost on the American economy.

Every unnecessary burden the U.S. government places on American industry and agriculture means lost exports and reduced income for American citizens. The fewer crutches the government provides, the faster American industry will run. Should we hold U.S. productivity hostage to the stubbornness or stupidity of other nations' trade policymakers? Should the United States wait until it receives a foreign bribe before it looks to its own interests? Are dairy import quotas—and the brittle bones of the American elderly—an asset that we should demand to be compensated for giving up? Are the tattered clothes of many poor Americans something the nation should be proud of? Is a federal sugar policy that drives American food manufacturers overseas a national asset?

The rising phobia of imports and trade balances misses the purpose of trade. Trade allows consumers everywhere a chance to benefit from increases in productivity anywhere. As Emerson observed, "If a talent is anywhere born into the world, the community of nations is enriched." Trade binds humanity together in laboring for mutual benefits. The expansion of trade between the end of World War II and the 1980s produced the greatest era of prosperity in world history.

The fundamental issue is not whether foreign governments treat American companies fairly but whether American citizens receive fair treatment from their government. Even if trade barriers exist abroad, U.S. politi-

cians should not perpetuate them here. We should cease punishing American consumers for the alleged sins of foreign governments.

**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. BOEHNER) to revise and extend their remarks and include extraneous material:)

Mr. SOLOMON, for 60 minutes each day, on February, 3, 4, 5, 6, and 7.

Mr. BURTON of Indiana, for 60 minutes each day, on March 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30, and 31.

Mr. DREIER of California, for 60 minutes each day, on February 3, 4, 5, and 6.

Mr. BILIRAKIS, for 60 minutes, on March 25.

Mr. HUNTER, for 15 minutes, today.

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

Ms. PELOSI, for 5 minutes, today.

Mr. GEJDENSON, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

**EXTENSION OF REMARKS**

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

Mr. MICHEL, and to include extraneous material notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$2,977.

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

Mr. GREEN of New York.

Mr. BATEMAN.

Ms. ROS-LEHTINEN.

Mr. SHAW.

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

Mr. ROE.

Mr. BONIOR.

Mr. LANTOS.

Mr. FEIGHAN.

**ADJOURNMENT**

Mr. DELAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, February 3, 1992, at 12 noon.

**EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL**

Reports of various committees and miscellaneous groups of the U.S. House of Representatives concerning the foreign currencies used by them for official foreign travel during the second and third quarters of 1991, as well as the consolidated report of expenditures for official foreign travel authorized by the Speaker of the U.S. House of Representatives in the third and fourth quarters of 1991, pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON HUNGER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Patricia R. Johnson	4/15	4/19	Ivory Coast		338.00						588.00
	4/19	4/20	Senegal	2,870	67.00						67.00
Chartered transportation round trip							1,995.00				1,995.00
Hon. Tony P. Hall	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transport round trip							4,621.29				4,621.29
Hon. Alan Wheat	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transport round trip							4,621.29				4,621.29
Hon. Bill Emerson	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transport round trip							4,621.29				4,621.29
Martin S. Rendon	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transport round trip							4,621.29				4,621.29
Neal F. Fieger	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transport round trip							4,621.29				4,621.29
Anthony W. Gambino	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transport round trip							4,621.29				4,621.29
Liesl C. Leach	5/23	5/26	Haiti	2,808	380.00		432.14				812.14
	5/26	5/27	Dominican Republic	2,870	226.50						226.50
Military transportation round trip							4,621.29				4,621.29
Committee total				4,650.50		37,369.01	250.00				42,269.51

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Registration fee.

TONY P. HALL, Chairman, July 31, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Michael J. Kopetski	8/26	8/28	Hong Kong		504.00						504.00
	8/28	8/31	Thailand		352.00		144.88				496.88
	8/31	9/3	India		500.00		66.39				566.39
	9/3	9/5	Pakistan		150.00		62.81		2.46		215.27
	9/5	9/9	Turkey		814.00		268.13				1,082.13
	9/9	9/10	France		242.00						242.00
Commercial transportation							4,328.70				4,328.70
Committee total				2,562.00		4,870.91	2.46				7,435.37

