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HOUSE OF REPRESENTATIVES—Tuesday, June 21, 1994

The House met at 10:30 a.m. and was called to order by the Speaker.

MORNING BUSINESS

The SPEAKER. Pursuant to the order of the House of February 11, 1994, and June 10, 1994, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, other than the majority and minority leaders, limited to 5 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. WISE].

THE HEALTH CARE DEBATE GOES PRIME TIME

Mr. WISE. Mr. Speaker, I urge Americans to tune in tonight when the health care debate literally goes prime time. I congratulate the NBC television network for recognizing the importance of this issue, the most sweeping legislation this Congress will consider in 60 years, and for focusing on this issue and for devoting 2 hours tonight of prime time attention to it.

Indeed, many of the local affiliates are then adding another hour for discussion within our local areas. I hope it is the start of many such discussions that need to take place across this country, because there is a lot of bad information or disinformation or misinformation or misunderstandings about health care and all the issues involved with it.

My hope is that the televised town meeting tonight will begin to focus these issues in the minds of many, many citizens and that by watching the televised town meetings like the one that NBC conducts tonight, by attending town meetings that many Members of Congress will be sponsoring over the Fourth of July week, by attending many other meetings and by asking questions, all of us will get a better understanding of this important

issue and that Members of Congress will get a better understanding of what their constituents want done.

The town meeting tonight, for instance, hopefully will delve beyond the 15-second sound bites and get past the rhetoric so that citizens in our country and Members of Congress will understand the need finally to enact and plan affordable access to health care for all. I have heard that call from my constituents at every town meeting and from the 60,000 West Virginians who signed petitions that I personally delivered to you, Mr. Speaker, last year, requesting comprehensive health care legislation be passed.

Yes, Mr. Speaker, just as the health care reform debate goes prime time tonight, so the Congress must know that the prime time for action is now, not next year, and not the next century.

Let me speak as frankly as I can, Mr. Speaker, and say to you and through you to the American public that we better get involved if we want health care, because the 5 percent that are spreading all the bad information or disinformation or noninformation, or simply do not understand, are clouding it for everyone else. I think the message is very clear, that people in this country want comprehensive health care, guaranteed private insurance that cannot be taken away.

What happens if it does not pass this year? So what? Who loses, one might ask. Let me tell you who loses. Who loses, for instance, is the small business owner who is trying desperately to do what he or she knows is important for his or her employees and provide that insurance in today's market, knowing that they cannot get a competitive rate, knowing that there is discriminatory pricing against them. The small business operator loses because under most of the plans that are out there, including the President's plan, the small business operator gets a significant subsidy and, in fact, would be able to provide insurance at a far lower cost than he or she is presently able to do so.

Who loses if health care does not pass this year? The large business operator

loses, the GM's, the Fords, the LTV's, the large companies in this country who pay 14 percent or 15 percent of their wages in health care and would see that lowered to 7.9 percent. Ask them who is more competitive against the Japanese and the Germans and all the others where their health care costs are significantly lower. That is who loses in this country.

Who loses if health care does not pass? I lose and people like me who have good insurance through their employer. Yes, we have good insurance as part of the Federal Employee System, 9 million Federal employees and their dependents are part of it. But each year if we have got insurance and each year we know our benefits are going down, our deductibles are going up, our copays are going up and our premiums are going up.

What we have in this country right now is a prescription that says less people are going to pay more money for less coverage. That is who loses.

The people who want to change jobs will lose if there is not comprehensive health care. Try carrying your insurance policy to the next job. It does not work, does it?

Yes, I hear that all we need is insurance reform, tinker a little bit here, do community rating, do portability so we can carry it to the next job, adjust the system so that the insurance companies cannot exclude because of pre-existing illness. All of those ought to be done.

Read the Wall Street Journal, not your bastion of social liberalism. Read some of the other publications in the last 2 weeks who point out that if we do not have universal coverage, that is, everybody is in the pool, if we do not have universal coverage, we cannot do community rating that means anything, we cannot do portability, we cannot do the other insurance reforms. Because without universal coverage, we will just have the sickest of the sick in the pool. How are we going to do any kind of ratings on that?

A lot of people lose if health care does not pass, Mr. Speaker. It is time for all of us to act.

□ 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.

THE PRESIDENT'S COSTLY
HEALTH CARE PLAN

The SPEAKER pro tempore (Mrs. CLAYTON). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from California [Mr. HUFFINGTON] is recognized during morning business for 4 minutes.

Mr. HUFFINGTON. Madam Speaker, I rise today to address a very significant issue on the minds of all Americans, health care: in particular, the devastating effects President Clinton's plan will have on my home State of California and the Nation in general.

Recently, the California Governor's office released a report entitled "Above All Do No Harm," which analyzes the impact President Clinton's plan will have throughout the United States and California. Central to this report is the administration's recurring theme: Pay now, save later.

Madam Speaker, the Government has played this trick on the American people before. When Congress enacted Medicare in 1965, it was estimated that hospital insurance would cost \$14 billion between the years 1966 and 1971. In reality, costs to the taxpayer totaled \$24 billion, 65 percent above the original predictions. Americans realize a Government-run health care system does not save money.

As the Governor's report suggests, the costs of the Clinton plan could exceed the Congressional Budget Office's baseline by over \$25 billion annually. And, despite President Clinton's rhetoric, by the year 2000, over \$38 billion will be added to our ever-expanding national debt.

In order to pay for this massive increase in spending, the Clinton plan places the burden on the private sector. According to the Governor's report, business would take on billions of dollars in additional costs, and 3.7 million jobs could be lost nationwide.

The Clinton plan will also reduce national output and personal earnings. Under the administration's estimates, the Clinton plan will drain \$224 billion from our economy by the year 2000.

Madam Speaker, California has led the way in reforming health care delivery. Yet, the only reward we receive under the Clinton plan is more Federal Government interference and tax hikes. According to the Governor's study, California could lose as many as 650,000 jobs. And, we could see personal earnings decline by a staggering \$71 billion by the year 2000.

Not only will California's workers lose, but our State budget will also take a tremendous hit. By the end of the decade, the gross State product will decrease by \$29 billion, and State income tax revenue will drop by almost \$2 billion. Furthermore, the Governor's report states Clinton's plan could delay California's economic expansion by another 2 years. The bottom line is Cali-

fornia cannot afford the Clinton prescription for health care.

And what do we get for all this money? Price controls, rationing, and worst of all—the Clinton's plan erodes our individual liberties. With this plan in place, the American people will be restricted from choosing their own doctor. A doctor outside a patient's plan could be fined up to \$10,000 each time he provided treatment. The American people do not want a Government-provided physician; they want the freedom to choose their own doctor.

Madam Speaker, the Clinton's plan requires us to pay more for health care now in the hope of savings later; it restricts our choice of doctors; and it could cost 3.7 million jobs throughout the Nation—650,000 in California alone. My only question for the administration is this: If health care reform is about saving money, how come we end up paying so much?

SPOUSE ABUSE AND DOMESTIC
VIOLENCE MUST END

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Madam Speaker, this has been a very painful weekend for an awful lot of us, and I do not want to address what I think about O.J. Simpson, because I honestly think he should be considered innocent until they prove him guilty. But let me say, one of the things that came out this weekend that is so traumatizing is the issue of spouse abuse and domestic violence, and how even some of our largest cities with supposedly the best trained and the most compassionate police forces, totally ignore this, over and over and over again.

People often say, why do the women put up with this? Why do they tolerate this? Well, if you look at the Simpson case, you find that the police were called to the house nine separate times. Nine separate times. And never was an arrest made.

Think about what the record shows. That on the ninth time, Nicole came out and said that she wanted her husband arrested, please arrest her husband. She had called them there eight times before.

When they went to talk to O.J., he said, "The police have been here eight times before. This is a family matter. You are not going to arrest me. Why do you want to make a big deal out of this?"

Well, if you had been beaten nine times, you would probably think it was a pretty big deal. He said, "Go away, we can handle it." And then that time, the Los Angeles police did not arrest him. They allowed him to drive away in his Bentley.

What happened at that point was Mrs. Simpson then filed in the court a battering charge, and the judge allowed him, with his record, to plead no contest, pay a \$700 fine, which for most Americans would be like giving a nickel, pay a \$700 fine, and then talk to a psychiatrist of his choice over the phone, and do community service.

Now, if someone had beat you up on the street and threatened to kill you and done this nine times, and the police continued to refuse to arrest them, and you finally had to go for a battery charge and they give him a nickel fine, told him to do community service and talk to a doctor on the phone, I think you would be very angry. Somehow what happens on the street, we make very different from what happens in the home.

When you look at the statistics, it is incredible. That emergency wards see 4 million women a year on average that have been beaten so bad that they are in an emergency ward. That during the eighties, at least 1,500 women a year were killed; 1,500 women a year. And the nineties, it looks like it is going to be bigger and better.

Well, this keeps going on year after year after year. We have one city in America where not too long ago more policemen killed their wives than were killed in the line of duty.

You know, we are all terrified of street violence. But can you imagine living a life where not only was the street unsafe, home was more unsafe than the street? Home more unsafe than the street. Domestic terrorism.

We also know that a child that witnesses this kind of violence in the home is about 700 times more likely to be violent than a child who does not. If a child sees these arguments being solved in the home with violence time after time after time, there is no way you can give them a couple hours of conflict resolution courses and have them change their way. Please.

This year in the crime bill this House passed a historic measure, the Violence Against Women Act. It is now in conference with the Senate. The Senate bill is even better than ours by a long shot. I wanted desperately to be on that conference and am not on that conference. There are no women on that conference. I would hope after this weekend, we would see that conference come out of here with a crime bill that is as strong as the Senate, that is as tough as it can be, that finally focuses the Federal Government on this very critical issue. Because that, and that alone, will do more to prevent crime in the future, by trying to intervene in families and get people a new behavior mode. You can change this. I just hope we do everything we can after this tragic weekend to see that we never, never again see police officers winking at this bloody awful violence, that only leaves children without a mother and a very tragic future.

CLINTON HEALTH CARE PLAN TOO COSTLY

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from California [Mr. KIM] is recognized during morning business for 5 minutes.

Mr. KIM. Madam Speaker, 9 months ago, President Clinton presented us with his plan to radically change the American health care system. The details of this plan are, by now, familiar to all of us: The Clinton plan contains, as its centerpiece, an employer mandate that would force every employer to pay 80 percent of the health care costs for their employees and their families. Employer liability for these health care costs could be as high as 7.9 percent of payroll.

From the beginning, I, along with most other Republicans, have strongly opposed the employer mandates proposed by the President. For months, I have been trying to convince the proponents of this plan that these new mandates would be destructive to business, especially small business, and would threaten the livelihood of ordinary American people.

However, the proponents of the Clinton plan are not listening. They persist in trying to convince the American people that forcing employers to pay for their employees' health insurance will not put companies out of business, will not reduce employees' wages, and will not cost hundreds of thousands of Americans their jobs.

Well, I am here to tell you that those who are trying to sell this line of reasoning are dead wrong. As a former small business owner, I know from firsthand experience that businesses simply cannot afford to absorb this enormous new payroll tax without cutting wages, laying off employees or, in some cases, going out of business entirely.

But you do not have to take my word for this. Over the past few months, numerous studies have examined the potential impact that the Clinton plan will have on wages and jobs. Almost universally, these studies predict that the Clinton plan will have a devastating impact on jobs and wages. Let us take a closer look at one of these studies.

I call to my colleagues' attention a study conducted by the CONSAD research corporation commissioned by the National Federation of Independent Businesses. This study is the result of the work of dozens of experts in the fields of health care, public policy, economics, business and labor, and is based on real-world data, not abstract economic models.

Look at this. Over 850,000 jobs lost, and a potential 3.8 million jobs lost; 470,000 employees of small businesses will lose their jobs; 540,000 employees in the retail and service industries will

lose their jobs; and, 23 million employees will see their wages reduced by a total of \$28 billion—or \$1,200 per year per worker.

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Madam Speaker, while these results are disturbing enough, I am even more disturbed by the conclusions that the report reaches about exactly who will be hurt the most by the proposed employer mandates. According to the study, of those who lose their jobs: 60 percent will be women; 74 percent will be parents with children; 66 percent will be low-income people; and 88 percent will be part-time workers.

In other words, not only will the employer mandates in the Clinton plan create massive job loss and wage decline, but the plan will also concentrate those losses among American people who are least able to afford such losses—the very people that the plan is supposed to help.

I believe that the CONSAD study clearly demonstrates how bad an idea employer mandates actually are. While these kind of mandates may bring a few more people into this government-run health care system, they only do so at great cost to the wages and jobs of ordinary American people. Even worse, employer mandates hurt groups of people—people with families, the poor, women—that are most in need of our help.

For these reasons, I strongly urge my colleagues to explore alternatives to the Clinton plan that do not require employer mandates. Let us fix what is wrong with our health care system, but let us not risk the livelihoods of millions of Americans. We owe it to the hard working American people.

TOO DEAR A PRICE IN HAITI

The SPEAKER pro tempore (Mrs. CLAYTON). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 4 minutes.

Mr. GOSS. Madam Speaker, President Clinton's policy Plan A toward Haiti is to starve Haitians into democracy. If that does not work—and it will not—Plan B is to force them into democracy at gunpoint. That will not work, either.

Today, I ask again how much is this whole tragic comedy costing and are we nearing the goals that we set? The short answers are that it is costing a lot and we are accomplishing very little except making misery—life threatening misery—for ever more Haitians. We know that the administration spent \$1.5 million for the lease on a Ukrainian cruise ship, that was returned before the new ship-board refugee processing program was up and running. We know that we are still leasing another Ukrainian ship for \$34,000 a day—in ad-

dition to what we pay for fuel, crew, and waste removal. And it is hardly cheap to run the U.S.S. *Comfort* or to send the 1,000 U.S. civilian and military personnel assigned to the new refugee processing program. Of course, you have to add in the cost of the embargo enforcement—with 13 patrol ships, that is a hefty sum too. While we know the administration got stuck for \$12 million by Turks/Caicos to rent a small parcel of their beach, there is still no word on what anchoring our ships in Jamaican waters is costing United States taxpayers or how much the sanction teams on the Dominican border are spending.

Madam Speaker, I have repeatedly asked the administration for the long answer to the question of what all of this is costing, but frankly do not expect an answer anytime soon because I do not think the administration has any idea what it has gotten us into. But, we cannot just think of Haitian policy in terms of financial cost. The human cost is mounting as well—a price that will ultimately be borne by an entire generation of Haitians who either do not survive or suffer a lifetime of ill effects from having been denied basic needs like food, potable water, and health care.

According to recent reports, the signs of famine in Haiti are growing—two out of three Haitian children are now said to be suffering from malnutrition. Water for drinking and washing in most towns and villages has been fouled with human waste. Typhoid, malaria, tuberculosis, and hepatitis are running rampant. All the while, United States authorities tighten the screws on the Haitian people by holding back relief flights and allowing a punishing embargo to miss its mark. Madam Speaker, this is a price that no people should be asked to pay, especially if there is no need for it. Could it be worse? Yes. A U.S. military invasion could add even more cost.

The cost of American lives. That would be unthinkable.

"We are no longer in the negotiating business", a senior administration official says ominously. What business, I ask, then, are we in? Does anybody at the White House know?

WHITEWATER

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Texas [Mr. SAM JOHNSON] is recognized during morning business for 4 minutes.

Mr. SAM JOHNSON of Texas. Madam Speaker, article I of the Constitution gives Congress the right and obligation to conduct oversight of the executive branch. But, in the case of the Whitewater investigation we have found an abuse of power when one political party controls both the White House and the Congress.

The actions of the majority, the agencies, and the administration raise many questions, most important, whether they have compromised their independence or obstructed justice.

But, beyond the stories of a cover-up, where is the enforcement mechanism for congressional oversight when political concerns obstruct the Nation's business? The Democrat leaders in this House are still interfering with the regulatory and legislative process.

We requested hearings in the Banking Committee and the Banking Committee chairman denied them. We all know the Banking Committee has legislative jurisdiction over Madison Savings with respect to abuse of federally insured deposits, plans to merge all Federal banking agencies, agency contracting procedures, and institutional record keeping, just to name a few.

RTC oversight hearings were canceled. We can only assume the chairman feared inquiries on Madison Savings. Questions on Madison would not have been out of line, that is the job of the Banking Committee.

The RTC, a historically mismanaged agency that just received \$18.3 billion in new funding, is now three oversight hearings behind. Three hearings required by law. Clearly political protection was more important than taxpayer dollars in this decision.

In addition, Madam Speaker, the ranking minority member, Mr. LEACH, has made many requests of OTS and the RTC for documents that he has a right to. But, they refused to disclose documents again after the chairman directed them not to respond to Mr. LEACH's requests.

Finally, the House has agreed to hold hearings, but on limited topics. The Madison Savings oversight, which is the foremost concern of the Banking Committee is not an approved topic for the hearings. And once again the process is being held up by the chairman, who yesterday expressed dissatisfaction with the topics that have been decided upon. This will once again delay hearings on Whitewater.

It is clearly a stall—a cover up.

Our oath of office should be our guide. America has to come first, not Republicans, not Democrats, not Independents, nor any other party.

Congress should hold full disclosure hearings on Whitewater and RTC oversight hearings, not only to answer questions about the President and Madison savings, but to ensure the integrity of the Congress and fulfill our responsibility to the American people.

AN EMPLOYER MANDATE IS A MANDATE FOR DESTRUCTION

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from New Jersey [Mr. SAXTON] is recognized during morning business for 4 minutes.

Mr. SAXTON. Madam Speaker, if Congress enacts President Clinton's employer mandate, forcing all small businesses to fund health care reform, two things will happen.

One, millions of jobs will be lost.

And two, American workers earnings will fall.

If Members do not want to take my word for this, maybe we should take a look at what other people are saying about the effects of an employer mandate on jobs.

In fact, several weeks ago, I requested that the Republican staff of the Joint Economic Committee look into what other people are saying about an employer mandate that forces small business to pay for its employees' health care and the resulting effects on jobs.

I am happy to report that this afternoon I will be releasing the study the GOP-JEC staff conducted.

The report, entitled "A Mandate for Destruction: Survey of Job and Wage Destruction That Will Result From Requiring Employers To Pay for Workers' Health Insurance," examines 41 different studies of the Clinton health care proposal and particularly the effects of employer mandates on jobs and wages.

In fact, all economists agree that an employer mandate will raise the cost of labor, aside from making us less competitive in the world market. Firms will have to shift as much of the mandated costs back onto workers in the form of lower wages as possible. And, to the extent that they are unable to shift the cost increase back to employees in the form of reduced wages, they will hire fewer workers and in some cases lay off others.

Thus, employers and employees face a nasty trade off—job destruction or wage reduction.

The JEC staff analyzed over 40 studies that vary widely in their methodologies and assumptions yet their findings are consistent and unambiguous. Employer mandates kill jobs—a lot of them.

And as many of the reports show, it is the lowest wage earners who are most at risk of losing their jobs.

As the chart shows, estimated job losses range from a low of 600,000 to a high of 3.8 million, with an average probable loss of 1.0 million jobs and an average potential loss of 2.1 million jobs.

The Clinton administration itself admits that as many as 600,000 jobs could be lost. And we all know that if the White House is willing to admit this amount, that the true impact on jobs must be much higher.

Specifically, one of the studies in the JEC-GOP survey broke out estimates of the effects on a State-by-State basis and found, for example, that in 1998 New Jersey would lose 32,200 jobs, \$3.6 billion in wages and benefits, and \$520 in income per person.

In addition, the State of California conducted a study that concluded that the job loss in California from the Clinton health care mandate would be so severe that job loss would exceed all the California jobs lost from defense cuts and would postpone the California economic recovery for years.

And, the study finds that forcing all employers to pay insurance would reduce wages—a lot—with a the middle class taking a big hit. Americans making between \$14,000 and \$30,000 per year stand to suffer most of the estimated wage reductions from an employer mandate by losing \$1,450 a year, on average.

The verdict is in and the evidence is clear and convincing. Beyond a reasonable doubt that forced employer paid health insurance is a wage batterer and a job killer.

Madam Speaker, later today, I will be submitting a summary of this study in the part of the CONGRESSIONAL RECORD for Extensions of Remarks.

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MANDATING COVERAGE OR ACCESS

The SPEAKER pro tempore (Mrs. CLAYTON). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Georgia [Mr. COLLINS] is recognized during morning business for 5 minutes.

Mr. COLLINS of Georgia. Madam Speaker, while the issue and debate about health care reform are very complicated, they can be boiled down to a basic question that Congress and the American people must ask.

Should health care reform be based on federally mandated employer health care insurance coverage; or instead, on employer health care insurance access. There is a world of difference between the two options. Mandated coverage means an unfunded, open-ended, entitlement; but access means a private market remedy encouraging individual responsibility.

Supporters of an employer mandate to pay for health care insurance claim that it will provide 100 percent coverage, while providing greater health care coverage and benefits for all employees. But in reality there are real costs that the employee will pay with this type of mandate.

As the health care debate continues, individuals who are considering supporting a mandate on employers to provide health care must ask "Am I willing to pay more, through reduced wages, fewer job opportunities and a smaller health care benefit package than I receive now, in order to pay for health care insurance coverage for those that already have access to health care services?"

But let us look at the one example we do have in this country of a fully

implemented employer mandate to pay for health coverage:

The State of Hawaii passed a health care employer mandate in 1974. But this mandate has not been effective in achieving the 100 percent health care coverage that Clinton administration officials argue will be the natural result of the President's plan. Even with the passage of Hawaii's Prepaid Health Care Act in 1974, and the Health Insurance Program of Hawaii, as many as 7 percent of Hawaiian residents are without health care coverage.

Additionally, the employer mandate-based program has failed to effectively control costs. Health care costs in general for Hawaii have skyrocketed over the past few years: Between 1980 and 1990, total health care spending in that State rose 191 percent, compared to the national average of 163 percent.

EFFECTS OF THE EMPLOYER MANDATE

Most damaging is the impact that this program has had on the private sector in Hawaii.

The owner of a 17-employee small business located in Maui, HI, recently testified before the Small Business Committee about the impact of the employer mandate on her business.

She stated that costs associated with the employer mandate have caused her, as a business owner to "hold off purchasing new equipment" and "slow down any expansion plans."

She stated: "We had to hold wages at the same level for 2½ years."

She added:

For 5 years we have had plans to start a retirement fund for our employees, and each year, costs associated with mandated benefits have made us cancel those plans.

In thinking they were doing employees a favor through mandates, the State of Hawaii only caused more hardships for workers: their wages rose at slower rates, and they ultimately received less health care than they previously had. We are at a point in our business that we will do anything to avoid hiring one more person—and not for a lack of need.

EMPLOYERS

In Hawaii, 4 in 10 employers had to reduce their number of employees, 55 percent restricted wage increases, and 6 in 10 raised prices to the consumer as a result of the mandate.

Between 1980 and 1986, Hawaii's employment grew by only 9 percent, compared to 20 percent for the U.S. Pacific coast States, and in 1975 when the employer mandate went into effect, Hawaii was 25th among the States in average annual wages. By 1986, they had fallen to 36th.

Private sector health care does not mean fundamentally flawed health care. There are weaknesses in coverage and high costs that must be addressed. There is agreement on the issue that we need insurance reform, greater access through the elimination of pre-existing conditions, greater portability of coverage, and elimination of loopholes that exclude those individuals and families just above poverty levels.

But in deciding on the best health care reform plan, the administration would be wise to remember their very own campaign slogan: "It's the economy stupid." As we debate proposals that will change the way we deliver, ensure, receive, and finance health care, we must carefully consider the impact these changes will have on the American economy as a whole.

Because in the long-run, by placing a mandate on employers to pay for health care, the American people the American workers will ultimately once again be paying the price through reduced wages, fewer benefits, and diminished employment opportunities in our private sector.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Wyoming [Mr. THOMAS] is recognized during morning business for 5 minutes.

Mr. THOMAS of Wyoming. Madam Speaker, I rise to talk, as others have, about health care. Clearly that is the issue before us, and clearly it is an issue that deserves consideration.

I am concerned that what began as a legitimate discussion of how do we improve health care to families in this country has become now a debate as to how we fill a political imperative to do something before November so everyone can wave the flag and say, "Look, look what we've done."

We should, however, use the momentum that has been developed. We should use the momentum to ensure that there are changes in the health care system in this country.

I will be holding a town meeting, another town meeting in Rock Springs, WY, next week to talk with Wyoming families about how we can best provide a service that fits in a rural State. And services must be unique, services must be flexible, services must be different.

Two weeks ago I was in Pinedale, WY. Pinedale, WY, has one general practitioner. It is 100 miles to Jackson on the one hand and to Rock Springs on the other to a hospital. You know what folks said there. They said, "don't mess around with our health care." You might have thought they wanted all of these kinds of things to be brought there but no, they want to continue to have the choice of doing the things that they want to do.

I have worked in health care in Wyoming now for something like 4 years, and I have to tell you that flexibility, that access, doing something about price is indeed the things that are most interesting to families in Wyoming.

There are a number of health care plans out there. Families are beginning to understand that there are options in doing something. We began with sort of a notion that there was either Presi-

dent Clinton's plan or nothing. Not true. Not true.

□ 1110

And fortunately there are alternatives, alternatives that will make fundamental change in health care without uprooting the very essence of the best health care system that we have in the world.

Frankly, I am not willing to put at risk my constituents for the implanting of a totally new untested kind of program that affects one-seventh of the entire economy and put it into place on a national level without having some experience in States. States are the best laboratory for doing that.

People in Wyoming value their personal physicians and, as you imagine, sometimes it is tough, sometimes they are small towns where there are only a limited number of health care providers. But they want that choice.

One of the paradoxes, one of the interesting things has to do with prescription drug pricing. All of us, I think, want the drug store and the pharmacist right there on Main Street so that we can go there to get our needs filled immediately. We also want the advice of a pharmacist and a druggist.

At the same time we move toward HMO's and the kind of organization where almost all prescription needs are filled by mail. So we go to the pharmacist on Main Street and say, "Give us some advice, will you, please, and please have something of everything for us on a short-term basis, but we are going to send somewhere else and get the product." These two things have some conflicts. We need to do something about level pricing so that we can keep the pharmacist on Main Street to do that.

We need to make fundamental changes. We need to make changes, but we have to decide basically whether we want more government involved in health care or whether we want to continue to strengthen and perfect the private delivery system. I choose the private delivery system.

If we are going to use insurance as the funding mechanism, we have to make some changes, fundamental changes that you cannot be denied because of preexisting conditions, that it is portable so you can take it with you, we can do those things; we can do them; that you are not canceled because of utilization. We can do something about tort reform that has to do with the cost of defensive medicine. Those are doable kinds of things.

I am encouraged, frankly. I am encouraged that finally the Congress is beginning to say, "Look, if we can make substantial improvements, if we can go from 85 percent coverage to 91 percent coverage, that that is movement in the bright direction." We do not have to insist, as President Clinton

does, that we either move all the way in one giant step or not at all.

I thought it was interesting Senator MOYNIHAN said that it is incremental, that life is incremental, that things we do here are incremental. We do them as we can do them, and we do them as they are proven. We do them as they are proven to be beneficial.

I think we need fundamental change in health care. I think we can have fundamental change in health care. We can have it in this Congress if we will do those things that will have some bipartisan support and that we can believe and pass and do.

RECESS

The SPEAKER pro tempore (Mrs. CLAYTON). Pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 11 o'clock and 13 minutes a.m.) the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

PRAYER

Reverend Lawrence Burkholder, president emeritus, Goshen College, Goshen, IN, offered the following prayer:

Gracious God, we would begin this day of deliberation in gratitude for skies above, land below and oceans around, for "America the Beautiful"—purple mountains, fertile fields, rushing streams, and flowered deserts.

Help us to save this inheritance, lest we become rich while the land becomes poor, imagining ourselves fulfilled but future generations deprived, indulging our well-being without being well.

Not only for this natural inheritance would we be grateful. We rejoice in the soundness of democratic institutions which, though vulnerable to human error, persist for the advancement of justice and peace, blessed by the wisdom of Founding Fathers, caring mothers, and dedicated statesmen.

By Your kind providence, lead Your servants, our legislators, to make good judgments, to the benefit of all Your children everywhere. Amen.

THE JOURNAL

The SPEAKER. 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. The Chair will ask the gentleman from Indiana [Mr. ROE-

MER] to come forward and lead the House in the Pledge of Allegiance.

Mr. ROEMER 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 REVEREND J. LAWRENCE BURKHOLDER

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

Mr. ROEMER. Mr. Speaker, I rise to welcome Rev. J. Lawrence Burkholder, president emeritus of Goshen College in Goshen, IN. He is joined today in the Chamber by his wife, Harriet, and their daughter, Myrna.

It is with some effort and much joy that Reverend Burkholder and his family have traveled to Washington, and I join with my colleagues in welcoming him here today.

His visit is an honor, especially because Reverend Burkholder offered the prayer at the opening of today's session of the House of Representatives. With this prayer, Reverend Burkholder has represented the Third Congressional District of Indiana as Guest Chaplain—a distinction shared by very few individuals in the history of this Chamber.

Quoting Isaiah "without vision, the people will perish." Reverend Burkholder has shown great vision for people. Reverend Burkholder has made a difference in this world. He is a scholar of philosophy and theology, president emeritus of Goshen College, former professor of divinity at Harvard Divinity School, and author of several books, including "The Limits of Perfection."

Many more honors could be spoken of Reverend Burkholder. But I think it is best said that Reverend Burkholder is a person who has truly offered his life to our Lord, working each day to improve humanity, and improve the life of those less fortunate.

TRAGEDY VISITED ON SPOKANE, WA

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

Mr. FOLEY. Mr. Speaker, yesterday a mindless tragedy was visited on my home city of Spokane, WA. Twenty-two people were wounded and four killed when a discharged Air Force lab technician opened fire with an AK-47 rifle in the base hospital annex attached to the Fairchild Air Force Base. Two of the critically wounded are children ages 3 and 5.

Both facts and the assailant's motivation remain unclear, but the airman was recently discharged from the Air

Force on psychiatric grounds earlier this year. The man reportedly took a taxi to Fairchild Air Force Base, walked into an off-base Air Force medical facility, and opened fire. The first person reportedly killed was the psychiatrist who had recommended the gunman be discharged from the Air Force. It will probably be days before all the questions are answered, and I am merely reporting here information drawn largely from press reports.

Mr. Speaker, I am a native of Spokane, WA. I have spent most of my adult life living in and serving the citizens of Spokane and eastern Washington. Over that period, the community has suffered through economic recession and natural disasters. We have dealt with those adversities and persevered. But the senseless tragedy that was visited on the Spokane community and the Fairchild Air Force Base community will certainly challenge both communities' resilience and courage.

There has always been a sense of community between Spokane and Fairchild Air Force Base. My wife Heather and I offer our prayers to the victims, their families, and the united community which must now surmount this horrific incident. Together we will manage to overcome this tragedy.

A PERFECT DAY—A PERFECT GAME

(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, I rise today to recall a great moment of perfection that occurred 30 years ago to this day.

On June 21, 1964, which also happened to be Father's Day that year, JAMES PAUL DAVID BUNNING, pitching for the Philadelphia Phillies in the first game of a doubleheader, threw a perfect game against the New York Mets. There have been only 12 regular season perfect games in all of baseball history.

I am talking, of course, about the same JIM BUNNING with whom we are so proud to serve here in the House of Representatives.

Mr. Speaker, during his magnificent career on the baseball diamonds of this Nation, JIM BUNNING won 224 major league games. His lifetime earned run average was 3.27. Just to show he could swing the bat, he had seven career home runs, as well.

It should also be noted that JIM BUNNING pitched another no-hitter earlier in the American League for the Detroit Tigers against the Boston Red Sox on July 20, 1958. That is the thing that is so much different here, a no-hitter in the National and the American League, for those who are not baseball buffs.

Mr. Speaker, today I would like everyone to take just a moment to salute

JIM BUNNING's first great career. He was indeed one of the greatest baseball pitchers ever to have taken the mound in the history of the game.

I would like to look forward to the day when JIM BUNNING is inducted into the Baseball Hall of Fame, and certainly hope his chances are not diminished by his now being a Member of the Congress.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1183. An act to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2815. An act to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System; and

H.R. 4454. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1995, and for other purposes.

The message also announced that the Senate insist upon its amendments to the bill (H.R. 4454) entitled "An act making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes" and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon. Ordered, that Mr. REID, Ms. MIKULSKI, Mrs. MURRAY, Mr. BYRD, Mr. MACK, Mr. BURNS, and Mr. HATFIELD, be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 150. An act to provide for assistance in the preservation of Tallies in the State of Wisconsin, and for other purposes.

S. 316. An act to establish the Saguaro National Park in the State of Arizona, and for other purposes.

S. 472. An act to improve the administration and management of public lands, National Forests, units of the National Park System, and related areas by improving the availability of adequate, appropriate, affordable, and cost effective housing for employees needed to effectively manage the public lands.

S. 1703. An act to expand the boundaries of the Piscataway National Park, and for other purposes; and

S. 1980. An act to establish the Cane River Creole National Historical Park and the Cane River National Heritage Area in the State of Louisiana, and for other purposes.

APPOINTMENT AS MEMBERS OF BOARD OF VISITORS TO U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of section 4355(a) of title 10, United States Code, the Chair appoints as members of the Board of Visitors to the U.S. Military Academy the following Members of the House: Mr. HEFNER of North Carolina; Mr. LAUGHLIN of Texas; Mr. FISH of New York; and Mr. DELAY of Texas.

APPOINTMENT AS MEMBERS OF BOARD OF VISITORS TO U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of section 6968(a) of title 10, United States Code, the Chair appoints as members of the Board of Visitors to the U.S. Naval Academy the following Members of the House: Mr. HOYER of Maryland; Mr. MFUME of Maryland; Mrs. BENTLEY of Maryland; and Mr. SKEEN of New Mexico.

APPOINTMENT AS MEMBERS OF BOARD OF VISITORS TO U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of section 9355(a) of title 10, United States Code, the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following Members of the House: Mr. DICKS of Washington; Mr. HOAGLAND of Nebraska; Mr. HEFLEY of Colorado; and Mr. YOUNG of Florida.

SELECTION OF MEMBERS TO SERVE ON POLICY COMMITTEE OF WHITE HOUSE CONFERENCE ON AGING

The SPEAKER. Pursuant to the provisions of section 204 of the Older Americans Act Amendments of 1987, as amended by section 834 of Public Law 102-375, the Chair selects the following Members of the House to serve on the Policy Committee of the White House Conference on Aging: Mr. MARTINEZ of California; Mr. JACOBS of Indiana; Mr. HUGHES of New Jersey; and Mrs. MORELLA of Maryland.

□ 1210

REAPPOINTMENT AS MEMBER OF THE FEDERAL COUNCIL ON THE AGING

The SPEAKER. Pursuant to the provisions of section 204(a) of the Older Americans Act of 1965 (42 U.S.C. 3015(a)), as amended by section 205 of Public Law 102-375, the Chair reappoints to the Federal Council on the Aging for a 3-year term on the part of the House the following member from private life: Mrs. Josephine K. Oblinger of Williamsville, IL.

APPOINTMENT AS MEMBERS TO THE COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The SPEAKER. Pursuant to the provisions of section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) as amended by section 2(d) of Public Law 102-586, the Chair appoints the following members to the Coordinating Council on Juvenile Justice and Delinquency Prevention on the part of the House: Mr. Gordon A. Martin, Jr., of Roxbury, MA, to a 3-year term; Mr. Michael J. Mahoney of Chicago, IL, to a 2-year term; and Ms. Mary Ann Murphy of Spokane, WA, to a 1-year term.

APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES FOR THE JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The SPEAKER. Pursuant to the provisions of section 114(b) of Public Law 100-458, the Chair appoints to the board of trustees for the John C. Stennis Center for Public Service Training and Development the following Member on the part of the House to fill the existing vacancy thereon: Mr. LEWIS of Georgia.

UNIVERSAL COVERAGE NECESSARY FOR A TRULY FAIR HEALTH CARE SYSTEM

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

Mr. GEPHARDT. Mr. Speaker, for months now, Democrats have been fighting for a health care plan that covers every single American. It is easy to forget why guaranteed coverage is more than just another part of the plan.

The fact is, the only way to keep health care costs from bankrupting families and businesses is by making sure everybody is in the system.

First of all, let us remember who pays for the uninsured—those of us who have insurance. That is not health care—it is stealth care. It is a hidden tax that drives up the cost of health insurance. Guaranteed coverage is the only way to stop it.

Second, some say that if employers help to provide health care, it will destroy jobs. But when you look at the costs of providing coverage, it is less than a minimum wage increase.

Recent minimum wage increases have not destroyed jobs. Many believe they have led to higher employment. And a recent study concluded that health care reform will create tens of thousands of jobs as well.

Finally, there is the question of responsibility. Is it fair for some of us to

pay the cost of the uninsured? Is it fair for some of us to pay higher premiums because others will not pitch in?

Getting every American involved is simply the only way health care can work.

And when the real debate begins—when we start talking about the real principles that lead to guaranteed coverage—I believe we will create a health care system that is truly fair for all Americans.

DEMOCRATIC PARTY ANTIRELIGIOUS BIGOTRY

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

Mr. GINGRICH. Mr. Speaker, we are apparently faced with a systematic Democratic Party strategy of antireligious bigotry.

Today's Roll Call, page 1, headline, "Dems Unleash on 'Radical Right,'" and the Morton Kondracke Column, page 6, entitled "Democrats Launch War Over Religion GOP Should Win," are signs of a deliberate Democratic Party decision to launch an assault on those who regularly attend a synagogue or church.

Today the leader of the Democratic Congressional Campaign Committee will apparently attack citizens for their religious beliefs in a National Press Club speech. Apparently any value or lifestyle is acceptable to the Democratic leadership unless it has a religious basis.

This is antireligious bigotry, and the Democratic leadership should stop this divisive and destructive strategy.

POLITICS, HEALTH CARE, AND WOMEN

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

Mr. DERRICK. Mr. Speaker, last week a Republican Congressman revealed his marching orders: close ranks against Democratic efforts to pass meaningful health care reform.

It seems things like comprehensive coverage and cost containment are bad for the Republican party.

But Republican political gambits will spoil health care for everyone—for instance, women, who have a lot to gain from health care reform.

American women are more likely to need health care than men, but they are less likely to be insured. Working women hold down the bulk of jobs that do not offer health insurance. Women live longer and are more likely to need costly long-term care. Funding for research into diseases afflicting women is inadequate.

Health care reform addresses these problems. But Republicans have closed ranks against reform, and in effect on

women and the Nation. It is too bad that Republican politics puts them so squarely at odds with the Nation's health.

THE REPUBLICAN POSITION ON HEALTH CARE REFORM

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

Mr. WALKER. Mr. Speaker, the gentleman from South Carolina has just misrepresented the Republican position on health care, as did news stories over the weekend.

Mr. Speaker, I yield to the gentleman from Georgia [Mr. GINGRICH], the minority whip.

Mr. GINGRICH. Mr. Speaker, I want to make very clear the Republican position is we very much want to work together on a bipartisan basis to pass a bipartisan health bill. We believe it is possible to write a bill which is market-oriented, which has personal accountability, which allows people to have a choice of their own doctor.

We are opposed to a big-government, big-bureaucracy, tax-increase bill, but we would very much like to work with the Democratic leadership if they are prepared to give up their partisan strategy, the same one they followed on the tax increase last year of trying to pass a bill with 51 votes in the Senate and 218 votes in the House.

We beg the Democratic leadership: Let us work together on a bipartisan bill that is centrist. Do not try to pass a big-government, tax increase, big-bureaucracy bill only with Democratic votes.

I thank my friend for allowing me to clarify that.

Mr. WALKER. I thank the gentleman.

The majority leader earlier today outlined a program that calls for a big-government approach to health care. Americans do not need bureaucrats running their health care program. They need choice, and they need to have a chance to have their own doctor.

WORKING FOR A BIPARTISAN HEALTH CARE BILL

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

Mr. FILNER. Mr. Speaker, I yield briefly to the gentleman from South Carolina [Mr. DERRICK].

Mr. DERRICK. Mr. Speaker, in reference to the minority whip's remarks, we accept. We would be delighted to work for a bipartisan health care bill.

INVESTMENT IN THE CHILDREN OF THE WORLD

Mr. FILNER. Mr. Speaker, now that that is settled, UNICEF, the United Nations Children's Fund, today re-

leased its 1994 Progress of Nations Report—giving country-by-country comparisons of progress made in meeting the basic needs of children and families.

Nearly 13 million children worldwide die each year of preventable malnutrition and disease, dying not of massacres but of measles and dehydration. And we know what to do to prevent these deaths.

Increased global immunizations are now preventing 3 million deaths per year. Oral rehydration therapy, a simple Gatorade-like solution which prevents diarrheal dehydration, is now saving 1 million children each year. But much remains to be done to make these simple and inexpensive therapies more widely available.

My colleagues who serve on the Foreign Operations Subcommittee will soon be going into conference with the Senate regarding 1995 foreign assistance appropriations. I urge support for the Senate's binding language on children's programs which will require the Agency for International Development to devote \$185 million to primary health care, \$135 to basic education, and \$25 million to micronutrients such as vitamin A.

This is a visionary investment in the world's children and families which does not increase overall foreign aid. This Congress could make no better investment.

EMPLOYER MANDATE WOULD HARM WOMEN-OWNED SMALL BUSINESSES

(Mrs. MEYERS of Kansas asked and was given permission to address the House for 1 minute.)