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JACK BROOKS, Chairman, Dec. 23, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Barber, Melanie	9/28	10/6	United Kingdom	849.80	1,470.00						
Brooks, Sharon K.	7/7	7/10	Korea	442,740	609.00	206.30					
	7/10	7/12	Japan	104,719	755.00						
DeFarrari, Gina	8/19	8/23	Canada	920.00	804.00						
Moore, Charles O.	9/7	9/21	Kenya		2,080.50						
O'Malley, Brian	9/4	9/6	Germany		371.00						
	9/6	9/9	Italy		769.00						
Wilkinson, Cynthia M.	9/15	9/20	Norway	9,069.40	1,370.00						
Williams, Lori C.	8/5	8/10	Canada		550.00						
Welch, Edmund B.	9/15	9/20	Norway	1,813.90	5274.00						
Committee total					9,052.50		22,212.31				31,264.81

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Commercial airfare.  
<sup>4</sup> Ground transportation.  
<sup>5</sup> 1 day per diem authorized; as speaker at Lloyd's List International & Marine Marketing International, air and expenses paid by sponsors; 2 days of meetings with Norwegian Ministry and Norwegian Shipping Department following conference.

WALTER B. JONES, Nov. 19, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON HUNGER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Tony P. Hall	8/5	8/10	Uganda (M&E)		375.00						375.00
	8/28	8/29	Kenya	3,627	125.00						125.00
	8/30	9/1	Sudan	6,481	533.43		125.00		896.23		1,554.66
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00				147.02		378.02
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: IAD-FRA-NBO, Entebbe-NBO, and FRA-IAD.							6,196.00				6,196.00
Military transport: NBO through FRA							9,627.68				9,627.68
Hon. Alan Wheat	8/28	8/29	Kenya	3,627	125.00						125.00
	8/30	9/1	Sudan	6,481	533.46	685	56.38				589.83
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00						231.00
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: IAD-FRA and JIB-CDG-IAD.							9,627.68				9,627.68
Military transport: FRA through JIB											9,627.68
Hon. J. Dennis Hastert	8/27	8/28	Germany		89.00						89.00
	8/28	8/29	Kenya	3,627	125.00						125.00
	8/30	9/1	Sudan	6,483	533.54		125.00				658.54
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00						231.00
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: ORD-FRA-ORD							5,616.00				5,616.00
Military transport: FRA through FRA							15,873.93				15,873.93
Mary C. (Polly) Byers	8/27	8/28	Germany		89.00						89.00
	8/28	8/29	Kenya	3,627	125.00						125.00
	8/30	9/1	Sudan	9,023	742.67		125.00				867.67
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00						231.00
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: IAD-FRA-IAD							3,046.00				3,046.00
Military transport: FRA through FRA							15,893.93				15,893.93
Barbara J. Earman	8/27	8/28	Germany		89.00						89.00
	8/28	8/29	Kenya	3,637	125.00						125.00
	8/30	9/1	Sudan	6,729	553.79		125.00				678.79
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00						231.00
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: IAD-FRA-IAD							3,046.00				3,046.00
Military transport: FRA through FRA							15,873.93				15,873.93
Martin S. Rendon	8/27	8/28	Germany		89.00						89.00
	8/28	8/29	Kenya	3,627	125.00						125.00
	8/30	9/1	Sudan	6,481	533.44		125.00				658.44
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00						231.00
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: IAD-FRA-IAD							4,274.00				4,274.00
Military travel: FRA through FRA							15,873.93				15,873.93
Neal H. Fieger	8/27	8/28	Germany		89.00						89.00
	8/28	8/29	Kenya	3,627	125.00						125.00
	8/30	9/1	Sudan	6,482	533.53		125.00				658.53
	9/1	9/3	Ethiopia	859	418.00						418.00
	9/3	9/4	Djibouti	40,850	231.00						231.00
	9/4	9/5	Egypt	551	165.00						165.00
Commercial travel: IAD-FRA-IAD							3,046.00				3,046.00
Military travel: FRA through FRA							15,873.93				15,873.93
Committee total					11,191.85		130,502.35		1,043.25		142,737.45

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Control room, overtime etc.

TONY P. HALL, Chairman, Oct. 31, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY AND DENMARK, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 25 AND AUG. 30, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Frank McCloskey	8/25	8/29	Germany		1,036.00						
	8/29	8/30	Denmark		259.00						
Hon. Rick Boucher	8/25	8/29	Germany		1,036.00						
	8/29	8/30	Denmark		259.00						
Committee total					2,590.00						9,194.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

FRANK McCLOSKEY, Nov. 22, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BONN, GERMANY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 3 AND SEPT. 7, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Richard A. Gephardt	9/3	9/6	Germany	1,646.96	952.00		4,065.00				5,017.00
Andrea King	9/3	9/7	Germany	1,646.96	952.00		4,065.00				5,017.00
Committee total					1,904.00		8,130.00				10,034.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RICHARD A. GEPHARDT, Nov. 21, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NORWAY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 8 AND NOV. 12, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Glenn M. Anderson	11/9	11/12	Norway		<sup>3</sup> 843.00						843.00
Dr. James D. Ford	11/9	11/12	Norway		<sup>3</sup> 843.00						843.00
Committee total					1,686.00						1,686.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military transportation.