Mrs. MEYERS of Kansas. Mr. Speaker, as the ranking member of the Small Business Committee, I am concerned about the harm we will inflict on the 6.5 million women-owned small businesses if we endorse President Clinton's employer mandate as a part of health care reform. Women collectively employ more people in the United States than the Fortune 500 companies employ worldwide.

The employer mandate in President Clinton's health care proposal would cause 52 percent of small businesses which are too small or new to offer health insurance, to pay from \$1,000 to \$2,500 per worker. Eight studies now conclude that we will kill between 600,000 to 2.6 million jobs with this mandate.

Small businesses do not want to dodge their responsibility; they want to grow into larger, stronger businesses that can afford to offer their employees good health care benefits. Frankly, I am amazed that White House officials believe that small businesses are getting off easy—there is nothing easy in the personal and financial risks these women take every day.

We should assist our small women-owned businesses, not burden them with further mandates.

□ 1220

EPA IS HAVING A COW

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

Mr. TRAFICANT. Mr. Speaker, another EPA crisis: The EPA gave another half-million dollars to study bovine flatulence, the burps and belches of cows. This is udder nonsense.

Folks, what is next? Will the EPA ban alfalfa? Clover? Orchard grass?

And now you know and I know what is coming up is: human flatulence. What about chili and kidney beans and hard-boiled eggs?

And to make matters worse now, what if these backpacks on Elsie are just a little too tight and she goes about 7.9 of the Richter? Does the EPA create a bovine burp task force? Do we get our first "flat" tax, folks?

The truth is this issue stinks, and I think it is about time for Congress to strap some tush monitors on the EPA.

I yield back the balance of my flatulence.

WAKE-UP CALL FOR MR. CLINTON: "COME IN, MR. CLINTON"

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

Mr. HEFLEY. Mr. Speaker, does anyone remember the game, "telephone," where one person whispers something into another person's ear and it is passed down the line until the last person says aloud what the word or phrase is? Inevitably, by the time the phrase is passed down, it becomes an unintelligible, jumbled mess. Well, when it comes to health care reform, I am convinced the White House is playing telephone with us.

Employer mandate, for example, has become many things since its birth at the White House, such as employer contribution, employer payment responsibility, employer premium payment, and in a recent effort to make it more palatable, a trigger—which is no more than a delayed mandate. Whatever the name, 93 percent of the small business people in my district are opposed to an employer mandate for one reason: They cannot afford it. Neither can their employees.

Well, the game is over. Members on either side of the aisle do not need a dictionary to know that the definition of an employer mandate is jobs killer. And we do not fall for the pitifully camouflaged employer mandate known as a trigger.

The White House can no longer ignore the fact that the phone is ringing.

It is America calling, Mr. President, and they are saying loud and clear: "We can't afford your jobs killer—er—employer mandate. Mr. Clinton."

INCONSISTENCY OF THE DAY

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

Mr. SWIFT. Mr. Speaker, last Wednesday night during the Republican special order on reform, my views on the lack of goals of the Joint Committee on Reorganization were attacked. I then have a legitimate opportunity to point out the inconsistency of their exercise.

Earlier that same day, every Republican who participated in the reform special order cast a major vote against reform. They each voted to gut the Federal Election Commission budget for the coming year. The FEC is the primary agency responsible for overseeing campaign spending, for auditing candidates, and for enforcing the law. Yet to properly do its job the Commission needs adequate operating funds and substantially updated computer capabilities.

It is the height of inconsistency to vote for what will result in poorer oversight and against reform in the afternoon and then participate that same night in a special order designed to convince the cable audience of your support for reform.

I trust the appropriations conference will restore full funding to the Federal Election Commission so that this effort to smother and intimidate the Commission will be reserved.

WOMEN AND EMPLOYER MANDATES

(Ms. MOLINARI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOLINARI. Mr. Speaker, 72 percent of all part-time workers in the retail sales sector and 81 percent of all employees in the personal services sector are women.

Thanks to the taxes in the Clinton health care plan, however, 300,000 of those women in the retail industry will lose their jobs and 80,000 women in the personal services sector will lose their jobs. Yes, everyone will have health care; most women, however, will not have a job. An employer mandate has the political appeal of seeming to finance health insurance for the vast majority of Americans without raising their taxes, but not surprisingly, virtually every credible analysis of the President's proposal estimates significant job loss and wage reductions as a result of the employer mandate.

Even Laura Tyson estimates that as many as 600,000 Americans could lose

their jobs, and women will lose because it will be the working women of this country who bear the burden of the employer mandate. Let us face it, employer mandates are not a free lunch, and more women workers in this country will be paying through lower wages, decreased benefits, and maybe even a lost job.

Let us be honest with the working women in America: Who will pay for an employer mandate? Some men may, most women will.

PASS VIOLENCE AGAINST WOMEN ACT

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, one thing that we learned this weekend is very sobering: That nine times—nine times—the Los Angeles police department was called to the Simpson home about a family violence matter, and nine times they did not arrest anyone.

Now, many people say, "Why do women tolerate this kind of violence?" If the police come nine times and never arrest anyone, what kind of protection do you really have?

There is a solution to this. Finally, the Federal Government is focusing on this in the Violence Against Women Act, which should be in the crime bill. I hope every American tries to finally start dealing with domestic violence. We must get violence out of the home. That is the fastest breeder of violence on the street.

Let us start where it all begins: In the home. Let us make sure we have the strongest possible Violence Against Women Act in this crime bill and let everyone in America say we are going to insist our police departments start answering those calls and making arrests and getting to the bottom of this issue.

PRESIDENT CLINTON'S JOB- KILLING PAYROLL TAX

(Mrs. FOWLER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. FOWLER. Mr. Speaker, I rise to express my grave concerns about President Clinton's prescription for health reform. Mandates, price controls, bureaucracy, and government regulation are simply not the answer, and I think the side effects of the treatment just might kill the patient.

My concerns are heightened by studies which show that enormous job losses will result from the Clinton payroll tax. Assuming we can afford expensive government subsidies, it appears that job losses associated with the Clinton plan would approach 1 million, and more than 20 million workers

would see their wages cut. And if we cannot afford the subsidies, these numbers skyrocket.

Especially disturbing is the fact that the industries which will be hit hardest by the tax are all characterized by high female employment. Although women are only 43 percent of the workforce, they will make up 6 percent of those who will lose jobs. The President's plan is not a bargain for working Americans, and I urge my colleagues to reject big government and new taxes and work for bipartisan reform that preserves jobs.

WHITE HOUSE SHOULD SEND REPRESENTATION TO GUAM COMMUNION MEMORANDUM

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

Mr. DE LUGO. Mr. Speaker, 50 years ago, our troops liberated the only populated part of our territory captured by the enemy during World War II: the island of Guam.

Subjected to a brutal occupation these American nationals suffered because of their defiant loyalty to the United States.

Yet, our Nation does not sufficiently recognize its debt to them.

I find it especially embarrassing that our Executive has not planned an adequate tribute to the Chamorros of Guam—or the brave servicemen of the bloody Marianas campaign on that island or the Japanese-mandated islands to its north.

I regret to have to say that the administration I support has not displayed enough sensitivity so far to the contributions of all of the people involved in spite of the efforts of the Delegate from Guam.

The White House should not fail to send top representation to the Commemoration he has organized at Arlington National Cemetery this Saturday or participate at a high level in the ceremonies on the anniversaries in the islands.

□ 1230

THE PRESIDENT AND WELFARE RHETORIC: IT IS SNOWING IN THE "SHOW ME STATE"

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

Mr. HORN. Mr. Speaker, last week President Clinton unveiled his welfare reform bill.

According to the most recent Newsweek, candidate Clinton talked about welfare reform in 40 percent of his campaign speeches, how ironic that not until he was 40 percent into his presidency did he finally get around to doing something about it.

Regretfully, what he is getting around to doing about welfare reform is not very much.

By choosing Kansas City for the unveiling, President Clinton thinks Missouri is the Snow Me State, not the Show Me State.

You do not need to be from Missouri to know the President is wrong. People are not stupid.

It is amazing that when it comes to welfare reform and taking people off a government program, the President could not be more cautious; but when it comes to health care and putting every American onto a Federal program he could not be more cavalier.

Regardless of the issue, one thing is clear: every step this administration takes is away from middle America and toward Washington. And for the President, every issue is an opportunity to do just that.

HEALTH CARE REFORM SEEN AS NO THREAT TO JOBS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, as we heard today, Republicans are calling the health care reform package a job killer. It is the same argument that Republicans made about the budget last year and it is the same argument they made about Social Security more than half a century ago. They were wrong then. And they are wrong now.

Republicans called the President's budget package a job killer and not one of them voted for it. But, far from stifling job creation, that budget has created 3.1 million private sector jobs.

And, we can look even further back to find the job killer scare tactic in use. In 1935, when Republicans were trying to defeat Social Security, one House Member said that landmark legislation would: "prevent any possibility of employers providing work for people."

The budget agreement did not cause job loss, as the Republicans claimed it would. Social Security did not stop employers from providing work for people, as the Republicans claimed it would. And, health care reform will not cause businesses to resort to layoffs, as the Republicans claim it will.

Whether it be job security, social security, or health security—Democrats have consistently faced up to this Nation's great challenges. And, we will do it again on health care reform because Democrats are determined to guarantee universal health care for every American. I ask my Republican colleagues to put aside the partisan rhetoric and work with us to pass health care reform this year. The American people are counting on us.

REPORT ON H.R. 4603, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1995, AND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1994

Mr. MOLLOHAN, from the Committee on Appropriations, submitted a privileged report (103-552) on the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

Mr. ROGERS reserved all points of order on the bill.

DEMOCRATIC PARTY MEMBERS ATTACK "RADICAL RIGHT" FUNDAMENTALISTS

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

Mr. BARTON of Texas. Mr. Speaker, the headline in yesterday's Roll Call newspaper says it all: "Dems Unleash on 'Radical Right.'" Apparently at 2 o'clock this afternoon one of the leading Democrat Members of Congress is going to start that attack in earnest. I happen to think that that is a big mistake politically for the Democrat Party. After all, I think it is very good that we encourage people that have religious beliefs to become involved in the political process. Our Founding Fathers were men and women of strong religious conviction, and many of the original 13 colonies were founded by Pilgrims trying to escape religious persecution in Europe.

I think the Democrats are making a real political mistake to resort to any religious bigotry. I think we need to look beyond the headlines. I personally do not think there is anything radical at all about people when religion plays a role in their daily lives and they happen to think they should do more for themselves instead of asking for government to do more and more. They happen to read the Bible, and some of them can even recite the Ten Commandments. If we had more people like that, I think our Government would be better off.

O.J. SIMPSON TRAGEDY POINTS UP IMPORTANCE OF THE VIOLENCE AGAINST WOMEN ACT

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, many Americans seem confused about how to respond to the Simpson family tragedy. O.J.'s life is indeed cut from the cloth of Greek tragedy, complete with the tragic flaw that may have brought his downfall. That flaw, however, may have brought death to Nicole Brown Simpson and Ronald Goldman.

A jury will decide O.J.'s guilt or innocence. He has, however, already confessed to crimes that were never punished—repeatedly and sometimes brutally beating his wife. This domestic violence against Nicole may have led to her death. If so, the only possibility for prevention was with the police she summoned and the courts that were her only recourse. They failed Nicole. And they failed O.J., whose life, too, is now all but over, however the case comes out.

Let us not compound these failures. Let us remember Nicole and the 52 percent of all women in the first half of the 1980's who were murdered by their partners. Let us make certain that the Violence Against Women Act remains a part of the crime bill.

MASSIVE JOB LOSS PREDICTED WITH CLINTON-LIKE HEALTH CARE PLAN

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

Mr. BOEHNER. Mr. Speaker, the liberals here in Congress want to impose Government-run health care, plans like the Clinton bill, and the vehicle to implement it is what is called an employer mandate. They say, "We don't want to raise taxes on the American people, so let's see, how about you pay for it?" They are pointing to the employers in America.

The only problem is that employers are just entities. It is the people who are going to pay these taxes. The estimates are that from 1 to 3 million Americans will lose their jobs if a Clinton-like plan is enacted. Beyond that, if a worker does not lose his job, he is likely to see lower wage increases and maybe cuts in benefits.

Employer mandates are nothing more than taxes on employment. For those few businesses in America that can raise their prices to cover those increases, the result becomes higher prices on America's consumers.

The American people are not going to be fooled. They know the Clinton plan means we are going to pay more and get less.

Mr. Speaker, let us not tax employers. Let us not tax employment in America. Let us have real health care reform that fixes the problems in the current system without creating a huge Government-run health care system.

HEALTH CARE IN ROCHESTER, NY—A MODEL FOR THE COUNTRY

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I want to talk about health care. I am just lucky, because I represent Rochester, NY, where we have had the Clinton plan, for the most part, for about 40 years. So these tactics and misrepresentations don't affect us.

We started community rating about 40 years ago. We have about half the uninsured rate over the rest of the country. The premiums in Rochester, NY, are one-third less than the national average and we have administrative costs which are much smaller, about 4 percent less than other systems.

This health care plan will not hurt anybody. As a matter of fact, we have superb care. In Rochester we have nine hospitals that cooperate. We have hospitals that have 85 percent bed utilization. That lowers cost and we are constantly planning to meet future needs.

We have heard all this scare business before. Let me read something for the benefit of the Members. This is a comment that was made when the Medicare system was being debated in 1968.

"One of the traditional methods of imposing statism or socialism has been by way of medicine." He urged his listeners to write to Congress opposing Medicare and warned, "If you don't do this, one of these days you and I are going to spend our sunset years telling our children and our children's children what it was like in America when men were free."

That was Ronald Reagan, with the spot paid for by the American Medical Association and the American Medical PAC, and played at Operation Coffee Cup, coffees put on by doctors' wives.

America, we have heard this all before.

Are we really the only industrialized nation on the planet that can't provide good, affordable care to all our people?

TRIGGERS: A DATE WITH DISASTER

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

Mr. KNOLLENBERG. Mr. Speaker, I have just one comment first. I would like to suggest to the Members that the previous speaker apparently has obtained a waiver for her particular area, and I think we should make note of that fact.

Mr. Speaker, by now we have all heard about the various so-called triggers, being debated here on Capitol Hill and around the country.

As you know, those are the points in time, where if all our market reforms fail that federally mandated, Big Brother-like health care reforms could go into effect.

Those same triggers are being touted as areas of compromise, making health care reform more palatable for those Members of Congress who can't make a decision.

Let us face it. Triggers are just another way for Congress to postpone an action it is unwilling to take today.

Plain and simple, this is just another way for many of my colleagues to pass the buck. And all of us here know that buck is going to end up in only one place—right at the feet of the American taxpayer.

I want substantive health care reform. But I do not want us to rush to settle our differences and sacrifice the public's best interests in the process.

This is an American issue—not a Republican or Democrat one. Let us work together on resolving our differences, not on finding ways to abdicate our responsibilities. Triggers aren't the answer.

□ 1240

GENDER EQUITY BILL

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

Mr. HUTCHINSON. Mr. Speaker, it has often been observed that our Tax Code is antifamily. One of the clearest examples is in the treatment of IRA's.

A two-wage earner household is eligible for IRA deductions of \$4,000—however if one spouse stays at home, the couple is eligible for only \$2,250.

Such a tax policy says that a mom who opts to stay at home and care for her young children is less valuable than the mom in the marketplace.

This situation can be corrected by passing the bipartisan IRA Equity Act.

This bill will encourage savings, ensure equity, and establish greater security and independence for women whose careers may be interrupted by child rearing and homemaking. The homemaker should not be treated like a second-class citizen.

If we are to recognize the importance of family values, we must start acknowledging the contributions of those spouses who elect not to work outside of the home. They, too, must be able to plan for their own retirement. For this reason, I urge my colleagues to co-sponsor H.R. 3523, the IRA Equity Act.

WELFARE WASTE

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

Mr. BAKER of California. Mr. Speaker, earlier this week, President Bill Clinton unveiled his welfare reform plan. His bill would cost more than \$9 billion.

Do the American people really believe this reform plan will be worth the

additional expense? Any reform plan that doesn't save the taxpayers money isn't really reform.

Bill Clinton was clever when he promised to end welfare as we know it. By moving a few welfare recipients from the Government welfare programs to Government make-work programs, the administration thought it could fool the American public.

But to the middle-class taxpayer who must shell out money to pay for this shell game, it's still the same old story: More Government, more taxes, and more spending.

Mr. Speaker, the people are tired of gimmicks. They are tired of tinkering. And they are tired of half-truths.

When it comes to the President's welfare reform plan, the Democrats are reinventing the Federal bureaucracy as we know it.

OLD WINE, OLD BOTTLES

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

Mr. LINDER. Mr. Speaker, the Clinton administration is claiming they have new ideas to bring to the health care debate.

This reminds me of the adage "putting new wine in old bottles." Except that the Clinton administration hasn't even gone that far.

There's no new wine here, just the same old, stale vintage of big spending, big taxing programs.

There is no new bottle either. One sniff of the cork and you know this is the same big government container we have seen before.

The only thing that is new here is the label. Instead of employer mandate, we now get the benign-sounding "triggers."

This is the same old chicanery from the same old winery that called taxes "contributions" just last year.

Fortunately, America has learned that it must look past the salesmanship to the basic question: Who pays? With this administration and with this plan they have learned the answer is they do.

HEALTH CARE VERSUS WELFARE REFORM

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

Mr. SMITH of Texas. Mr. Speaker, it is amazing that the same people President Clinton is purporting to help with his welfare plan are precisely the ones he will hurt with his health care plan.

The poor, the unwed mothers, the minorities are supposed to be the beneficiaries of Mr. Clinton's welfare plan.

These same groups will then be the victims of his health care plan. They

will pay with their jobs, with decreased opportunities, and with raises they will never see.

It is incredible that when it comes to welfare and taking people off a government program the President could not be more cautious; but when it comes to health care and putting every American onto a Federal program he could not be more cavalier.

No wonder the White House loves universal access—it will make every single man, woman, and child a perpetual dependent of the Federal Government.

No wonder they are willing to talk about taking a few people off a Government program after 2 years when they are planning to put everyone on a Government program forever.

NEA—AN OUTRAGE AGAIN

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

Mr. STEARNS. Mr. Speaker, an article in this morning's Washington Times shines a bright light on the National Endowment for the Arts, and what we see is not a pretty picture.

Year in, and year out, members of this body are told that the latest outrages funded by the NEA are aberrations, that the NEA is not responsible for the works of these so-called artists, and that it will not happen again.

Well, it has happened again. The Walker Art Center in Minneapolis received \$104,500 in matching NEA grants in 1993 and hosted the following piece of performance art. On March 5, Mr. Athey, who is HIV positive, began his show by piercing his body with needles. He then proceeded to cut designs into the back of another man on stage.

Mr. Athey blotted the blood from the man's back with paper towels and proceeded to use a clothesline to run the bloody towels over his shocked audience. The Minneapolis Star Tribune reported that many in the audience scattered in near-panic trying to avoid the dripping blood.

As a famous actor was fond of saying, "Here we go again." It is obvious that something needs to be done about the NEA. Public outcry has not compelled the NEA to distribute its grants with perceptions of common decency in mind. Nor have mere words from Congress. It is time to send the NEA a message it cannot ignore. Please join me in voting to cut funding for the NEA.

WE'RE FROM THE GOVERNMENT—WE'RE HERE TO HELP

(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 weekend at town meetings in southwest Florida

I met with constituents about the on-going health debate. Their message was clear—they don't want less jobs, more taxes or bad medicine—they don't want "reform" if it means more bureaucracy and more Government control over their personal health choices. They spoke of the need to correct fraud and waste they encounter everyday in Government-run health care programs we now have and they resented—very much—the idea of having their ability to choose their own doctor restricted by Government fiat. They also see past the glib words and rosy promises of the White House sales staff trying to sell the Clinton plan—they know that plan would gut Medicare funding and lead to rationing. They also know the promised new drug and long-term-care benefits are quickly disappearing as Congress realizes it cannot afford to deliver on the President's promises. In sum, they don't buy the line—"trust me—I'm from the Government and I'm here to help."

CONFERENCE REPORT ON S. 24, INDEPENDENT COUNSEL REAUTHORIZATION ACT OF 1994

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 24) to reauthorize the independent counsel law for an additional 5 years, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 439 provides for the consideration of the conference report on S. 24, the Independent Counsel Reauthorization Act of 1994. The rule waives all points of order against the conference report and against its consideration.

Mr. Speaker, the conference report on S. 24 reauthorizes for 5 years the independent counsel provisions of the Ethics in Government Act which would allow the appointment of special prosecutors to investigate alleged wrongdoing by top executive branch officials, including the President.

□ 1250

The conference report creates a specific category of coverage under the

law for Members of Congress, allowing the Attorney General to use the independent counsel process with regard to allegations against Members if doing so would be in the public interest.

The agreement would establish an extensive series of cost and administrative controls to restrain spending by the independent counsel and to ensure better oversight of their activities.

In order to enforce cost controls, the conference report requires GAO to conduct a financial review of independent counsel expenditure statements at mid-year, a full audit at year-end, and another full audit at termination of each independent counsel's office.

The agreement further requires each independent counsel to designate an employee who will be responsible for certifying that expenses are reasonable and lawful, and who will be held liable for any improper spending.

In addition, the conference report requires the General Services Administration to provide space for the independent counsel in Federal buildings, unless GSA determines that other arrangements would cost less.

The conference report requires a review of the progress of the appointment of an independent counsel 2 years after that appointment and every year thereafter. In addition, the agreement requires an independent counsel to file a final report that includes reasons for not indicting individuals who are the subject of an investigation by the counsel.

Finally, the conference report contains a provision that was not included in either the House or Senate bill that would allow Whitewater special prosecutor, Robert Fiske, to stay on as an independent counsel. Under the original act a Federal employee cannot be named as an independent counsel. The agreement gives the courts the option to retain Mr. Fiske if the issue of Whitewater becomes an independent counsel investigation.

Mr. Speaker, House Resolution 439 is a fair rule that will expedite consideration of this important conference report. I urge my colleagues to support the rule and conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bad bill and it is carried by a bad rule. More than 3 months ago, when this House first considered H.R. 811, legislation authorizing the independent counsel, many of us urged this body to extend its mandatory provisions to Members of Congress. That debate came in the context of ongoing allegations about impropriety and abuse of office by certain Members on both sides of the aisle. Because of the way the majority maneuvered the rules of this House during that debate, we actually were never given a clean shot at insuring that Members of

Congress would be directly accountable under an independent counsel law.

Today, as we revisit this important issue, public concern about abuse of privilege, potential felonious activities and efforts at plea bargaining by one celebrated Member of the House has mounted to some new heights, I am sorry to say. But I doubt there is a newspaper or a TV station in this country that has failed to report in on that matter. People are simply fed up with the oft-repeated appearance of Members getting special treatment and avoiding accountability, whether it is exempting Congress from the laws it passes or whether it is extra-generous health coverage or perhaps pension benefits or any other special consideration for Members. People are upset about it.

Several weeks ago, as we discussed the legislation that funds the Congress, many of my colleagues on the other side of the aisle lamented what they see as Congress-bashing and grandstanding from Members seeking to reform this institution. But frankly, such cavalier dismissal of the legitimate concerns shared by hundreds of thousands of Americans, if not millions of Americans, at this point, is tantamount to shooting the messenger. The problem is not those of us who point out the perks, privileges, and special treatment for Members. The problem is that apparently some Members continue to believe they should be treated differently and live by different rules than the people we are all elected to serve.

The alleged wrongdoing characterized by the 17-count indictment of the chairman of the Committee on Ways and Means underscores the perception of arrogance of power and lack of respect for the rules that is hard to imagine, even by Congress' worst critics, and I must point out quickly at this juncture, that the chairman has been found guilty of nothing at this stage, but the damage to the House's credibility is real and we all know it.

I am, therefore, truly disappointed that the bill before us today still fails to guarantee mandatory congressional coverage. By leaving the decision of invoking an independent counsel in cases involving Members of Congress up to the Attorney General, this bill invites conflict of interest. In the current case, the administration's enormous stake in the outcome of the ongoing investigation was clear to everybody in this country and much commented on in the media. The President even made a supportive public appearance for the Member in question in his home district. We are relieved that so far those responsible for seeing justice served have managed to avoid succumbing to political pressure, and we congratulate them for that. But why leave the door open for such a possibility? Why not mandate congressional coverage and

remove the temptation for undue interference under this and future administrations? We have that opportunity.

Mr. Speaker, today's rule waives all points of order against the independent counsel conference report. This is a very dangerous precedent. It is a way of doing business that does not allow complete deliberation and complete accountability. If we are going to do it here on a matter of this import, are we going to do it with things like health care, when we all know there is much at stake and we all know that we want a chance at the final product and not have something come out of a conference committee that has not been deliberated by either body and stuck in and protected with an ironclad protection as we have in this rule.

While I am grateful to the gentleman from Texas, Chairman BROOKS, for providing the Committee on Rules with the specific outline of the rules violations in this bill, I must object once again to a blanket waiver of the rules. There is no reason why the committee could not have granted specific rules waivers, if they were absolutely necessary. Why must we routinely discard all the standing rules of this House? I cannot answer that.

Members should take an especially close look at one provision in this bill referred to by the gentleman from South Carolina, a measure that was in neither the original House version nor that of the other body. I refer to the language pertaining directly to Robert Fiske, the special counsel currently investigating Whitewater-Madison Guaranty situation. As currently written, this bill allows Mr. Fiske to be named an independent counsel, a seemingly harmless change of title that has potentially costly implications for American taxpayers. Because of a little-known distinction, people who are under investigation by an independent counsel but who are not indicted could seek reimbursement for their legal costs. This is not the case for those being investigated by a special counsel, which is what Mr. Fiske is today. So by passing this conference report, Members will be opening up the opportunity for those Whitewater participants currently under investigation by Mr. Fiske to recoup their legal bills.

The big question is, who is liable for those fees should that eventuality arise? Is it the taxpayers? And if so, to whom would this retroactive change apply? And is there a limit to the liability?

Have the same folks who brought us retroactive tax raises now been inspired to bring up retroactive relief for Whitewater participants at the taxpayers' expense? A fair question and one that deserves debate.

All these questions must be carefully considered. I must remind Members that time and again this House rushes into things for which it is later sorry:

Catastrophic health comes to mind, so do many other things.

The taxpayers are usually the losers in that equation. I realize very well that the majority leadership has the power, they do have the power, to reserve the option to cover up misdoings. That seems to be an inside the beltway malady that can affect anyone in power in either party. But the public has spoken. They want Congress to obey the laws and play it by the rules. And an independent counsel helps make that happen, and it is, frankly, too bad that the Democratic leadership will not ensure that it happens with mandatory independent counsel cover for the Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, there has been some concern that history might get distorted when Disney opens up its theme park. I do not share that. I have no objection there. But I will say this: If Disney's history is no more valid than what we have just heard from the gentleman from Florida, some of the critics will be vindicated.

The gentleman was talking about going after Members of Congress. Let us be very clear. Why there was not an independent counsel in the case of the chairman of the Committee on Ways and Means and why there was not an independent counsel in the case of the ranking member of the Committee on Appropriations, the senior Republican.

□ 1300

George Bush did not want one. The law that was in effect when the investigation was begun of the chairman of the Committee on Ways and Means, the law that was in effect when the senior Republican in the Committee on Appropriations was indicted, allowed the Attorney General, George Bush's appointee, to name an independent counsel if he wanted to do that.

George Bush's Attorney General, Mr. Barr, said:

No, I do not think there should be an independent counsel if we are investigating the senior Republican on the Committee on Appropriations. I do not think there should be an independent counsel if we are investigating the chairman of the Committee on Ways and Means.

As a matter of fact, Mr. Speaker, the independent counsel law was in effect for the 12 years of Republican administrations immediately preceding. About a dozen Members of Congress were indicted, and in no case did Edwin Meese or William Barr or Richard Thornburgh or William French Smith, the four Republican Attorneys General, ever use their unchallenged authority to name an independent counsel.

People who think that it is a terrible thing that there was not automatically

an independent counsel when a Member of Congress was indicted should complain to the four Republican Attorneys General who declined to do that. As a matter of fact, pointing to someone who has been indicted without an independent counsel as proof that you need an independent counsel to get an indictment seems to me to strain logic even beyond where it often gets bent in these rules debates.

Mr. Chairman, the fact is that Members have been indicted and they have been convicted and they have been exonerated. This is simply a mistaken argument.

As a matter of fact, Mr. Speaker, the gentleman from Florida argued two ways, one, that Members of Congress get a great favor if they are not covered by the independent counsel statute and, two, the President and others in the Whitewater thing will be given a great favor if they are covered by the independent counsel law. He said, "Look, if you cover these people by the independent counsel, you might pay their legal fees."

Members can plead the alternative in court, but I do not think one should be allowed to argue in the alternative in a congressional debate. Which is it, a special favor to cover someone under independent counsel, or is it a special perk not to be under the independent counsel?

The fact is that this law, passed originally by Democrats under a Democratic President, opposed by Republicans, filibustered to death by Republicans in the Senate, that is why we have Mr. Fiske, because Republicans in the Senate filibustered this law to death at the end of the Bush administration. They were tired of honest investigations.

Now, Mr. Speaker, Democrats under a Democratic President are restoring the law.

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. HYDE], a senior member of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, in response to the remarks of the gentleman from Massachusetts [Mr. FRANK], there are real divisions on the wisdom or the constitutionality of an independent counsel. I do not blame anybody for thinking it is not a constitutional office.

Personally, I support the concept of independent counsel. I was present at the creation, back in 1978, when we put this together. I thought it was appropriate then and I think it is appropriate now.

What I do regret, Mr. Speaker, is that we did not take this opportunity to make it a better statute, because it is not a Republican administration that will be the object of any activities that may or may not ensue. I think we had the opportunity to have some ac-

countability. We had the opportunity to broaden the coverage to include Congress in an effective way. We really have not done that. We have nibbled around the edges.

Mr. Speaker, I think the most egregious aspect of this rule, which after all is what we are talking about, is the fact that we are waiving a point of order about something that was not a conferenceable issue.

Mr. Speaker, what the conference has done is taken the law, which says—and I quote from section 593 of title 28, United States Code, subparagraph (b)(2): "The division of the court may not appoint as an Independent Counsel any person who holds an office of profit or trust under the United States." That is now Mr. Fiske, who is the special counsel, not the independent counsel, although, interestingly enough, he is being paid from the independent counsel's indefinite appropriation.

All independent counsels have a diamond-studded platinum credit card, without limit, so the Justice Department is not going to have his salary taken out of their appropriation. However, we have waived that in the conference; that is, in the rule, to permit Mr. Fiske, should the three-judge court decide, and should the Attorney General petition for an independent counsel—and I shall not hold my breath—to appoint Mr. Fiske.

Mr. Speaker, the objection to those amendments we offered to the bill to make it a better bill, a more effective bill, they were rejected as interfering with the independence of the court, but of course now, by suggesting indirectly that Mr. Fiske be the independent counsel, it seems to be the maximum interference with the court.

However, one aspect of this should be considered, Mr. Speaker. If, indeed, Mr. Fiske is appointed independent counsel and takes over the investigation of matters that he is now investigating, attorneys fees may be paid out of the independent counsel's indefinite appropriation; whereas if he remains special counsel, answerable to Janet Reno, each person who is investigated and indicted or whatever has to pay their own attorneys fees. That may be the real reason for this waiver.

Mr. Speaker, I had no real problem with the waiver, as a matter of fact, because there may be some good, solid reasons why Mr. Fiske, if it is determined to appoint an independent counsel, at least he will have the case in hand. He will not have to relearn things, which a new person might.

However, Mr. Speaker, if we are going to breach the rules of procedure by permitting the adoption of something that was in neither bill, and was not conferenceable, that same unanimity, that same flexibility ought to have been granted to us so we could again revisit some of the things we wanted to put in the bill to make it

more effective, like some meaningful accountability, like congressional coverage, like classified material provisions, including penalties for its mis-handling. None of those requests were granted. The majority got just what they wanted and the minority got a warm handshake.

For that reason, Mr. Speaker, I am unenthusiastic about this rule, and will vote "no."

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Texas [Mr. BRYANT], the chairman of the Subcommittee on Administrative Law and Governmental Relations of the Committee on the Judiciary.

Mr. BRYANT. Mr. Speaker, I think it is regrettable that, in my view, while knowing better, Members will stand on this floor and assert that somehow or another a provision which was inserted for a very practical reason may have been brought to us due to any type of a sinister motive on the part of any Member or of the administration. The simple fact is, due to a Republican filibuster in the Senate, we could not pass the independent counsel law, which had been actually and timely acted upon by this body last year. So when the Whitewater matter came up, there was no independent counsel statute on the books and accordingly, the Attorney General appointed a special counsel.

The special counsel has done a great deal of work. The special counsel, by the way, is a member of the other party. It only makes sense that if we are going to pass the independent counsel statute again, that it be written in such a way so that if—the court so chooses, this same person can be appointed independent counsel, rather than starting all over again with someone else.

There is absolutely nothing in this rule and nothing in this bill that in any fashion whatsoever enhances the ability of the President to reclaim attorneys fees or ask for reimbursement of attorneys fees at the end of the process, any more than he otherwise would be able to do.

I think it is a great mistake on the part of the minority to stand on the floor and not so subtly hint that there is some ulterior motive when there is none. I do not think it matches, in my view, the reputation for integrity or the abilities of the gentleman from Florida [Mr. Goss], who first made this assertion.

Mr. GEKAS. Will the gentleman yield?

Mr. BRYANT. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Chairman, I say to the gentleman from Texas [Mr. BRYANT] that he piqued my interest when he said that the question of attorneys fees as to the President is not relevant here.

Would the gentleman respond to this question: If we did not adopt an inde-

pendent counsel and simply allowed the Fiske persona to pursue the special counsel trail that he is now on, would attorneys fees be payable to any target of that investigation?

Mr. BRYANT. Mr. Speaker, no, they would not.

Mr. GEKAS. Is it not true, Mr. Speaker, that the independent counsel statute which the gentleman wants to adopt with this special language does, if the gentleman will continue to yield, retroactively seek to cover attorneys fees for the White House?

Mr. BRYANT. It most clearly is not retroactive in any respect whatsoever.

Mr. GEKAS. If the gentleman will continue to yield, I am not saying retroactive, but that is, it would put into play attorneys fees for White House would-be or actual targets; is that correct?

Mr. BRYANT. It does not put them into play.

Mr. GEKAS. Mr. Speaker, I ask the gentleman what is the purpose of the act?

Mr. BRYANT. It is completely irrelevant, Mr. Speaker. The purpose of the language is to permit Mr. Fiske to be named as independent counsel and to continue his work, rather than having to get into a situation where he might have another appointed independent counsel.

□ 1310

It has nothing whatsoever to do with attorney's fees.

Mr. GEKAS. Mr. Speaker, if the gentleman will yield further, if we decided not to pass an independent counsel statute at all, could not Mr. Fiske continue to work as special counsel and the will of the Congress be met by the fact that he is continued as special counsel?

Mr. BRYANT. Certainly. The gentleman is correct.

Mr. GEKAS. Then why go through the independent counsel syndrome in order to bring Mr. Fiske on board again if it would not be for the substantial difference that exists, namely, attorney's fees?

Mr. BRYANT. There is a no requirement in this bill that Mr. Fiske be named the independent counsel, but the way it is written with this new provision, he could be named as independent counsel. That is the purpose of it.

Mr. GEKAS. Mr. Speaker, if the gentleman will yield further, what special powers would be given to him he does not have now if we go into independent counsel other than the question of attorney's fees? What other powers would he have?

Mr. BRYANT. First, the question of attorney's fees would not come into play even in that case. But this bill does not appoint Mr. Fiske independent counsel. It simply removes his ineligibility for appointment as independent counsel. That is all it does. Because

the law says we cannot appoint someone on the Federal payroll. Mr. Fiske is actually from the private sector. He is only on the Federal payroll temporarily as special counsel. All we are doing is removing his disability. That is all this bill does.

Mr. GEKAS. Mr. Speaker, if the gentleman will yield further, do we need to have Mr. Fiske become eligible for independent counsel?

Mr. BRYANT. I certainly think it is a reasonable option in order that we might not repeat the entire process with a new independent counsel. Of course it makes sense, not to repeat the entire process.

Mr. GEKAS. Mr. Speaker, I cannot conjure up my thoughts into a picture of why independent counsel would come into play if the special counsel could not consider it his.

Mr. BRYANT. Mr. Speaker, reclaiming my time to conclude my remarks, I just simply say in good faith, and I think it is very clear to Members on the other side, this provision was put in here for a very practical purpose, so we would not have to go through a repetitive process. It does not in any way enhance anyone's ability to reclaim attorney's fees whatsoever. I urge the Members to vote for the rule. It is a reasonable rule, it is a very good bill, and let us move forward today and break this impasse.

Mr. GOSS. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from the Commonwealth of Pennsylvania [Mr. GEKAS], the ranking Member of the Subcommittee on Administrative Law and Governmental Relations.

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

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me the time, and I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I say to my friend, the gentleman from Texas, I certainly do not intend any sinister connotations. It was simply informational. It seems to me under the independent counsel statute those people that are targets of investigation who are not indicted are entitled, and I think they ought to be entitled, to reimbursement for their attorney's fees. I would have gone further and said people that are indicted but are found not guilty or who win on appeal ought to have their attorney's fees paid. I am not against that and I do not think it is sinister. I just think the Members are entitled to know there is a difference between independent counsel appointed by the court where attorney's fees are allowable and special counsel which is now Mr. Fiske's title where attorney's fees are not. That is my information.

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

Mr. GEKAS. I yield to the gentleman from Texas.

Mr. BRYANT. Mr. Speaker, the gentleman from Illinois [Mr. HYDE] makes a compelling point with which I completely agree. The point is, though, that there is nothing in this bill that permits the claiming of attorney's fees retroactively for what has already taken place.

Mr. HYDE. I did not say that. The gentleman from Pennsylvania [Mr. GEKAS] did.

Mr. BRYANT. Second, the other point is this: It is very clear to everyone that there was no motive behind this provision other than to make it easy to make Mr. Fiske independent counsel. Nobody cares about the payment of attorney's fees.

Mr. HYDE. I do not charge any sinister motives at all. The "sinister" was your word and I thought a little overdone.

Mr. BRYANT. It came from the other side and I felt it necessary to respond to it.

Mr. GEKAS. Mr. Speaker, I now seize back what is left of my time.

Mr. Speaker, I would join with the gentleman from Texas or with anyone else to create a special statute now to empower any special counsel, like Mr. Fiske is now, to also account for attorney's fees for those targets who are not indicted. That would be the proper way to proceed to finally dispose of the attorney's fees situation once and for all. That is the proper way to go. It still smacks of suspicious motivation to insert the Fiske language in the independent counsel statute which we are now considering.

Who believes or wants Mr. Fiske to become independent counsel? Because the gentleman from Texas and others say that is the only reason we have this language in, so that he can become independent counsel. Who is begging for that? Why do we need that, if he is conducting an investigation, has the witnesses before him, has subpoena powers, has discovery powers, has all the powers that independent counsel would have to continue investigation?

As a matter of fact, Mr. Barr, who has been mentioned here, did have special counsel on at least one occasion, perhaps two, in which the work was completed without any thought of independent counsel, which was anathema to him, which I acknowledge. He did not like the concept of independent counsel. But here we cannot remove the suspicion that pervades the sentence that is included in this statute beyond the scope of the conference, beyond the scope of what the House did, beyond the scope of what the Senate did in debating independent counsel but as an afterthought was added to allow this special language for the special prosecutor to be converted into independent counsel. That appalls me.

I wanted to say this. When the bill was moving through the House, I and others tried mightily to include Mem-

bers of Congress as primary targets, as mandatory targets, as everyone knows. I was greatly disappointed that that was not included, because even though the gentleman from Massachusetts made a sparkling oration here about that, he did not account for something that is very special to him in previous debates on many other subjects before the Committee on the Judiciary, namely, the appearance of conflict, the appearance of favoritism. It appears to the American people if we do not put Members of Congress as possible targets of independent counsel that, indeed, we are trying to cover something. But that is a moot issue now.

I was willing to come to the floor when this conference came, knowing that we were defeated in our efforts to go on with the business. I was not even going to object to this bill. I was happy that the proposed statute includes a favorite subject matter of mine to which the gentleman from Texas agreed and helped me insert in the subcommittee deliberations; that is, a yearly report to the Congress of the doings of the independent counsel. That was a very good concept and it made this bill much better than it ever was. I was tempted to support it, notwithstanding my disappointment about the failure to include Members of Congress as targets.

Now Mr. Fiske comes in, whose work I endorse and who I want to succeed in his investigation, he comes in and poisons the atmosphere, that language does, by making me doubtful and worried about the manipulation of the independent counsel statute to address a subject which never came up until the last minute and which still is not a problem to be corrected in this devious manner. Rather, I want the gentleman from Texas to sit with me and craft a bill to amend whatever statute is required to allow special counsel to take into consideration attorney's fees but not go do end around the independent counsel statute.

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

Mr. GEKAS. I yield to the gentleman from Texas.

Mr. BRYANT. Mr. Speaker, I would like to make it very clear to the gentleman that this bill does not appoint Mr. Fiske as independent counsel. But it does provide in the event the Attorney General receives the information necessary to make her seek an independent counsel from the three Republican judges on that panel, they will be able if they choose to do so to make it Mr. Fiske. They do not have to, but they would be able to choose him. That is all it does.

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, one of the things that has concerned me over the past several months is the objectivity of the special counsel.