GLENN M. ANDERSON, Nov. 22, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO HUNGARY, CZECHOSLOVAKIA, AND BULGARIA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 9 AND NOV. 23, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Cathy Brickman	11/10	11/16	Hungary	70,038.00	894.00						894.00
	11/16	11/19	Czechoslovakia		630.00						630.00
	11/19	11/23	Bulgaria		365.00						365.00
Commercial transportation							3,657.01				3,657.01
William Freeman	11/10	11/16	Hungary	70,038.99	894.00						894.00
	11/16	11/19	Czechoslovakia		630.00						630.00
	11/19	11/23	Bulgaria		365.00						365.00
Commercial transportation							3,657.01				3,657.01
Committee total					3,778.00		7,314.02				11,092.02

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH, Jan. 3, 1992.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. PHILLIP SCHILIRO, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 26 AND SEPT. 3, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Philip M. Schiliro	8/26	9/3	Switzerland	1,729.21	1,141.00						1,729.21
Committee total					1,141.00						1,141.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PHILIP M. SCHILIRO, Oct. 1, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. PHILLIP W. ROTONDI, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 26 AND SEPT. 10, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Phillip W. Rotondi	8/26	8/28	Hong Kong		504.00						504.00
	8/28	8/31	Thailand		352.00		144.88				496.88
	8/31	9/3	India		500.00		66.39				566.39
	9/3	9/5	Pakistan		150.00		62.81		2.46		215.27
	9/5	9/9	Turkey		814.00		268.13				1,082.13
	9/9	9/10	France		242.00						242.00
Commercial transportation							4,526.70				4,526.70
Committee total					2,562.00		5,068.91		2.46		7,633.37

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PHILLIP W. ROTONDI, Dec. 20, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. DIANNE TREMBLAY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 17 AND SEPT. 23, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Dianne Tremblay	9/18	9/19	Jordan		186.00						186.00
	9/19	9/20	Israel		220.00						220.00
	9/20	9/23	Armenia		438.00						438.00
Committee total					844.00						844.00

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DIANNE TREMBLAY, Oct. 2, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. KATHLEEN M. SULLIVAN, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 12 AND NOV. 19, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Kathleen M. Sullivan	11/12	11/19	Bangkok	29,808	1,192.32						
Committee total											1,192.32

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KATHLEEN M. SULLIVAN, Nov. 15, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. JUDITH M. RODRIGUEZ, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 29 AND DEC. 2, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Judith M. Rodriguez	11/29	12/2	Honduras	3,624	600.00		1,170.00			3,624	1,770.00
Committee total					600.00		1,170.00				1,770.00

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JUDITH M. RODRIGUEZ, Jan. 9, 1992.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. MATTHEW A. REYNOLDS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 2 AND DEC. 13, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Matthew A. Reynolds	12/2	12/6	Thailand and Cambodia		852.00						852.00
	12/6	12/8	Laos and Vietnam		191.00						191.00
	12/8	12/10	Hong Kong		504.00						504.00
	12/2	12/13					3,271.70				3,271.70
Committee total					1,547.00		2,871.00				4,418.70

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Commercial air travel to/from region.

MATTHEW A. REYNOLDS, Jan. 10, 1992.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. KRISTI WALSETH, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 2 AND DEC. 15, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Kristi E. Walseth	12/2	12/4	Albania		390.00						390.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. KRISTI WALSETH, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 2 AND DEC. 15, 1991—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
	12/4	12/5	Italy		308.00						308.00
	12/5	12/7	Hungary		388.00						388.00
	12/7	12/12	Bulgaria		1,108.00						1,108.00
	12/12	12/15	France		245.00						245.00
Commercial transportation									3,986.70		3,986.70
Committee total					2,439.00				3,986.70		6,425.70

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH, Jan. 14, 1992.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NORTH ATLANTIC ASSEMBLY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 18 AND OCT. 22, 1991