Mr. Fiske was a friend and an associate in several cases in New York with Bernie Nussbaum, who was the right-hand man of President Clinton at the White House. Mr. Nussbaum has since departed for a number of reasons, but he and Mr. Fiske were close. As a matter of fact, Mr. Fiske, the special counsel investigating Whitewater, asked Lawrence Walsh, who was investigating Iran-Contra, to appoint Mr. Nussbaum as assistant or associate counsel.

□ 1320

That shows there is a pretty close tie.

Mr. Fiske recommended now-FBI Director Louis Freeh to be the head of the FBI to the White House, and Bernie Nussbaum, and Louis Freeh was appointed, and he is probably a good appointment, that once again shows a close tie to the White House, Bernie Nussbaum and Mr. Fiske.

Finally, Mr. Fiske and his law firm represented the International Paper Co. that sold hundreds of acres for hundreds of thousands of dollars to the Whitewater Development Corp. His law firm and he represented the International Paper Co. that sold land to the Whitewater Development Corp. which he is investigating.

Now, I am not claiming there is something sinister here, but there at least is the appearance, the appearance of possible impropriety.

We come to this special provision that you are talking about now that will allow him not only to be the special counsel but to be appointed independent counsel. It appears to me this is done for a purpose, to make sure Mr. Fiske is rolled over into the independent counsel role in the event that this investigation and, in any event, that this law is passed. It is going to waive the prohibition against him possibly being appointed independent counsel.

Now, maybe there is nothing to all of this, but to the American people who know all the facts, they know that Mr. Fiske was tied to Mr. Nussbaum, not once, twice, but several times. They know that he and his firm represented the International Paper Co. that sold land to Whitewater, and he is investigating this.

There certainly is a cloud over this investigation, and to take away the prohibition which would allow Mr. Fiske not only to be special counsel but to become independent counsel would lead some to believe that maybe this is a way to mask the facts so that the public never knows what the heck went on with Whitewater.

In addition to that, there have been in recent days and weeks allegations raised and the possibility raised that some members of this administration

in the White House may have been involved in laundering drug money through the Lasater firm, to three or four banks, one of which is in the Cayman Islands. I am not talking about the possibility that Patsy Thomasson down there, who was the chief financial officer for Lasater & Co. when he was indicted and convicted of drug trafficking in Arkansas, when \$665 million in State bonds were sold by Lasater during that time, that this should be investigated as well.

Now, what I would like to see happen is for the independent counsel to investigate this. Now, if Mr. Fiske is rolled from special counsel into the independent counsel, there is a very good possibility that he and Janet Reno will say, "Hey, wait a minute, we do not want to investigate allegations of possible money laundering and drug trafficking. They are not relevant to Whitewater." But that should be investigated. We should have a full investigation of that as well as Whitewater.

I am just saying that the appearance, the appearance of possible impropriety by the investigation is something that I do not think we should allow to happen. It should be clean and aboveboard.

I know my colleagues are going to say, "Well, he is a Republican. There is no question about his allegiance." I think that begs the issue. It begs the issue, because he was tied to Nussbaum. He did recommend Nussbaum to the special counsel in the Iran/Contra investigation. He did recommend Louis Freeh to be head of the FBI. He did represent International Paper Co.

I just think this is something that we should not allow to happen.

This special counsel I do not believe should be rolled over into the special counsel statute, and I know that is what you guys are trying to do. I think it is very, very clear.

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

Mr. BURTON of Indiana. I yield to the gentleman from Texas.

Mr. BRYANT. Mr. Speaker, the independent counsel is chosen by a three-judge panel, all three of which are Republicans. The case you just made against Mr. Fiske you can make to that court. We are not deciding that there today. We are simply saying, though, that if the court chooses to do so it might make Mr. Fiske independent counsel since it would seem reasonable he be able to continue.

Second, I would just point out that this grand conspiracy you just alleged apparently has no residence in the U.S. Senate, which approved this conference report unanimously without even taking a record vote on the matter.

Mr. BURTON of Indiana. Reclaiming my time, I am talking about the appearance, the appearance of possible impropriety.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gen-

tleman from Texas [Mr. ARMEY], chairman of the Republican Conference.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in strong opposition to the rule.

When we began considering this authorization, I thought we would actually address some of the fundamental problems of the independent counsel law. However, many of the concerns raised by Members on this side of the aisle were ignored or swept under the rug. Now we are about to vote on a bill which puts us back at square 1 with no real reform of the independent counsel law in sight.

Mr. Speaker, the conference report does virtually nothing to extend the independent counsel law to cover Members of Congress or to bring financial accountability to the independent counsel's office, and it does absolutely nothing to limit the scope or duration of investigations, prevent frivolous inquiries, or correct past abuses and deter future corruption except in the case of Mr. Fiske and Whitewater, should that agreement be consummated.

In short, we have before us a bill long on style and very short on substance.

I encourage my colleagues to defeat the rule, send this back to the drawing board, see if we cannot come back with a more substantive proposition that can leave the American people no doubt that we are once more engaged in some aspect of the Whitewater whitewash.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a lot has been said here today about who is going to pay on this Whitewater thing, and whether this is a good idea. But this is a not conferenceable item that has been talked about.

I am sorry to say the debate apparently got into using words like "sinister" and "suspicious" and so forth when it went to that question of motivations of Members of Congress. I do not think that those are appropriate words, and certainly my motivations for raising this question go more to the issues of straightening out what the implications are of this type of provision. I want to make sure we do not have unintended negative consequences on our legislation.

I think to way that people are not concerned about the costs of legal defense these days, of Members of Congress and the executive branch both, belies the reality. In fact, people are. I have just been handed a New York Times article. It appears that the White House is planning to solicit money for legal aid. And it refers to several Members of Congress in this article, who have been really hurt trying to pay defense costs, defending themselves against various allegations. This

is a very relevant subject for all of us, and it is one that deserves a little further debate rather than coming in as a not conferenceable item that was not debated either in this House or the other body.

I do not think it is sinister to suggest that we ought to have deliberative democracy working on an issue that is this important. I suspect that the value of a good debate here would not only allow the will and the wisdom of the Members to shine forth, but I also think it would let the sun shine in on a little bit of what is going on here. This is an area where every time we try and hide from the public or anybody in the administration tries to reserve information, there is an upcry, and the media gets it, and we have yet another scandal.

I guess the question I would ask is: If this is such a good idea that we provide this provision to go from special counsel to independent counsel, then why was it not debated in the House or in the other body? I mean, why are we suddenly doing this at the last minute?

I admit there appears to be pluses and minuses to this issue after listening to gentlemen on our side and the other side of the aisle as well. And I am not convinced that I understand fully what all the implications will be.

□ 1330

I do not like to have to vote on legislation when there is the opportunity to do better. I suspect that that is the way many Members are going to feel on this. I think the other issue that is before us today is: We have talked a lot about policing ourselves in this body and doing as good a job as we can. Actually, we are not the judges of whether we police ourselves very well. The American people are the judges of that. And the American people are sending a pretty strong message out there that says they do not think we are doing a very good job of that. They seem to be saying to us:

You know, maybe it wouldn't be a bad idea if we did mandate an independent counsel position for Members of Congress as well as members of the executive branch.

It seems to me that is a very, very fair debate and a very, very fair proposition to take up. It is one, sadly, that again we are not going to reach because of the rule that we are working under this day.

It is for that reason that I am going to urge that we defeat this rule. Let's go back to the drawing boards and try to straighten out this question of legal fees and who is going to be liable for them. Let's straighten out this question of why we should not make Members of Congress subject to the mandate of an independent counsel.

This is going to be one more of those questions that Members are going to have to answer as they go back about their business in the months ahead,

saying, "Why did Congress exempt itself again from coverage by an independent counsel?"

That just is not going to play well.

Mr. Speaker, at this point I have no more speakers and no more requests for time on this side, and I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield as much time as he may consume to the distinguished gentleman from Texas [Mr. BROOKS], the chairman of the Committee on the Judiciary.

Mr. BROOKS. I thank the gentleman for yielding this time to me.

Mr. Speaker, let me first say I want to thank the gentleman from South Carolina [Mr. DERRICK] for managing this rule and for his longtime service on the Committee on Rules and say that we in this House, both Democrats and Republicans, will miss him.

Mr. Speaker, you will note Members are rising and applauding.

Mr. Speaker, the conference report on S. 24, the Independent Counsel Reauthorization Act, closely parallels the bill as it passed the House of Representatives. The Committee on Rules graciously granted the rule on the conference report to deal with three extraneous matters. Noncontroversial, but nongermane, language is included in the conference report at the insistence of the Senate Governmental Affairs Committee conferees, both Democrats and Republicans, and with the acquiescence of the House Government Operations Committee, which has jurisdiction over the subject matter.

That language, based on an amendment added to the Senate bill by the gentleman from Arizona [Mr. MCCAIN], requires an annual White House personnel report. We did not think that was too bad, and we thought you might even approve of that. The conference report also includes noncontroversial transition provisions which were not in the House- or Senate-passed bills, to describe how changes in the underlying statute would be applied in the case of two ongoing statutory investigations that began before the statute expired on December 15, 1992.

One of the transition provisions permits, but of course does not require, the court to consider Mr. Fiske, who presently serves as a regulatory independent counsel appointed by Attorney General Reno, as a possible, as a possible candidate to be appointed by the court as statutory independent counsel.

All of the transition provisions were unanimously agreed to by the Senate Democratic and Republican conferees and by a rollcall vote of the entire conference report by the House conferees.

And may I point out, and I point this out to my friend, the gentleman from Florida [Mr. GOSS], who is a man with a core of decency, sometimes obscured by rhetoric, but I want you to think

about this: Mr. DOLE, who is the minority leader over in the Senate, and Mr. COHEN, as ranking Republican on the Senate committee, both endorsed the Fiske amendment as a reasonable, responsible operation. And the bill passed by voice vote in the Senate.

And you might as well understand that I am not going to appoint Fiske. I do not care whether they appoint him or not. The question is, should he be eligible? And if they wanted to appoint Fiske, if they wanted to do it, just have him resign the day before and appoint him.

You know, there is a way to skin the cat if you are determined to do it.

The legitimate, decent way is to make it possible.

If the Attorney General recommends him, if the three-judge court, made up primarily of Republican judges, decides that they want to appoint him and they make the decision alone, not you, not me, not Janet Reno, not the President, not anybody in this building; they make the decision, they issue the guidelines, the parameters of what they expect him to do.

They do that. I do not do that. The Judiciary Committee does not do that. The Government Operations Committee does not do that. The Rules Committee does not do that. The three-judge panel does it. And they will continue to do it as I think they should.

So, I thank the distinguished chairman and members of the Committee on Rules for their work, and urge my colleagues to adopt this rule.

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

Mr. BROOKS. I yield to my friend, the gentleman from Florida, a man with a core of decency.

Mr. GOSS. A court of decency?

Mr. BROOKS. A core—c-o-r-e.

Mr. GOSS. A core? Well, I appreciate that.

I appreciate the gentleman yielding.

Mr. Speaker, let me say that the articulate and clear explanation the gentleman from Texas has given about this particular provision would undoubtedly be of great benefit to all of the membership, and it should have been debated on this floor because I think the chairman very well could have convinced most of the Members that it was a good idea.

But we are going into this blind. Not all of the Members have had the opportunity to talk to those distinguished Members of the other body or the chairman of the committee, about all of the provisions of this. We have had a lot of queries on this side.

Our point, when we are talking about the rule, is that it is better to do this in the deliberative process, in the sunshine, through the committees and through debate on the floor, rather than shut it out in the Rules Committee and deal with a nonconferenceable item this way.

I think the gentleman would probably prevail on his point.

I do not see the need to protect it except for that rule.

I wish we had brought this in at the beginning of the process, is all that I can say.

Mr. BROOKS. If we had thought about it, we would have put it in the bill on the House side.

Mr. GOSS. Well, we thought—if it is such a great idea, why did we not do it?

Mr. BROOKS. We did not think about it at the time.

Mr. GOSS. OK, that is a fair answer.

Mr. DERRICK. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 243, nays 171, not voting 20, as follows:

[Roll No. 257]

YEAS—243

Abercrombie	Costello	Hamburg
Ackerman	Coyne	Hamilton
Andrews (ME)	Cramer	Harman
Andrews (NJ)	Danner	Hastings
Andrews (TX)	Darden	Hayes
Applegate	de la Garza	Hefner
Bacchus (FL)	Deal	Hilliard
Baesler	DeLauro	Hinches
Barca	Dellums	Hoagland
Barcia	Derrick	Hochbrueckner
Barlow	Deutsch	Holden
Barrett (WI)	Dicks	Hoyer
Becerra	Dingell	Hughes
Bellenson	Dixon	Hutto
Berman	Dooley	Inslie
Bevill	Durbin	Jacobs
Billbray	Edwards (CA)	Jefferson
Bishop	Edwards (TX)	Johnson (GA)
Blackwell	Engel	Johnson (SD)
Bonior	English	Johnson, E. B.
Borski	Eshoo	Johnston
Boucher	Evans	Kanjorski
Brewster	Farr	Kaptur
Brooks	Fazio	Kennedy
Browder	Fields (LA)	Kennedy
Brown (CA)	Filner	Kildee
Brown (FL)	Fingerhut	Kieccka
Brown (OH)	Flake	Klein
Bryant	Foglietta	Klink
Byrne	Ford (MI)	Kopetski
Cantwell	Ford (TN)	Kreidler
Cardin	Frank (MA)	LaFalce
Clay	Gejdenson	Lambert
Clayton	Gephardt	Lancaster
Clement	Geren	Lantos
Clyburn	Gibbons	LaRocco
Coleman	Glickman	Laughlin
Collins (IL)	Gonzalez	Lehman
Collins (MI)	Gordon	Levin
Condit	Green	Lewis (GA)
Conyers	Gutierrez	Lipinski
Cooper	Hall (OH)	Long
Coppersmith	Hall (TX)	Lowe

Maloney	Payne (NJ)	Stark
Mann	Payne (VA)	Stenholm
Manton	Pelosi	Stokes
Margolies-	Penny	Strickland
Mezvinsky	Peterson (FL)	Studds
Markey	Peterson (MN)	Stupak
Martinez	Pickett	Swift
Matsui	Pickle	Synar
Mazzoli	Pomeroy	Tanner
McCloskey	Poshard	Tauzin
McCurdy	Price (NC)	Taylor (MS)
McDermott	Rahall	Tejeda
McHale	Rangel	Thompson
McKinney	Reed	Thornton
McNulty	Reynolds	Thurman
Meehan	Richardson	Torres
Meek	Roemer	Torricelli
Menendez	Rose	Trafficant
Miller (CA)	Rostenkowski	Tucker
Minge	Rowland	Unsoeld
Mink	Roybal-Allard	Velazquez
Moakley	Rush	Vento
Mollohan	Sabo	Visclosky
Montgomery	Sanders	Volkmer
Moran	Sangmeister	Washington
Murphy	Sarpalius	Waters
Murtha	Sawyer	Watt
Nadler	Schenk	Waxman
Neal (MA)	Schroeder	Wheat
Neal (NC)	Scott	Whitten
Oberstar	Serrano	Williams
Obey	Sharp	Wilson
Oliver	Shepherd	Wise
Ortiz	Sisisky	Woolsey
Orton	Skaggs	Wyden
Owens	Skelton	Wynn
Pallone	Slaughter	Yates
Parker	Smith (IA)	
Pastor	Spratt	

Vucanovich	Weldon	Young (FL)
Walker	Wolf	Zeliff
Walsh	Young (AK)	Zimmer

NOT VOTING—20

Bentley	Furse	Schumer
Carr	Grams	Shaw
Chapman	Lloyd	Slattery
DeFazio	McCollum	Solomon
DeLay	Mfume	Towns
Dornan	Michel	Valentine
Frost	Mineta	

□ 1401

The Clerk announced the following pair:

On this vote:

Mr. Mineta for, with Mr. Grams against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BROOKS. Mr. Speaker, pursuant to House Resolution 439, I call up the conference report on the Senate bill (S. 24), to reauthorize the independent counsel law for an additional 5 years, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of May 19, 1994, at page 10989.)

The SPEAKER pro tempore (Mr. BARLOW). The gentleman from Texas [Mr. BROOKS] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GEKAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last Congress the Independent Counsel Act died a less than honorable death—the result of budgeting and being held hostage by some Republicans who viewed a “good government” mechanism somehow as the enemy rather than as a trusted watchman. In the face of unrelenting hostility by the previous Republican administration—including the threat of a Senate filibuster—the law lapsed on December 15, 1992. Certainly, that was unfitting treatment for one of the few truly novel enhancements to our constitutional democracy in the 20th century. I am happy that many of the once ardent opponents of the statute have now experienced a change of heart in the past year and now embrace reauthorizing the statute.

The conference committee on S. 24 reported back to us a product that closely parallels the bill as it passed the House of Representatives. I might note that the House and Senate language on coverage of Members of Congress were virtually identical, and the express language covering Members of Congress is retained in this conference report.

As I noted during the rule debate, noncontroversial language mandating an annual White House personnel report to Congress is included in this conference report at the insistence of the Senate Government Affairs Committee conferees—both Democrats and Republicans. The conference report also includes noncontroversial transition provisions dealing with the application of the new provisions to the two ongoing statutory investigations begun before the statute expired on December 15, 1992.

One of the transition provisions permits—but, in no way requires—the court to consider the present regulatory Whitewater independent counsel appointed by Attorney General Reno as a possible candidate to be appointed by the court as a statutory independent counsel—should such an independent counsel be requested under this statute.

All of these transition provisions were unanimously agreed to by the Senate Democratic and Republican conferees, and by a rollcall vote on the entire conference report by the House conferees. In fact, the conference report was adopted by voice vote in the other body on May 24, 1994.

I heartily thank the distinguished House and Senate conferees for their fine work on this conference report, and I am proud to be associated in this work with them.

In conclusion, we have a fine conference report reflecting the will of the House of Representatives. As my colleagues will recall, President Clinton has always supported the reauthorization of the independent counsel statute. He is waiting to sign this conference report. I urge Members to take the final step needed to send it on to him by voting “aye.”

Mr. Speaker, I reserve the balance of my time.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the American people should know very clearly that what we are about to do is to reauthorize, if the bill should pass, if the conference report should pass, reauthorize, come back into the picture, independent counsel. The American public will remember the horrendous experiences we have had with some of the previous independent counsel who have spent millions of dollars, one up to near \$50 million over a long period of time, spending the taxpayer's money, to come to inconclusive decisions or decisions that later became obsolete and moot. Millions of dollars were spent by independent counsel. Knowing that that was the case, many Republicans on this side refused to acknowledge the necessity for an independent counsel of the type that we had before, the free-wheeling, free spending, unquartered kinds of independent counsel that seem to make the scene around here.

NAYS—171

Allard	Gillmor	McMillan
Archer	Gilman	Meyers
Armey	Gingrich	Mica
Bachus (AL)	Goodlatte	Miller (FL)
Baker (CA)	Goodling	Mollinari
Baker (LA)	Goss	Moorhead
Ballenger	Grandy	Morella
Barrett (NE)	Greenwood	Myers
Bartlett	Gunderson	Nussle
Barton	Hancock	Oxley
Bateman	Hansen	Packard
Bereuter	Hastert	Paxon
Bilirakis	Hefley	Petri
Bliley	Herger	Pombo
Blute	Hobson	Porter
Boehlert	Hoekstra	Portman
Boehner	Hoke	Pryce (OH)
Bonilla	Horn	Quillen
Bunning	Houghton	Quinn
Burton	Huffington	Ramstad
Buyer	Hunter	Ravenel
Callahan	Hutchinson	Regula
Calvert	Hyde	Ridge
Camp	Inglis	Roberts
Canady	Inhofe	Rogers
Castle	Istook	Rohrabacher
Clinger	Johnson (CT)	Ros-Lehtinen
Coble	Johnson, Sam	Roth
Collins (GA)	Kasich	Roukema
Combest	Kim	Royce
Cox	King	Santorum
Crane	Kingston	Saxton
Crapo	Klug	Schaefer
Cunningham	Knollenberg	Schiff
Diaz-Balart	Kolbe	Sensenbrenner
Dickey	Kyl	Shays
Doolittle	Lazio	Shuster
Dreier	Leach	Skeen
Duncan	Levy	Smith (MI)
Dunn	Lewis (CA)	Smith (NJ)
Ehlers	Lewis (FL)	Smith (OR)
Emerson	Lewis (KY)	Smith (TX)
Everett	Lightfoot	Snowe
Ewing	Linder	Spence
Fawell	Livingston	Stearns
Fields (TX)	Lucas	Stump
Fish	Machtley	Sundquist
Fowler	Manzullo	Swett
Franks (CT)	McCandless	Talent
Franks (NJ)	McCrery	Taylor (NC)
Gallegly	McDade	Thomas (CA)
Gallo	McHugh	Thomas (WY)
Gekas	McInnis	Torkildsen
Gilchrest	McKeon	Upton

But now this new independent counsel statute that has been brought before us takes some salutary steps, and I am willing to acknowledge that.