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Jack Brooks	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Charlie Rose	10/18	10/22	Spain		1,275.00						1,275.00
Hon. Larry Smith	10/18	10/22	Spain		1,275.00						1,275.00
Hon. Bill Richardson	10/18	10/22	Spain		1,020.00						1,020.00
Hon. Ron Coleman	10/18	10/22	Spain		1,275.00						1,275.00
Hon. Nancy Pelosi	10/18	10/21	Spain		1,020.00						1,020.00
Hon. David Price	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Ben N. Campbell	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Gerald Solomon	10/18	10/21	Spain		1,020.00						1,020.00
Hon. J. Alex McMillan	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Thomas Bliley	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Tom Lewis	10/18	10/20	Spain		765.00				1,843.00		2,608.00
Hon. Marjorie Roukema	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Sharon Mattox	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Ronald W. Lasch	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Brian Dean Curran	10/18	10/21	Spain		1,020.00						1,020.00
Hon. Robert Shea	10/18	10/21	Spain		1,020.00						1,020.00
Committee total					17,850.00				1,843.00		19,693.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military and commercial transportation.

DANTE B. FASCELL, Chairman, Nov. 12, 1991.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2737. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-133, "Closing of a Segment of a Dead End Public Alley in Square 516, S.O. 87-430, Act of 1992," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

2738. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Secretary's determination and justification that it is in the national interest to grant assistance to Senegal, pursuant to 22 U.S.C. 2370(g); to the Committee on Foreign Affairs.

2739. A letter from the Chairman, Board for International Broadcasting, transmitting the Board's annual report on its activities, as well as its review and evaluation of the operation of Radio Free Europe/Radio Liberty for the period October 1, 1990, through September 30, 1991, pursuant to 22 U.S.C. 2873(a)(9); to the Committee on Foreign Affairs.

2740. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to correct an error in Public Law 100-425 relating to the reservation for the Confederated Tribes of the Grand Ronde Community of Oregon; to the Committee on Interior and Insular Affairs.

2741. A letter from the Federal Bureau of Prisons, Director, transmitting the Federal Bureau of Prisons' Annual Report on Functional Literacy Requirement for All Individ-

uals in Federal Correctional Institutions, pursuant to Public Law 101-647, section 2904 (104 Stat. 4914); to the Committee on the Judiciary.

2742. A letter from the Director, Office of Personnel Management, transmitting the interim report on the Senior Executive Service, pursuant to 5 U.S.C. 3135(a), 4314(d); to the Committee on Post Office and Civil Service.

2743. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a report on the transfer of property to the Republic of Panama under the Panama Canal Treaty of 1977 and related agreements, pursuant to 22 U.S.C. 3784(b); jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

2744. A letter from the Comptroller General of the United States, transmitting a copy of a report entitled, "Promoting Democracy, National Endowment for Democracy Efforts to Improve Grant Management; jointly, to the Committees on Foreign Affairs and Government Operations.

2745. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to enhance the law enforcement authority of the Secretary of the Interior on public lands, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and the Judiciary.

2746. A letter from the Secretary of Health and Human Services, transmitting the annual report of the Indian Health Care Improvement Act covering the major activities and accomplishments of the Indian Health Service during fiscal year 1990, pursuant to 25 U.S.C. 1671; jointly, to the Committees on Interior and Insular Affairs, Energy and Commerce, and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GALLO:

H.R. 4142. A bill to require the Administrator of the Environmental Protection Agency to undertake a study of Superfund sites to assess the progress of reducing the health and environmental risks and to prioritize the need to clean up the remaining sites; to the Committee on Energy and Commerce.

By Mr. HOUGHTON:

H.R. 4143. A bill to provide improved access to health care, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, and the Judiciary.

By Mr. HUGHES (for himself, Mr. FISH, and Mr. MOORHEAD):

H.R. 4144. A bill to authorize appropriations for carrying out the activities of the State Justice Institute for fiscal years 1993, 1994, 1995, and 1996, and for other purposes; to the Committee on the Judiciary.

By Mr. SHAYS (for himself, Mr. LIVINGSTON, and Mr. WALSH):

H.R. 4145. A bill to amend the Federal Election Campaign Act of 1971 to tighten the prohibition of fraudulent misrepresentation of campaign authority; to the Committee on House Administration.

By Mr. RAMSTAD:

H.R. 4146. A bill to extend until January 1, 1995, the existing temporary suspension of duty on cyclosporine; to the Committee on Ways and Means.

By Mrs. COLLINS of Illinois:

H.J. Res. 393. Joint resolution designating October 1992 as "National Breast Cancer

Awareness Month"; to the Committee on Post Office and Civil Service.