□ 1410

As a matter of fact, pride of authorship prompts me to say that this bill is better than anyone before it because it carries one of my provisions. That provision is good for the American public. It says that an independent counsel every year must give a report to the Congress of what that counsel is attempting to do or is doing.

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

Mr. GEKAS. I yield to the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, does the gentleman think we should have kept that in like we did, or is he against it now?

Mr. GEKAS. No. I am saying that that is a salutary provision and makes this bill better than the last one. Now I have to be convinced to vote for it.

Mr. BROOKS. Mr. Speaker, did the gentleman vote for the last one?

Mr. GEKAS. Mr. Speaker, reclaiming my time, we are now in a position to say, my gosh, even if this bill is better than the last one before, reluctant as we might be because of the fallacies of the past independent counsel to consider that this would be a good bill, now we have some other flaws leaping out at us that make it impossible for many of us to support this legislation. And that is the Fiske fix to which the chairman referred in his opening remarks as being a mere transition type of language that facilitates the possibility of appointing the present Special Counsel Fiske as an independent counsel.

We do not need Fiske to become independent counsel, do we? I have asked that question rhetorically and practically with everyone.

If Mr. Fiske goes about his duties as special counsel, the Congress will have an opportunity to review his work and to thank him for his services when he completes his investigation and concludes it. Why do we need him to be in the wings to be created independent counsel? Who has asked for that? Whose motivation brings this language to the bill? Why are we so interested in having Mr. Fiske line up as a possibility of being appointed as independent counsel? He will not have any extra powers. He will have the power of subpoena, powers of discovery, all the lawyer-like devices that are available to him will not be expanded under the independent counsel.

There is only one difference. And that has to be explained by the proponents of this legislation to the satisfaction of the Members of the Congress of the American public. And that is this. Under the present special counsel authorization that Mr. Fiske has, if a

member of the White House staff or the President or the First Lady should become the targets of investigation and those investigations do not merit an indictment against the President or the First Lady or any other member of the White House, then they will sigh a sigh of relief, but then they will have to pay their attorney's fees if they hired an attorney for any stage of these proceedings. And that is the special counsel purview of the authorization that he has.

Now, now we tell the American public, get this, if this bill, this conference report passes, the independent counsel language takes over and then, because of the language that we slipped in here, Mr. Fiske is designated and appointed as independent counsel, lo and behold, it is possible that under the current language of the independent counsel, now defunct and the new language of the independent counsel bill about to be passed, the attorney's fees for such targets can be paid, application for those attorney's fees can be made to the Court for reimbursement.

That is a devious way to get around the now seeming prohibition against attorney's fees being paid by the taxpayers for members of the White House who might be under investigation.

I tell Members here and now, and I told the gentleman from Texas during the debate on the bill, I am willing, if the Congress feels it is necessary, to work with him to create a special statute now to amend the special counsel and to give Mr. Fiske directly, through his investigation, the power to entertain attorney's fees for targets of investigation under his authorization, but not to left-handedly do an end run around the entire process by putting this Fiske fix into the independent counsel language. It taints the whole thing. It poisons the atmosphere. Use all the metaphors and facsimiles we can, it stinks. It has the scent of suspicion about it, and we ought to be careful.

Here we are now. I wanted to support this because it has my language in it for yearly audits, yearly reports to the Congress, which is a very good provision. And I wanted to support it notwithstanding the fight that we put up, many of us on this side, to include Members of Congress as targets of a possible investigation. But I am willing to live with the will of the Congress that says we cannot have Members of Congress as similar targets to members of the Executive. I think it is wrong, but I am willing to live with that. But I will not live with the stench of this language that no one has explained satisfactorily on the question of attorney's fees and the so-called transition to independent counsel.

Mr. Speaker, I reserve the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

It is time to put to rest, once and for all, the strange allegation just heard that the so-called transition rule relating to Mr. Fiske is a ploy to permit retroactive reimbursement of attorneys fees to those persons now the subject of his current regulatory independent counsel investigation. The notion of such retroactivity is a red herring, pure and simple. It is not true.

Under the terms of the independent counsel statute, attorney fee reimbursement is available only for expenses incurred during an investigation conducted pursuant to the statute, under 28 U.S.C. 593(F), the operative words are:

Upon the request of an individual who is the subject of an investigation conducted by an independent counsel pursuant to this chapter . . . the . . . court may . . . award . . . those reasonable attorneys' fees incurred by that individual during that investigation. . .

The Court, not the gentleman and not me, not the gentleman from Indiana [Mr. BURTON], not the gentleman from New York [Mr. FISH], not the gentleman from Illinois [Mr. HYDE], nobody we know, the Court, three-judge, Republican court may award those reasonable attorney's fees incurred by that individual during the investigation.

Thus, when Congress revives the independent counsel statute, it revives this rule about the award of attorneys fees; and that rule is clear that no award of attorneys fees incurred prior to the appointment of an independent counsel by the special court is permitted.

Let us also keep in mind that there is no guarantee of getting attorney's fees incurred during an independent counsel regime either. The basic standard for recovery of attorney's fees under the independent counsel law remains the same. If the matter would have been investigated by the Department of Justice in the absence of the independent counsel statute, there generally is no basis for such a recovery. And, by requiring the court to seek the views of both the Justice Department and the independent counsel on any fee requests received, and that is the law, the conference report makes it harder for independent counsel subject to obtain fees, even when they have to be granted by the court.

Ultimately, the availability of attorney's fees is up to the special court, the panel court, it is their judgment, to decide based on the facts involved in each fee request. But the terms of the law are very strict. And, I believe it beyond question that the issue of Mr. Fiske's eligibility to be an independent counsel has no bearing whatsoever on the outcome of any possible award of attorney's fees.

□ 1440

Mr. BROOKS. Mr. Speaker, I yield to my distinguished friend, the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Is it not true, Mr. Speaker, I ask the gentleman who has just yielded to me, is it not true that if Special Counsel Fiske were to continue through his present authorization, to the conclusion of his investigation, that no attorneys fees whatsoever would be authorized under his work or under the statute that has authorized his work?

Mr. BROOKS. Mr. Speaker, that is the law.

Mr. GEKAS. Mr. Speaker, that is the end of that question. If the gentleman will continue to yield, is it not true that prospectively, any new independent counsel undertaking a new investigation can, under that authorization, be empowered to grant applications for attorneys fees?

Mr. BROOKS. I am sorry, would the gentleman repeat that?

Mr. GEKAS. Let me rephrase that. If we adopt the conference report reauthorizing independent counsel, is it not true, Mr. Speaker, that at least prospectively thereafter, a new independent counsel having been appointed.

Mr. BROOKS. By the court.

Mr. GEKAS. That the reauthorization would allow attorneys fees applications to be made?

Mr. BROOKS. It will allow them to be made, but they must go to the court, and the court will decide whether or not they get them.

Mr. GEKAS. We understand that, Mr. Speaker.

Mr. BROOKS. That has been the law before.

Mr. GEKAS. Is it not possible, then, Mr. Speaker, if the gentleman will yield further, that what the prohibition is under the present special counsel authorization, that no attorneys fees can be paid members of the White House for any type of lawyers fees they incurred, that that can be changed when the same individual, Mr. Fiske, would become independent counsel prospectively for any further allegations that might be made against White House personnel?

Mr. BROOKS. It must be during the tenure of that independent counsel, Mr. Speaker. We cannot reach backward to the case 2 years ago.

Mr. GEKAS. I asked prospectively, once Fiske—

Mr. BROOKS. Prospectively, if one is eligible.

Mr. GEKAS. If the gentleman will yield further, Mr. Speaker, so that at least for prospective attorneys fees, the independent counsel will be able to allow recompense for that, where it could not under special counsel.

Mr. BROOKS. He cannot allow anything. It is allowed only if the court agrees.

Mr. GEKAS. I am talking about—

Mr. BROOKS. It could occur. It could happen.

Mr. GEKAS. If the gentleman will continue to yield, I was talking about

the independent counsel statute, not special counsel himself, or independent counsel, but the answer is clear, if special counsel under this present system does his work, no attorneys fees can be paid.

Mr. BROOKS. That is correct.

Mr. Speaker, I reserve the balance of my time.

Mr. GEKAS. Mr. Speaker, I yield 7 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I thank my colleague for his generosity in yielding time to me.

Mr. Speaker, I have been a proponent and supporter of the independent counsel law from the time of its first enactment in 1978. I still support the concept of an independent counsel statute. This law stands as a symbol that the American system of justice should not, and does not, allow preference or favoritism to those serving in high public office. It is intended to ensure that personal or institutional conflicts of interest will not impede an impartial investigation, when there is specific and credible evidence that wrongdoing involving covered officials may have occurred.

But, having said that, I must admit that I am not pleased with many of the provisions in this conference report. The independent counsel law expired in December 1992. As this lengthy time frame indicates, Congress has had ample opportunity to study the operational history of this law and to make some badly needed changes in this statute. Unfortunately, despite our efforts on this side of the aisle, Congress has not taken full advantage of this opportunity.

There is no question but that prior independent counsel investigations have highlighted a number of serious shortcomings in this law. Questions have been raised about the excessive cost of these investigations, the lack of accountability once an independent counsel is appointed, and the open-ended nature of these investigations. Many have expressed concern about certain actions that have been taken under the auspices of this law that raise serious due process and legal fairness questions.

The bill we have before us purports to deal with some of these serious and fundamental problems. But, in my estimation, it fails to address these issues in an effective manner. Despite the use of promising subtitles like "Cost Controls," S. 24 actually allows independent counsel to continue to enjoy virtually unlimited budgets. The expenses of all independent counsel will continue to be paid out of a permanent indefinite appropriation and, thus, remain totally outside of the scrutiny of the annual appropriations process. Nothing in the final version of the bill changes this unusual funding mechanism—a policy choice made by Con-

gress in December, 1987—which is at the core of the accountability and cost problems we face in this law.

Based upon the most recent cost figures provided to us, the total cost for the 13 investigations conducted to date under the independent counsel statute is in excess of \$63,800,000 and \$40 million of this was spent on 1 investigation. When we last considered this legislation—as H.R. 811—in the House of Representatives in February, my good friend and colleague, the gentleman from Illinois [Mr. HYDE] offered the Republican substitute which, among other things, would have subjected each independent counsel to the annual appropriations process 2 years after they were appointed. This approach, it seems to me, would strike a fair balance between the need for independence on the part of the special prosecutor with the very legitimate congressional oversight concerns about the open-ended nature and expense of these investigations. Under the Hyde proposal each independent counsel would have 2 years to demonstrate whether further investigation—and funding—was warranted. Unfortunately, this excellent idea was not adopted.

Also, this legislation continues a number of statutory loopholes that allow each independent counsel far too much discretion with respect to the expenditure of taxpayer dollars. For example, S. 24 directs each independent counsel to comply with Justice Department policies respecting expenditures of funds "except to the extent that compliance would be inconsistent with the purposes of this chapter." This exception language is far too broad—far too generous. Under it, each independent counsel is his or her own judge as to whether a particular expenditure is consistent with the purposes of this law or not.

Similarly, this legislation will require that the administrative arm of the judicial branch of our Government continue to provide administrative support and guidance—primarily, disbursement and accounting functions—for the various independent counsels. The Administrative Office of U.S. Courts has been providing these services for some years under an informal agreement with the Justice Department. Many have questioned the logic and propriety of this arrangement, since an independent counsel performs a prosecutorial, executive branch function, not a judicial one. Section 3 of the bill amends section 594(1) of title 28 prohibiting the Administrative Office from disclosing "information related to an independent counsel's expenditures, personnel, or administrative acts or arrangements" without prior approval from the relevant independent counsel. So, an agency of the judicial branch is prohibited from disclosing any information about the activities it undertakes on behalf of the independent counsel. To say the least, this is an

unusual provision and one that is not particularly encouraging from an accountability and cost control standpoint. Does this provision mean, for example, that a House or Senate Appropriations Subcommittee could not request relevant expenditure figures from the Administrative Office? What does this provision do to the ability of the General Accounting Office to obtain accurate cost information?

When the House considered this measure back on February 9, I offered an amendment which was adopted as part of the House version of this legislation. It reflected my concern about the existing statutory language dealing with the salaries that can be paid to the employees of the various independent counsel. Under my amendment, adopted by this House just a few months ago, no more than two employees of the independent counsel were to be compensated at a rate equivalent to that paid at level V of the executive schedule—that is, \$108,200. All other employees would be subject to a salary ceiling equivalent to the basic pay for GS-15 employees—that is, \$86,589. Now, the conference report comes back, with no opportunity for input from me on this matter, providing that all employees of an independent counsel may be paid up to the level of ES-4 of the senior executive schedule, with a District of Columbia locality adjustment. What this translates to mean is that persons hired by an independent counsel could potentially receive up to \$111,838 annually. This result is an odd way to achieve cost controls and is not consistent with the intent of the Fish amendment as adopted by this House.

Another problem that has received attention is the fact that national security information and classified documents have been mishandled, lost, and inappropriately disclosed during an independent counsel's investigation. The Republican substitute provided that it would be grounds for the removal of an independent counsel for good cause, if he or she violated Federal laws or regulations governing the maintenance, use, and disclosure of classified information. Failure to follow such procedures could subject an independent counsel to penalties under 18 U.S.C. 798. The proposal was not adopted. Instead, the conference report provides that "(A)n independent counsel shall comply with guidelines and procedures used by the (Justice) Department in the handling and use of classified material." But, once again, the ultimate judge of compliance will be each independent counsel himself or herself. The bill provides no sanction for the failure to follow such guidelines and procedures. If there is no sanction specified in this law—what standard will be applied and who will oversee possible violations?

Repeatedly during this debate, I have argued that each independent counsel

should be required to follow established Justice Department policies and procedures regarding criminal prosecutions. From a due process, constitutional rights standpoint, it is simply not appropriate or fair that independent counsel are permitted to establish a different set of prosecutorial rules and standards than those followed by all other Federal prosecutors in this country. What does S. 24 do to resolve this problem? It amends section 594(f) of title 28 to say that an independent counsel "shall, except to the extent that to do so would be inconsistent with the purposes of this chapter, comply" with Justice Department policies in the enforcement of criminal laws. When, logically would it be inconsistent with the purposes of the independent counsel law to follow the time-tested rules and procedures followed in every other Federal criminal prosecution? Each independent counsel stands in the shoes of a Federal prosecutor. They stand in for the Attorney General, for the Criminal Division and for the U.S. attorneys in a specific case. In the course of these often-high visibility investigations, they should act wholly consistent with the same rules governing prosecutorial behavior in all other Federal criminal cases. This ensures consistency, fairness, and protects due process rights.

I would mention that S. 24 does provide for the division of the court to review every 2 years whether or not the termination of an independent counsel is appropriate. I have been a strong supporter of the idea that the division of the court, which appoints each independent counsel, should regularly revisit their decision and make a determination whether or not further investigation is justified. Unfortunately, however, the amendment in the bill to section 596(b)(2) does not go quite far enough. That is, before termination of an investigation, the court will have to decide that "all matters within the prosecutorial jurisdiction of such independent counsel * * * have been completed or so substantially completed" that the matter essentially is resolved. The "all matters" language makes it difficult for the division of the court to make a termination finding in many cases, particularly where the initial grant of jurisdiction to an independent counsel may have been a broad one. So, while the division of the court will revisit an appointment every 2 years, I am far from certain that this will result in significant reductions in the length of these investigations. The language is too deferential to assure that there will be no further waste of the taxpayers' money.

Finally, Mr. Speaker, S. 24 includes a provision that was not contained in either the House bill nor the Senate bill. This provision waives that portion of the law which prohibits the division of the court from appointing "any person

who holds any office of profit or trust under the United States." 28 U.S.C. 593(c)(2). Thus, it would remove a statutory barrier that would prevent the court from selecting Robert B. Fiske Jr., the special counsel in the Madison Guaranty Savings & Loan Association case—that is, "Whitewater"—if the attorney general seeks the appointment of an independent counsel in the same case. This idea does not trouble me from an efficiency and continuity standpoint. However, Members should recognize that this provision does have implications as to whether persons being investigated by Mr. Fiske may eventually have their attorneys' fees reimbursed under the applicable provisions of a reauthorized independent counsel law. This proposal has never been the subject of hearings, has not previously been voted on by this body, and clearly was beyond the scope of the Conference Committee.

In conclusion, we had a genuine chance to establish effective cost controls, to assure greater accountability on the part of independent counsel, and to protect national security documents and classified information. Unfortunately, we have done very little to realize these goals. Mr. Speaker, this statute will be reauthorized for another 5 years but the likelihood is that Congress will have to revisit these same problems again in 1999. We have missed an opportunity to craft a significantly better independent counsel law and that is very unfortunate. I am disappointed by our failure to turn a good idea into a good law.

□ 1430

Mr. GEKAS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, one of my favorite sayings coined by John Greenleaf Whittier is, "Of all sad words of tongue or pen, the saddest are these, it might have been."

Mr. Speaker, we might have had a very good statute here about a very important subject, namely, the inevitable conflicts of interest that arise in political affairs. I do understand increasingly as I get older that the struggle for freedom many times is a struggle over weaning Government, that the Government, because it is wielding public power, does not always do it in the public interest. The Government is made up of individuals who can be as susceptible to the foibles of human nature as anybody else and the experience of the Lawrence Walsh independent counsel adventure which went on some 6 years and cost beyond \$35 million, because that does not include what was spent by the Government in complying with his requests, we ought to have learned something about the abuses of power and for the future tried to restrain this office within proper bounds, but we have not done so. The

glaring faults of the old law that has expired remains subject to some little minor tinkering which will not make a great deal of difference.

I want to go on record as saying I support the concept of an independent counsel. I am well aware of the conflicts that can arise in the executive but they can also arise in the congressional branch of Government, and I think we need an independent counsel statute. So I am going to vote for this statute although with mixed feelings, because I think the abuses that we saw in the previous years are still incipient and latent within the four corners of this statute.

Most egregious is the lack of accountability as far as tax dollars are concerned. The independent counsel is the only creature known to American Government who is above and beyond the normal restraints of any other governmental agency. The soldiers in Desert Storm had to rely on an appropriation from Congress for their food, for their little tents, for their ammunition. The FBI as it goes about investigating crime must rely on congressional appropriation. So must the court that appoints the independent counsel. So must the National Institutes of Health. There is not an operation, a function, an agency in Government that does not depend on congressional appropriation. But not the independent counsel, an unlimited credit card, diamond studded, made of platinum that goes and goes and goes like Tennyson's brook, without an end.

Mr. Speaker, what we wanted was some modicum of accountability. We offered an amendment that said, "You can get more than any number of bites at the apple you want, but after 2 years, then you go through the appropriations process. You show what you spent, then ask for what you need and you will get it." Some cost accountability.

No, we still have an independent counsel that is the beneficiary of a permanent, limitless, endless, boundless appropriation.

I will grant Members, there is a gesture at accountability, because under the new law, there will be appointed an independent certifying officer, and he is to screen out, or she, screen out unnecessary expenditures. But note that this independent certifying officer is appointed by the independent counsel. His only real discretion is on travel. So we have an inspector general of sorts without any teeth. It is like an efficiency expert without a computer. No congressional coverage. The Attorney General must find it in the public interest before an independent counsel can be appointed for a Congressman.

Classified matter. We have the horrible story of the previous independent counsel's office having classified information in a suitcase when they went out to the west coast to take the depo-

sition of Ronald Reagan, and then one of the lawyers tossed it to a red cap at the corner at LAX Airport and it was never seen again. Never seen again. It was not reported for a matter of several weeks.

It seems to me we should require the independent counsel to observe regulations concerning classified information. Yes, the new version says he should comport with regulations. But no penalty. The amendment was offered said it was grounds for dismissal from office failing to follow the regulations.

The jurisdiction of the independent counsel. The last independent counsel had a hunting license to go from Alaska to Key West looking for anything and everything, without limit, without let, without hindrance. We thought we ought to spell out a little bit the jurisdiction of the independent counsel so as to avoid the hunting license and the fishing license with an unlimited bank account. No, it was not to be.

Mr. Speaker, I am still going to vote for this bill, but with little enthusiasm.

Mr. Speaker, in 1978, as a member of the Criminal Justice Subcommittee of the House Judiciary Committee, I was involved in the enactment of the first Federal special prosecutor law. That law, of course, is now commonly referred to as the Independent Counsel Act. I was—you might say—present at the creation. I believed then, as I believe now, that a properly structured independent counsel law can play a positive role in our system of government.

But time and experience have shown that this is a law in dire need of comprehensive change—real reform. Since this statute went into effect in 1979, it has proven to be far too costly and one that grants far too much discretion to those appointed to serve under its authority. The very title "special prosecutor" carries with it a certain serious aura. It certainly is a term that makes for dramatic headlines and is easily adaptable for the lead story on the nightly news.

But, there is a sobering reality beyond the headlines and, sometimes, it is a reality that should concern us. This is a law that can be, and has been used as a tool of political retribution. It is a law that permits an independent counsel, once appointed, virtually unlimited power and provides that counsel with unlimited financial resources with which to pursue his or her probe. Our experience under this law has, at times, demonstrated that constitutional due process rights are not always well protected under the current statutory structure.

Consequently, when the authorization for this law expired in December 1992, I believed it was high time to rethink as well as to reauthorize. We now find ourselves in June 1994—so we

certainly have had plenty of time to review the history and to make the necessary changes and reforms in this law. Unfortunately, we have not done so. The conference report—S. 24—before this House merely purports to make the needed reforms. The reforms that will be cited by some of my Judiciary Committee colleagues are really illusory. The language of this bill is replete with exceptions—escape hatches—which will continue to permit an independent counsel too much discretion with taxpayer funds and too much power with respect to the rights of innocent persons.

Allow me to quickly summarize where changes are needed and where S. 24 falls far short.

No change in congressional coverage: Under the conference version, Members of Congress are not automatically covered. There is no mandatory coverage. Instead, coverage of Members of Congress would continue to be a discretionary decision by the Attorney General. There is a new public interest test to determine applicability, but the bottom line is that Members of Congress are not specifically included as covered persons under the law.

Illusory cost controls: The conference version does not change the fundamental fact that all independent counsel are the beneficiaries of a permanent indefinite appropriation. What this means is that the funding for these various investigations has no limit—it is an open-ended, unrestrained expense account. So much for the cost controls referred to by my colleagues on the other side of the aisle.

During House consideration in February, I offered a comprehensive substitute bill that would have made each independent counsel subject to the annual appropriations process after the first 2 years of their investigation. Unfortunately, that compromise proposal was not adopted. Thus, independent counsel will continue to receive a never-ending, limitless source of funding. Interestingly enough, the Department of Justice has already decided to fund Mr. Robert B. Fiske's regulatory special counsel entity under this same indefinite appropriation.

Similarly, the conference version does not place significant limits on the salaries of the independent counsel's staff. Further, reimbursement for commuting expenses will now be limited to a mere 18 months. Why should it take a year and half to decide whether or not such an assignment deserves one's full-time attention? S. 24 also says that an independent counsel shall comply with the established policies of the Justice Department respecting expenditures—but then says: "except to the extent that compliance would be inconsistent with the purposes of this chapter." Guess who gets to decide whether or not compliance would be inconsistent with this law? Each independent

counsel—himself or herself. Thus, we provide this court-appointed official a diamond-studded platinum credit card with no limits whatsoever.

Treatment of classified information: Another item of particular importance to me as a former member of the Select Committee on Intelligence is the treatment of classified information. New language will appear in the law stating that "[A]n independent counsel shall comply with guidelines and procedures used by the [Justice] Department in the handling and use of classified material." Unfortunately, unlike the substitute which I offered on the House floor, the new law will be silent as to what sanctions would apply if an independent counsel unlawfully discloses or otherwise misuses classified material. I believe that such irresponsible actions should be grounds for removal of an independent counsel. There have been a number of documented abuses regarding the handling and treatment of classified information in the recent past, and tough penalties should apply.

No precise definition of jurisdiction: The conference committee version also makes no change in the language of the law dealing with the responsibility of the division of the court to specifically define the jurisdiction of an independent counsel's inquiry. Broad, vague grants of jurisdictional authority to independent counsel have been a key problem with this law in the past. For Congress to leave this provision unchanged will have direct implications for the future cost of these investigations and potential unfairness to innocent persons dragged into these investigations.

Unfortunately, many of the reforms I have advocated were beyond the scope of the conference. This is true because they were not contained in either the House or Senate bill. But that is also true, I would note, of section 7(h) which is in the conference report. Section 7(h) specifically deals with the regulatory special counsel, Robert B. Fiske, Jr., waiving a provision that would otherwise bar his appointment as an independent counsel in the Madison Guaranty Savings & Loan case. See: 28 U.S.C. §593(b)(2). Again, this provision was not in either bill. Its inclusion sends a signal to the division of the court that the appointment of Mr. Fiske under a newly reauthorized independent counsel law would be OK with Congress. While there is a logic of continuity and efficiency to this singular waiver, it nevertheless raises questions as to whether we are interfering with the independence and discretion of the court in this case. Also, some have speculated that attorneys' fees can only be awarded if a statutory independent counsel is appointed, because no such authority exists in the case of a special counsel. See: 28 U.S.C. §515; 28 CFR §§600.1-5.

Obviously, the final conference version of this legislation is a disappoint-

ment to me. Congress had the opportunity to respond to the legitimate criticisms and concerns that have been raised by State and Federal prosecutors, by lawyers and law professors and—most importantly—by the American taxpayer. This reauthorization bill simply fails to make the needed reforms. The very existence of the independent counsel law signifies the principle that no one should be above the law. We had the opportunity to ensure that those individuals who are appointed to serve as independent counsel are not above the law either. Unfortunately, we have failed to do so.

Mr. GEKAS. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I agree with some of the concerns articulated by my distinguished colleagues, the gentleman from Illinois [Mr. HYDE] and the gentleman from New York [Mr. FISH], but I would stress that while imperfect, this bill should be supported. In so doing, I would also like to stress that from talks with a large number of Members, that I think it is fair to say that it is the expectation that there is a decent prospect that the Justice Department will recommend to the court that the existing special counsel be turned into an independent counsel. However one votes on this bill, it is not intended as a vote of confidence or no confidence in this particular special counsel.

Mr. Speaker, in my judgment Mr. Fiske is an honorable man doing a very honorable job. I would stress that with regard to a change in status, there is no expectation that I know of in this body that the Justice Department would want to recommend to the court a midstream change in counsel. It would be the expectation as far as I know that this particular counsel might have his status changed, but not his role and that there would not be any curtailment of his existing mandate.

Finally, with regard to the issue that some have raised, quite understandably, about the cost of legal fees, I can only say that I think it is appropriate for any President to have the highest quality legal representation. There is precedent with other special counsels, particularly under the Reagan administration, for such legal fees to be provided, but even if there was no precedent, the only decent thing for a legislative body is to authorize and allow the finest legal representation for the President of the United States.

Mr. Speaker, I do support this measure. I wish frankly some Republican amendments had been looked at more carefully in the Committee on the Judiciary, but given the circumstances this is the right action to take at this particular time.

Mr. GEKAS. Mr. Speaker, I yield myself 1 minute to reiterate for the benefit of the gentleman from Iowa that I, too, favor an institutionalization, a statutory methodology by which the President of the United States could seek reimbursement for attorney's fees when under some circumstances he would be investigated and found not to be indicted.

□ 1440

What I object to is the unclear, cloudy, suspicious way in which this problem may be addressed through this legislation. That is the only thing, and the gentleman from Iowa should be certain of that.

Mr. Speaker, I yield 4 minutes to my colleague, the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I would like to tell my colleagues a story.

A fellow came to my office about 2 or 3 weeks ago, and his name was Dennis Patrick. Mr. Patrick was a fellow who used to be, I think, the youngest circuit court clerk or youngest court clerk in his county in Kentucky. He had a friend named, I believe, Steve Love, who was connected with the Lasater brokerage firm in Arkansas.

Mr. Love invited him to come on a trip with him, on a jet plane. It was like the rich and famous. He went on this jet plane on a trip, where he went deep sea fishing. During this trip, Mr. Love said that this Lasater & Co. firm wanted to make a deal with him where he would get \$20,000 a month without any investment, just because they wanted him to open an account and help them with some brokerage operations down there.

Well, \$20,000 a month with no investment sounded pretty good to this fellow. But he did not think it was going to come to pass. About a month later he got a call from Mr. Love, who said, "Come on down to Little Rock, because we are going to give you \$21,000 as the first installment on your account." He said he would have roller-bladed down there for that kind of money. He went down to Arkansas, and a little naive, I might add. He went down and got \$21,000. The money was deposited, I believe, in the First American Bank down there.

He went over there and signed some papers. That was the last he heard about that until about 6 months or 8 months later, I guess, two people from the firm came to his place in Kentucky, and they inadvertently, he said, or maybe on purpose, left a file folder with some transaction slips, and these transaction slips showed that in 1985 and 1986 there was between \$60 and \$109 million of bonds transferred through his account to Mr. Lasater's account and other accounts in three banks, one in the Cayman Islands.

He became very concerned about this, because he knew nothing of these transactions.

The financial officer in charge of Lasater & Co. was a lady named Patsy Thomasson, and she knew all about the financial transactions going on in his firm. So he was concerned maybe they were doing something like possibly laundering drug money, because Mr. Lasater was being investigated for drug trafficking in Arkansas, and during the time he was being investigated for drug trafficking in Arkansas, the Governor of Arkansas, then Mr. Bill Clinton, gave him \$665 million in State bonds to be sold, from which Mr. Lasater made \$1.3 million.

To make a long story short, Mr. Lasater was convicted of drug trafficking, got 2½ years in jail, but he only spent 6 months in a halfway house. Then his conviction was commuted by Governor Clinton.

During the time he was in the halfway house, Mrs. Thomasson, over at the White House now, conducted all of his business activities, and during 1985 and 1986, as I said, between \$60 and \$109 million went through his account without his knowledge.

There is some question about where that money came from, especially in view of the fact Mr. Lasater was convicted of drug trafficking.

Incidentally, I must tell you that Mr. Patrick, after he started asking questions about this, they tried to kill him three times. This is not only documented. The men that tried to kill him were convicted and went to jail. They tried to kill him three times. So somebody, he believes, was trying to cover up his questions about the money going through this account. As I said before, the chief personnel officer at the White House, Patsy Thomasson, was chief financial officer of that firm at that time.

I wrote to Mr. Fiske asking him to expand the Whitewater investigation into possible laundering of drug money through the Lasater account, or through the Lasater company, and through Mr. Patrick's account. And I also asked that Mrs. Thomasson be investigated, because she was the chief financial officer and would have been aware of all of these transactions.

I have not yet heard from Mr. Fiske. However, the reason I am taking the floor right now is to inform the House that if we pass this independent counsel statute, as I believe we are going to today, and if Mr. Fiske declines to expand the Whitewater investigation into the possible laundering of drug money, then I will ask whoever is appointed independent counsel to investigate these allegations, these possibilities, because if \$60 to \$109 million in drug money was laundered and somebody at the White House may have been involved, it most certainly should be investigated by the special counsel.

Mr. GEKAS. Mr. Speaker, I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. BRYANT].

Mr. BRYANT. Mr. Speaker, the conference report on S. 24, the Independent Counsel Reauthorization Act of 1994, very closely tracks House Resolution 811, which passed the House earlier this year by a vote of 356 to 56. Like the House-passed bill, the conference report reauthorizes the independent counsel for 5 years and maintains the basic structure of the act which expired, unfortunately, in December 1992. Even though we were prepared to pass it, it was killed by virtue of, in effect, a filibuster coming from the other side.

We have persisted. We have acted as rapidly as we possibly could, and we have brought it back to be passed again.

The independent counsel law required the Attorney General to review credible and specific allegations of serious wrongdoing by high executive-branch officials and to seek the appointment of independent counsel to investigate the allegations if the Attorney General determined that further investigation was warranted.

The conference report also preserves the Attorney General's discretionary authority to seek appointment of an independent counsel to investigate allegations of wrongdoing by anybody else covered by Federal criminal law if the case may result in a personal, financial, or political conflict of interest for officials of the Justice Department.

It also follows the House-passed bill by putting in place strong rules and procedures to prevent wasteful spending. I am concerned that we have not fully satisfied the concerns expressed by the gentleman from Illinois [Mr. HYDE], because he has participated in this process in very good faith. We have, however, taken, in my view, steps that go as far as we possibly can go without compromising the independence of the counsel. Specifically we have required a specific employee be assigned to the duty of certifying the expenditures and to certifying that they are reasonable and in accordance with law.

To comply also with established policies of the Department of Justice regarding the expenditures of any funds, it is his obligation and obligation of the independent counsel, and he must also follow the same Federal laws and regulations that apply to travel by employees of all executive branch agencies.

We have gone a very long way in attempting to address the concerns of a number of Members with regard to the ability of the independent counsel to spend, but it is more important that he be independent than that we cover every possible abuse and prevent every possible abuse in the future.

To insure that the new rules are followed, the conference report would re-

quire independent counsel as well to submit annual reports of expenditures to the Congress. I think we have gone as far as we could possibly go, and also maintain the independence of this independent counsel.

The conference report also places further restrictions on the salaries that are paid to individuals who are employed by independent counsel employees, and it amends the act to provide an explicit category of coverage for Members of Congress.

Now, I regret the points that have been made earlier. But this House and the other body specifically voted to adopt the provision that is in this bill which allows the Attorney General to exercise her discretion to apply for the appointment of an independent counsel with regard to a Member of Congress. She would be able to use the independent counsel process with regard to a Member of Congress whenever she determined that it was in the public interest for her to do so.

With this change, any confusion that may exist about whether Members of Congress are covered by the law is ended once and for all.

The agreement also contains a number of provisions that were in the Senate bill but not in the House bill. It would lengthen, for example, for 15 to 30 days as the period of time allowed for the Attorney General's initial review of allegations, and deletes from the act the requirement that the independent counsel state the reasons for not indicting anyone who is under investigation.

It includes a nongermane provision regarding requiring the White House to report annually on personnel employed in the executive office of the President, that was sought by Members from the other side.

It also includes a number of transition provisions as well that deal with existing independent counsel that are presently operating and takes account of the fact that the conversion of this statute to their situation requires a few provisions which are not controversial.

□ 1450

Finally, I would simply respond to the many statements that have been made with regard to attorneys fees and so forth by saying once again this conference report was approved by a unanimous vote of the other body. Surely the Senator from Iowa, Mr. DOLE, as minority leader, surely Mr. STEVENS, as a member of the conference, surely Mr. COHEN, as a member of the conference, are diligent enough and dedicated enough to have spotted any indication of any of the conspiratorial motives that might have lain behind the adoption of this provision had they existed. They did not exist.

Simply put, we want the three-judge court to have the option, if it chooses

to do so, to convert Mr. Fiske from a special counsel to an independent counsel. But that decision will be made by the three-judge court, not by the passage of this statute.

This is a historic statute that has served this country well. We have attempted to make it a little bit better and to reenact it in order that the country might know that high public officials who may be so personally close to the Attorney General that we could not reasonably expect them to be treated in the same way that every other American is going to be treated, will be treated the same way every other American is treated by an independent counsel that is able to act in the public interest.

I urge the Members to vote in favor of the approval of the conference report.

Ms. FURSE. Mr. Speaker, as I was the last time the House considered this legislation, I am concerned about provisions in this bill which set a different standard for Congress and the executive branch. While executive branch officials are subject to the provisions of S. 24, there is no requirement in this legislation that credible evidence of wrongdoing by a Member of Congress will be investigated by the Justice Department or a third party.

Action is needed to restore the public's faith in Congress. Although I believe it could go further, I will support this legislation because Members of Congress are explicitly listed as possible subjects of independent counsel investigations. I do so, however, reiterating the fact that Congress must at all times avoid setting a different standard for itself.

Mr. BROOKS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BARLOW). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GEKAS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 317, nays 105, not voting 12, as follows:

[Roll No. 258]

YEAS—317

Ackerman	Barrett (NE)	Bonior
Allard	Barrett (WI)	Borski
Andrews (ME)	Becerra	Boucher
Andrews (NJ)	Bellenson	Brewster
Andrews (TX)	Bereuter	Brooks
Applegate	Berman	Browder
Bacchus (FL)	Bevill	Brown (FL)
Bacchus (AL)	Bilbray	Brown (OH)
Baessler	Bilbrakis	Bryant
Baker (LA)	Bishop	Byrne
Barca	Blackwell	Calvert
Barcla	Blute	Camp
Barlow	Boehler	Canady

Cantwell	Hughes	Peterson (MN)
Cardin	Hutto	Pickett
Castle	Hyde	Pickle
Clay	Inslée	Pomeroy
Clayton	Jacobs	Porter
Clement	Jefferson	Poshard
Clinger	Johnson (CT)	Price (NC)
Clyburn	Johnson (GA)	Rahall
Coleman	Johnson (SD)	Ramstad
Collins (GA)	Johnson, E. B.	Rangel
Collins (IL)	Johnston	Reed
Collins (MI)	Kanjorski	Regula
Condit	Kaptur	Reynolds
Conyers	Kasich	Richardson
Cooper	Kennedy	Ridge
Coppersmith	Kennelly	Roemer
Costello	Kildee	Rose
Coyne	Kiecicka	Rostenkowski
Cramer	Klein	Roukema
Danner	Klink	Rowland
Darden	Klug	Roybal-Allard
de la Garza	Knollenberg	Rush
Deal	Kopetski	Sabo
DeLauro	Kreidler	Sanders
Dellums	LaFalce	Sangmeister
Derrick	Lambert	Santorum
Deutsch	Lancaster	Sarpalitus
Diaz-Balart	Lantos	Sawyer
Dicks	LaRocco	Saxton
Dingell	Laughlin	Schenk
Dixon	Lazio	Schiff
Dooley	Leach	Schroeder
Dornan	Lehman	Schumer
Dunn	Levin	Scott
Durbin	Levy	Serrano
Edwards (CA)	Lewis (CA)	Sharp
Edwards (TX)	Lewis (GA)	Shaw
Ehlers	Lightfoot	Shays
Engel	Lipinski	Shepherd
English	Long	Sisisky
Eshoo	Lowe	Skaggs
Evans	Maloney	Skeen
Everett	Mann	Skelton
Farr	Manton	Slaughter
Fawell	Manzullo	Smith (IA)
Fazio	Margolies-	Smith (MI)
Fields (LA)	Mezvisinsky	Smith (NJ)
Filner	Markey	Snowe
Fingerhut	Martinez	Spratt
Fish	Matsui	Stark
Flake	Mazzoli	Stenholm
Foglietta	McCandless	Stokes
Ford (MI)	McCloskey	Strickland
Ford (TN)	McCrery	Studds
Fowler	McCurdy	Stupak
Frank (MA)	McDade	Sweet
Franks (CT)	McDermott	Swift
Franks (NJ)	McHale	Synar
Furse	McKeon	Tanner
Gallely	McKinney	Tauzin
Gallo	Meehan	Taylor (MS)
Gejdenson	Meek	Tejeda
Gephardt	Menendez	Thompson
Geren	Meyers	Thornton
Gibbons	Mfume	Thurman
Gilchrest	Mica	Torkildsen
Gillmor	Miller (CA)	Torres
Gilman	Miller (FL)	Torricelli
Glickman	Minge	Towns
Gonzalez	Mink	Traficant
Gordon	Moakley	Tucker
Grandy	Molinari	Unsoeld
Green	Mollohan	Upton
Greenwood	Montgomery	Velazquez
Gunderson	Moran	Vento
Gutierrez	Morella	Viscosky
Hall (OH)	Murtha	Volkmmer
Hall (TX)	Nadler	Waters
Hamburg	Neal (MA)	Watt
Hamilton	Neal (NC)	Waxman
Harman	Oberstar	Weldon
Hastings	Oliver	Whelan
Hayes	Ortiz	Williams
Hefner	Orton	Wise
Hilliard	Owens	Wolf
Hinchee	Oxley	Woolsey
Hoagland	Pallone	Wyden
Hochbrueckner	Parker	Wynn
Hoekstra	Pastor	Yates
Holden	Payne (NJ)	Young (AK)
Horn	Payne (VA)	Young (FL)
Hoyer	Penny	Zimmer
Huffington	Peterson (FL)	

NAYS—105

Abercrombie	Goss	Myers
Archer	Grams	Nussle
Armey	Hancock	Packard
Baker (CA)	Hansen	Paxon
Balenger	Hastert	Petri
Bartlett	Hefley	Pombo
Barton	Herger	Portman
Bateman	Hobson	Pryce (OH)
Bentley	Hoke	Quillen
Bliley	Houghton	Quinn
Boehner	Hunter	Ravenel
Bonilla	Hutchinson	Roberts
Brown (CA)	Inglis	Rogers
Bunning	Inhofe	Rohrabacher
Burton	Istook	Ros-Lehtinen
Buyer	Johnson, Sam	Roth
Callahan	Kim	Royce
Coble	King	Schaefer
Combust	Kingston	Sensenbrenner
Cox	Kolbe	Shuster
Crane	Kyl	Smith (OR)
Crapo	Lewis (FL)	Smith (TX)
Cunningham	Lewis (KY)	Spence
DeLay	Linder	Stearns
Dickey	Livingston	Stump
Doolittle	Lucas	Sundquist
Dreier	Machtley	Talent
Duncan	McCollum	Taylor (NC)
Emerson	McHugh	Thomas (CA)
Ewing	McInnis	Thomas (WY)
Fields (TX)	McMillan	Vucanovich
Gekas	McNulty	Walker
Gingrich	Michel	Walsh
Goodlatte	Moorhead	Wilson
Goodling	Murphy	Zeliff

NOT VOTING—12

Carr	Lloyd	Slattery
Chapman	Mineta	Solomon
DeFazio	Obey	Valentine
Frost	Pelosi	Washington

□ 1514

Messrs. KINGSTON, THOMAS of Wyoming, GOODLING, ISTOOK, HERGER, and ROYCE changed their vote from "yea" to "nay."