By Mr. PORTER (for himself, Mr. HOYER, Mr. ATKINS, Mr. BROWN, Mr. COOPER, Mr. FUSTER, Mr. GILMAN, Mr. GUARINI, Ms. HORN, Mr. HORTON, Mr. KOPETSKI, Mr. KOSTMAYER, Mr. MCMILLEN of Maryland, Mrs. MEYERS of Kansas, Ms. MOLINARI, Mrs. MORELLA, Ms. NORTON, Mr. OWENS of Utah, Mr. SCHEUER, Mr. SIKORSKI, Mrs. UNSOELD, and Mr. WOLPE):

H.J. Res. 394. Joint resolution expressing the sense of the Congress that the President of the United States should travel to Brazil to lead the United States delegation to the United Nations Conference on Environment and Development; to the Committee on Foreign Affairs.

By Ms. SNOWE:  
H.J. Res. 395. Joint resolution designating February 6, 1992, as "National Women and Girls in Sports Day"; to the Committee on Post Office and Civil Service.

By Mr. WAXMAN (for himself and Mr. TORRICELLI):

H.J. Res. 396. Joint resolution designating April 15, 1992 as "National Recycling Day"; to the Committee on Post Office and Civil Service.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 74: Mr. INHOFE.  
H.R. 124: Mrs. MINK.  
H.R. 212: Mr. PAYNE of New Jersey.  
H.R. 335: Mr. EMERSON.  
H.R. 917: Mr. MOLLOHAN, Mr. SKEEN, and Mr. HATCHER.  
H.R. 962: Mr. FROST.  
H.R. 1025: Mr. KOLBE.  
H.R. 1120: Mr. GALLO.  
H.R. 1130: Mr. EDWARDS of Oklahoma.  
H.R. 1200: Mr. YOUNG of Alaska and Mr. GILMAN.  
H.R. 1354: Mrs. MEYERS of Kansas, Mr. COLEMAN of Texas, Ms. MOLINARI, and Mr. GALLEGLY.  
H.R. 1456: Mr. PURSELL.

H.R. 1536: Mr. DORNAN of California and Mr. ESPY.

H.R. 1969: Mr. MCMILLEN of Maryland, Mr. PAYNE of New Jersey, Mr. SCHUMER, and Mrs. MORELLA.

H.R. 2086: Mr. KOPETSKI, Mr. MARTINEZ, and Mr. MCNULTY.

H.R. 2419: Mr. LANCASTER, Mr. JONES of North Carolina, Mr. MARKEY, Mr. RUSSO, Mr. HYDE, Mr. AUCCOIN, Mr. RAMSTAD, Mr. PORTER, and Mr. YATES.

H.R. 2522: Mr. STARK.  
H.R. 2773: Mr. LEWIS of Florida.

H.R. 2870: Mr. UPTON and Mr. HERGER.  
H.R. 2914: Mrs. BENTLEY.

H.R. 3122: Mr. REED.  
H.R. 3138: Mr. MRAZEK and Mr. BRYANT.

H.R. 3212: Mr. BALLENGER, Mr. DOOLITTLE, Mr. DICKINSON, Mr. BARTON of Texas, Mr. RIGGS, and Mr. SOLOMON.

H.R. 3376: Mr. UPTON.  
H.R. 3464: Ms. SLAUGHTER, Mr. WOLPE, Mr. BLILEY, Mr. OWENS of Utah, Mr. SAVAGE, and Mr. MURPHY.

H.R. 3472: Mr. BEILENSON.  
H.R. 3654: Mr. BROOMFIELD, Mr. BURTON of Indiana, Mr. CHAPMAN, Mr. COUGHLIN, Mr. DELAY, Mr. DREIER of California, Mr. DUNCAN, Mr. GUNDERSON, Mr. HANCOCK, Mr. HEFLEY, Mr. LAGOMARSINO, Mr. LEWIS of California, Mr. MILLER of Ohio, Mr. RHODES, Mr. RITTER, Mr. ROHRBACHER, Mr. SAXTON, Mr. SOLOMON, and Mr. ZELIFF.

H.R. 3718: Mr. TRAXLER, Mr. MCMILLEN of Maryland, Mr. MARTINEZ, Mr. FALCOMAVAEGA, and Mrs. BYRON.

H.R. 3744: Mr. LOWERY of California, Mr. EMERSON, and Mr. HERGER.

H.R. 3838: Mr. SWIFT, Mr. WELDON, Mr. LAGOMARSINO, Mr. GEREN of Texas, Mr. PORTER, Mr. TALLON, Mr. HAYES of Louisiana, Mr. WALKER, Mr. LANCASTER, Mr. KYL, Mr. LOWERY of California, Mr. STENHOLM, Mr. RHODES, Mr. SMITH of Florida, Mr. BRUCE, Mr. COLEMAN of Texas, Mr. COMBEST, Mr. OXLEY, Mr. HEFLEY, Mr. NEAL of North Carolina, Mr. EVANS, and Mr. GALLEGLY.

H.R. 3846: Mr. BLACKWELL.  
H.R. 3850: Mr. DOOLEY, Mr. BARNARD, Mr. THOMAS of Georgia, Mr. THOMAS of Wyoming, Mr. MCEWEN, Mr. ROTH, Mr. BATEMAN, Mr. DICKS, Mr. LAFALCE, Mr. HASTERT, Mr. GRANDY, Mr. CHAPMAN, Mr. STEARNS, Mr.

JOHNSON of South Dakota, Mr. NICHOLS, Mr. MCCOLLUM, Mr. SKEEN, Mr. BEREUTER, Mr. GOODLING, Mr. MCCRERY, Mr. LIGHTFOOT, and Mr. FIELDS.

H.R. 3887: Mr. EMERSON.  
H.R. 4007: Mr. MATSUI, Mr. MOORHEAD, Mr. TOWNS, Mr. HORTON, Mr. ROYBAL, Mr. MARTINEZ, Ms. SLAUGHTER, Mr. LENT, Mr. KOSTMAYER, Ms. ROS-LEHTINEN, Mr. ANDREWS of Maine, Mr. BLAZ, Mr. APPELEGATE, Mr. ANDERSON, Mr. JEFFERSON, Ms. NORTON, Mr. MANTON, Mr. DELLUMS, Mr. ENGEL, Mr. KOPETSKI, and Ms. KAPTUR.

H.R. 4083: Mr. BRUCE, Mr. JOHNSON of South Dakota, Mr. DEFAZIO, Mr. MILLER of California, Mr. KOPETSKI, Mr. RAHALL, Mr. KOLTER, Mr. MURTHA, Mr. OBERSTAR, Mr. STARK, Mr. MURPHY, Mr. MANTON, Mr. WILLIAMS, and Mr. PETERSON of Minnesota.

H.R. 4104: Mr. KILDEE, Mr. LUKE, Mr. NOWAK, Mr. OLVER, Mr. ARMEY, Mr. BALLENGER, Mr. DANNEMEYER, Mr. DUNCAN, Mr. FAWELL, Mr. GALLEGLY, Mr. GEKAS, Mr. HENRY, Mr. HOUGHTON, Mr. KASICH, Mr. LAGOMARSINO, Mr. LENT, Mrs. MEYERS of Kansas, Mr. MOORHEAD, Mr. RIGGS, Mr. ROHRBACHER, Mr. SCHULZE, Mr. STUMP, and Mr. WALKER.

H.R. 4120: Mr. OBERSTAR.  
H.R. 4133: Mr. SANTORUM.

H.J. Res. 45: Mr. DICKINSON.  
H.J. Res. 69: Mr. HUGHES.

H.J. Res. 107: Mr. PICKLE, Mrs. PATTERSON, Mr. PETRI, Mr. DEFAZIO, and Mr. BALLENGER.

H.J. Res. 344: Mr. BEILENSON.  
H.J. Res. 390: Ms. PELOSI, Mr. RAVENEL, Mr. PURSELL, Mr. THOMAS of Georgia, Mr. WOLPE, Mr. SMITH of Iowa, Mr. HORTON, Mr. YATES, Mr. FORD of Michigan, Mr. MCCOLLUM, Mr. APPELEGATE, Mr. LANTOS, Mr. FAWELL, Mr. GALLEGLY, Mr. STUDDS, Mr. GILMAN, Mr. TRAFICANT, Mr. WALSH, Mr. WOLF, Mr. TRAXLER, Mr. ORTON, Mr. BREWSTER, Mr. HEFNER, Ms. NORTON, Mr. LEVIN of Michigan, Mr. DORNAN of California, Mr. DOOLITTLE, and Mr. GONZALEZ.

H. Con. Res. 256: Mr. BENNETT, Mr. SKEEN, Mr. MRAZEK, Mr. KOPETSKI, Mr. ROE, Mr. LEVIN of Michigan, Mr. LEWIS of Florida, Mr. SMITH of Florida, Mrs. BOXER, and Mr. EVANS.

H. Res. 302: Mr. FROST.