Mr. BLUTE changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on S. 24 which was just adopted.

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

There was no objection.

PERSONAL EXPLANATION

Mr. MFUME. Mr. Speaker, I was unavoidably detained earlier this morning and missed the previous vote, which was rollcall No. 257 on the rule for consideration of S. 24. Had I been here, I would have voted "aye."

GENERAL LEAVE

Mr. STOKES. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on H.R. 4568, Supplemental Appropriations for HUD for fiscal year 1994, and that I may include tabular and extraneous matter.

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

There was no objection.

SUPPLEMENTAL APPROPRIATIONS, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 1994

Mr. STOKES. Mr. Speaker, pursuant to the order of the House of Friday, June 7, 1994, I call up the bill (H.R. 4568) making supplemental appropriations for the Department of Housing and Urban Development for the fiscal year ending September 30, 1994, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill, H.R. 4568, is as follows:

H.R. 4568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations for the Department of Housing and Urban Development for the fiscal year ending September 30, 1994, and for other purposes, namely:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

During fiscal year 1994, additional commitments to guarantee loans to carry out section 203(b) of the National Housing Act, as amended, shall not exceed an additional loan principal of \$35,000,000,000.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

For an additional amount for the cost of guaranteed loans, not to exceed \$18,080,000, as authorized by the National Housing Act, as amended (12 U.S.C. 1715z-3(b) and 1735c(f)), of which \$8,080,000, shall become available upon enactment: *Provided*, That such costs, including the cost of modifying loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That notwithstanding any limitation for fiscal year 1994 in section 531(b) of the National Housing Act, these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$3,000,000,000: *Provided further*, That during fiscal year 1994, the Secretary shall sell without recourse assigned mortgage notes having an unpaid principal balance of up to \$180,000,000, which notes were originally insured under section 221(g)(4) or title X of the National Housing Act: *Provided further*, That of the amount appropriated herein, an amount equal to the lesser of \$10,000,000 or the excess of the net proceeds from the sale of mortgage notes above \$88,900,000 shall become available only after such sale has been completed.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

During fiscal year 1994, additional commitments to issue guarantees to carry out section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$55,000,000,000.

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, June 17, 1994, the gentleman from Ohio [Mr. STOKES] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. MCDADE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4568, the FHA-Ginnie Mae supplemental appropriations bill. H.R. 4568 is a single purpose supplemental appropriations bill that would provide increased housing loan commitment authority for the Department of Housing and Urban Development.

On June 6, the administration requested that the current 1994 limitations on FHA and Ginnie Mae guaranteed loans be increased. Specifically, the following requests were submitted.

The administration requested that the FHA-mutual mortgage insurance limitation on guaranteed loans be increased by \$35 billion—from \$84.6 billion in the 1994 Appropriations Act to \$119.6 billion.

The request also proposed that the FHA-general and special risk insurance limitation on guaranteed loans be increased by \$3 billion—from \$15.4 billion to \$18.4 billion.

An increase in the appropriation subsidy for the FHA-general and special risk fund of \$18,080,000 is also proposed. Of this amount, \$8,080,000 is offset by additional receipts from an expansion in the condominium mortgage insurance program. The balance of \$10 million is contingent upon the sale of mortgage notes at a greater than estimated value to the Government.

Finally, the administration requests an increase in the commitment authority for the Ginnie Mae mortgage-backed securities program of \$55 billion—from \$130 billion provided in the 1994 Appropriations Act to \$185 billion.

Lower interest rates and a high level of mortgage refinancing in the first part of fiscal year 1994 caused more loans to be guaranteed than had been anticipated. Mortgage interest rates have risen recently and the volume of loan guarantees for the FHA and Ginnie Mae programs have fallen off a little. Still, the department estimates the loan limitations for both FHA and Ginnie Mae will be exhausted by mid-July—if not before.

As presently scheduled, the 4th of July recess does not end until mid-July. To avoid any disruption to the

housing market and the economy because the FHA could not guarantee any more housing loans, the committee is recommending that the requested increases to the loan limitations for both the FHA and Ginnie Mae be sent to the President prior to the beginning of the 4th of July recess.

I urge Members to vote for H.R. 4568.

Mr. Speaker, I reserve the balance of my time.

Mr. MCDADE. Mr. Speaker, I yield myself such time as I may consume.

□ 1520

Mr. Speaker, I rise to join my distinguished friend from Ohio, the chairman of the Subcommittee on VA, HUD and Independent Agencies, and the ranking minority member, the gentleman from California [Mr. LEWIS], who does such an outstanding job, in urging support for this supplemental. I know of no controversy, and we ought to mark down this day as a red-letter day, because this bill has no cost to the Federal Government.

As all of my colleagues know, the FHA and GNMA Mortgage Insurance and Loan Guarantee Programs pay for themselves. They are the main mechanisms by which we achieve low down payment housing for first-time buyers, middle-income people and lower-income people in this great country who want to realize the American dream of home ownership.

There is a third program, the General and Special Risk Program account, in here, which has a minimal cost but it is offset to everybody's satisfaction. There is no argument or dispute about it.

I take one moment of caution just to say that there is a HUD audit out there that the inspector general has commissioned with Price Waterhouse, and it continues to outline problems in the financial and accounting management at the Department of Housing in a general way, not related to this bill, Mr. Speaker, but related to HUD in its general management. And all Members need to take an interest in it, in that the long-term success of all housing programs depends on these management problems being addressed.

I urge adoption of this bill.

Mr. Speaker, I urge the adoption of the bill, and I reserve the balance of my time.

Mr. STOKES. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas [Mr. GONZALEZ], chairman of the Committee on Banking, Finance and Urban Affairs.

Mr. GONZALEZ. Mr. Speaker, I want to announce that I certainly will not think of using 5 minutes. It is not necessary in order to say the essential thing that ought to be said here, and that is that I join the chairman and the ranking member of the Appropriations subcommittee in this very efficient and rather quick response to a

need in raising these levels on guarantees. The FHA has even, according to Price Waterhouse's own report to us, the subcommittee, authorizing subcommittee, has turned around and its capital standards are such that they exceed what we mandated in the 1990 Comprehensive Housing Reauthorization Act, in excess of 1.35 percent.

And they reach 1.44. And within reasonable time, if they keep on doing the business they are doing, again, bringing FHA where it has been, it should be 2 percent.

So I want to compliment the gentleman from Ohio [Mr. STOKES] again, and the members of the subcommittee, for responding quickly in order to ensure that the FHA is able to do the business and continue their guarantee program.

Mrs. ROUKEMA. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from New Jersey.

Mrs. ROUKEMA. Mr. Speaker, I would certainly like to associate myself with the remarks of the chairman of the Subcommittee on Housing and Community Development and rise also in support of this provision. I believe it is well thought out and certainly it has the support of the committee on both sides, bipartisan support.

Mr. GONZALEZ. Mr. Speaker, I want to recognize the gentleman from New Jersey [Mrs. ROUKEMA] and her tremendous contribution to the authorizing committee and also say that heretofore where we have had these difficulties in reaching authorization legislation in prompt and sufficient time before appropriation that never have we had the cooperation from the appropriation level as we have had from the gentleman from Ohio [Mr. STOKES]. I am very grateful. Again, I reiterate my profound thanks to the gentleman from New Jersey for her great contributions to the housing and urban development laws of our country.

Mrs. ROUKEMA. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise in support of H.R. 4568, the HUD supplemental appropriations for fiscal year 1994.

On June 6, due to a high demand for FHA loans and refinancings, which were a direct result of the current low mortgage rate interest environment, the administration submitted a request for supplemental Federal home mortgage loan and guarantee commitment authority for the FHA.

The request would increase fiscal year 1994 loan guarantee authority for the FHA Mutual Mortgage Insurance Program [MMI] by an additional \$35 billion. It would also provide an additional \$3 billion for loan guarantees for the general and special risk insurance programs.

The Ginnie Mae commitment guarantee authority for principal and interest payments on mortgage-backed securities issued by Ginnie Mae would be increased by \$55 billion.

Both of these measures are necessary to allow the FHA and Ginnie Mae to provide

homeownership opportunities for thousands of American families who are seeking to share in the American dream of homeownership.

Generally, Mr. Chairman, these extensions are considered within the context of an authorization bill, but because these current loan commitment levels are about to be reached, and it is uncertain how long an authorization bill would take, it is appropriate to address these issues in this legislation.

I want to acknowledge the cooperation of Chairman STOKES and Ranking Member LEWIS of the VA, HUD, and Independent Agencies Appropriation Subcommittee and Chairman OBEY and Ranking Member MCDADE for their continued willingness to recognize the role of the authorization committee and to consult with us as we move these initiatives through the legislative process.

I urge the Members to support this legislation.

Mr. FAWELL. Mr. Chairman, as cochairman of the Porkbusters Coalition, I rise to commend the Appropriations Committee for reporting such a "clean" bill. Often the Porkbusters cite unauthorized projects in the 13 appropriations bills that pass the House and Senate. The last supplemental appropriations bill, making appropriations for the California earthquake, contained several unauthorized projects. But, Mr. Chairman, the bill we see before us today is a clean bill and does not contain a single unauthorized project.

I commend Mr. OBEY and the Appropriations Committee on this accomplishment. There are no waivers of House rules necessary for this bill. There would be no justification for a closed rule. The Porkbusters and I are hopeful for more appropriations bills that adhere to this standard.

Mr. STOKES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCDADE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CLEMENT). Pursuant to the order of the House of Friday, June 17, 1994, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. STOKES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 410, nays 9, not voting 15, as follows:

[Roll No. 259]

YEAS—410

Abercrombie	Doolittle	Johnston
Ackerman	Dornan	Kanjorski
Allard	Dreier	Kaptur
Andrews (ME)	Duncan	Kasich
Andrews (NJ)	Dunn	Kennedy
Andrews (TX)	Durbin	Kennelly
Applegate	Edwards (CA)	Kildee
Archer	Edwards (TX)	Kim
Army	Ehlers	King
Bacchus (FL)	Emerson	Kingsston
Bachus (AL)	Engel	Klecza
Baessler	English	Klein
Baker (CA)	Eshoo	Klink
Baker (LA)	Evans	Klug
Ballenger	Everett	Knollenberg
Barca	Ewing	Kolbe
Barcia	Farr	Kopetski
Barlow	Fawell	Kreidler
Barrett (NE)	Fazio	Kyl
Barrett (WI)	Fields (LA)	LaFalce
Bartlett	Fields (TX)	Lambert
Barton	Filmer	Lancaster
Bateman	Fingerhut	Lantos
Becerra	Fish	LaRocco
Bellenson	Flake	Laughlin
Bentley	Foglietta	Lazio
Bereuter	Ford (TN)	Leach
Berman	Fowler	Lehman
Bevill	Frank (MA)	Levin
Bilbray	Franks (CT)	Levy
Billrakis	Franks (NJ)	Lewis (CA)
Bishop	Furse	Lewis (GA)
Blackwell	Galleghy	Lewis (KY)
Bliley	Gallo	Lightfoot
Blute	Gejdenson	Linder
Boehlert	Gephardt	Lipinski
Boehner	Geren	Livingston
Bonilla	Gibbons	Long
Bonior	Gilchrest	Lowe
Borski	Gillmor	Lucas
Boucher	Gilman	Machtley
Brewster	Gingrich	Maloney
Brooks	Glickman	Mann
Browder	Gonzalez	Manton
Brown (CA)	Goodlatte	Manzullo
Brown (FL)	Goodling	Margolles-
Brown (OH)	Gordon	Mezvinsky
Bryant	Grams	Markey
Bunning	Grandy	Martinez
Buyer	Green	Matsui
Byrne	Gunderson	Mazzoli
Callahan	Gutierrez	McCandless
Calvert	Hall (OH)	McCloskey
Camp	Hall (TX)	McCollum
Canady	Hamburg	McCrery
Cantwell	Hamilton	McCurdy
Cardin	Hancock	McDade
Castle	Hansen	McDermott
Chapman	Harman	McHale
Clay	Hastert	McHugh
Clayton	Hastings	McInnis
Clement	Hayes	McKeon
Clinger	Hefley	McKinney
Clyburn	Hefner	McMillan
Coleman	Herger	McNulty
Collins (GA)	Hilliard	Meehan
Collins (IL)	Hinchee	Meek
Collins (MI)	Hoagland	Menendez
Combest	Hobson	Meyers
Condit	Hochbrueckner	Mfume
Coyne	Hoekstra	Mica
Cooper	Hoke	Michel
Coppersmith	Holden	Miller (CA)
Costello	Horn	Minge
Cox	Houghton	Mink
Coyne	Hoyer	Moakley
Cramer	Huffington	Molinar
Crapo	Hughes	Mollohan
Cunningham	Hunter	Montgomery
Danner	Hutchinson	Moorhead
Darden	Hutto	Moran
de la Garza	Hyde	Morella
Deal	Inglis	Murphy
DeLauro	Inhofe	Murtha
DeLay	Inslee	Myers
Dellums	Istook	Nadler
Derrick	Jacobs	Neal (MA)
Deutsch	Jefferson	Neal (NC)
Diaz-Balart	Johnson (CT)	Nussle
Dickey	Johnson (GA)	Oberstar
Dicks	Johnson (SD)	Olver
Dixon	Johnson (EB)	Ortiz
Dooley	Johnson, Sam	Orton

Owens	Royce	Synar
Oxley	Rush	Talent
Packard	Sabo	Tanner
Pallone	Sanders	Tauzin
Parker	Sangmeister	Taylor (MS)
Pastor	Santorum	Taylor (NC)
Paxon	Sarpaluis	Tejeda
Payne (NJ)	Sawyer	Thomas (CA)
Payne (VA)	Saxton	Thomas (WY)
Pelosi	Schaefer	Thompson
Penny	Schenk	Thornton
Peterson (FL)	Schiff	Thurman
Peterson (MN)	Schroeder	Torkildsen
Petri	Schumer	Torres
Pickett	Scott	Torricelli
Pombo	Sensenbrenner	Towns
Pomeroy	Serrano	Trafcant
Porter	Shaw	Tucker
Portman	Shays	Unsoeld
Poshard	Shepherd	Upton
Price (NC)	Shuster	Velazquez
Pryce (OH)	Slitsky	Vento
Quillen	Skaggs	Visclosky
Quinn	Skeen	Volkmer
Rahall	Skelton	Vucanovich
Ramstad	Slaughter	Walsh
Rangel	Smith (IA)	Waters
Ravenel	Smith (MI)	Watt
Reed	Smith (NJ)	Waxman
Regula	Smith (OR)	Weldon
Reynolds	Smith (TX)	Wheat
Richardson	Snowe	Whitten
Ridge	Spence	Williams
Roberts	Spratt	Wilson
Roemer	Stark	Wise
Rogers	Stearns	Wolf
Rohrabacher	Stenholm	Woolsey
Ros-Lehtinen	Stokes	Wyden
Rose	Strickland	Wynn
Rostenkowski	Studds	Yates
Roth	Stupak	Young (AK)
Roukema	Sundquist	Young (FL)
Rowland	Swett	Zeliff
Roybal-Allard	Swift	Zimmer

NAYS—9

Burton	Gekas	Miller (FL)
Coble	Goss	Stump
Crane	Lewis (FL)	Walker

NOT VOTING—15

Carr	Greenwood	Sharp
DeFazio	Lloyd	Slatery
Dingell	Mineta	Solomon
Ford (MI)	Obey	Valentine
Frost	Pickle	Washington

□ 1548

So the bill was passed.

The result of the vote was announced as above recorded.

The motion to reconsider was laid on the table.

REPORT ON H.R. 4606, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES, APPROPRIATIONS, 1995

Mr. STOKES, from the Committee on Appropriations, submitted a privileged report (Rept. No. 103-553), on the bill (H.R. 4606) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

Mr. YOUNG of Florida reserved all points of order on the bill.

APPOINTMENT OF CONFEREES ON H.R. 4278, SOCIAL SECURITY ACT AMENDMENTS OF 1994

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4278) to make improvements in the Old-Age, Survivors, and Disability Insurance Program under title II of the Social Security Act, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

□ 1550

The SPEAKER pro tempore (Mr. CLEMENT). Is there objection to the request of the gentleman from Indiana? The Chair hears none, and, without objection, appoints the following conferees: Messrs. GIBBONS, ROSTENKOWSKI, PICKLE, JACOBS, FORD of Tennessee, ARCHER, BUNNING, and SANTORUM.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 4277, SOCIAL SECURITY ADMINISTRATIVE REFORM ACT OF 1994

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4277) to establish the Social Security Administration as an independent agency and to make other improvements in the Old-Age, Survivors, and Disability Insurance Program, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. CLEMENT). Is there objection to the request of the gentleman from Indiana?

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. SANTORUM

Mr. SANTORUM. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. SANTORUM moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 4277 be instructed to insist upon section 231 of the House bill.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. SANTORUM] will be recognized for 30 minutes, and the gentleman from Indiana [Mr. JACOBS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to offer this motion to instruct on a provision that is agreed to that was formulated in the committee by the gentleman from Texas [Mr. PICKLE] and myself as a result of hearings that were held in the Oversight Subcommittee.

Mr. Speaker, I want to commend the work done by the Oversight Sub-

committee in ferreting out what was another example of how fraud-ridden the SSI program is and how much work needs to be done to deal with, I believe, the most fraud-ridden program in the Federal Government.

Mr. PICKLE and the gentleman from New York [Mr. HOUGHTON] held a hearing, I believe, in February of this year which exposed a scandal in California, or reported the scandal here to Washington, having to do with third-party translators, people who were translators for individuals who were seeking disability benefits.

These translators were Vietnamese in this case who were going out on the street, recruiting people to come in and claim disabilities when, in fact, they were not disabled. They went in and set up a clinic with a doctor who was willing to cooperate in this fraud, got certificates that these people were, in fact, disabled, six-page reports that were done with a 2-minute examination, witnessed by undercover cameras.

They went to the disability office, and the disability office and the officer did not have a translator available from the disability office, so they used this recruiter as the translator who promptly answered all the questions, and the person receiving the disability or applying had no knowledge of even what the discussion was that was taking place.

This was a terrible situation that was exposed by MediCal and brought to this subcommittee, and this legislation is an attempt by the subcommittee to quickly respond to this problem.

I want to commend the chairman of that subcommittee, the gentleman from Texas [Mr. PICKLE], for doing an outstanding job in doing so, and we have attacked a couple of very specific areas in this proposal that was inserted in the bill in committee.

Let me review a couple of what I think the most important ones are: No. 1, what we found in this case was, even though this fraud was perpetrated and 14 people were indicted by California in this fraud case, there were 2,000 people, 2,000 people who started to receive benefits in 1993, 39 million dollars' worth of benefits as of February when we had this hearing were involved in the fraud, and yet the Social Security Administration failed to do one redetermination, failed to do one redetermination on any one of these 2,000 people who were involved in this fraud case.

We subsequently, through the work of the subcommittee, convinced Social Security that redeterminations should be done when people who are put on SSI are suspected to be on there fraudulently. You would think that that would be an obvious case, but it, in fact, took the work of the subcommittee to get them to do it.

Now we are going to put in statute that anytime you have a suspicious of fraud of someone who gets on the SSI

rolls, that we will have an immediate redetermination by the Social Security Administration.

Second, another almost amazing consequence of this investigation: We found that MediCal was doing this investigation and had done an extensive job and had the names of all the people who were implicated in this fraudulent scheme, and when we asked the Social Security Administration why they had not been trying to get redeterminations, their response was, well, we do not have the names of these people and the Social Security numbers and, therefore, we cannot get them. We asked the question: "Well, did you bother to ask for the names?" And the person from MediCal in the back stood up and said, "No. They never bothered to ask."

So what we do in this law is require the inspector general, who cooperated with MediCal in this case, to turn over the names of the people suspected of fraud to the Social Security Administration so the Social Security Administration does not have an excuse not to investigate people who are conducting fraud.

But this is the kind, unfortunately, of detail that we have to deal with here in the Congress because we have a Social Security Administration that is not willing to pursue fraudulent claims as vigorously as I think the public demands.

Again, I want to compliment the gentleman from Texas [Mr. PICKLE] and the gentleman from New York [Mr. HOUGHTON] for the outstanding work done on the Oversight Subcommittee in coming up with this investigation.

Mr. Speaker, I reserve the balance of my time.

Mr. JACOBS. Mr. Speaker, first of all, we accept the motion to instruct. It makes eminently good sense.

Mr. Speaker, I yield 4 minutes and 33 seconds, to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, on May 5 of this year, the Oversight Subcommittee of Ways and Means, which I chair, issued a bipartisan report on reform to address the supplemental security income fraud and abuse that has been taking place.

We held our meeting in conjunction with the Subcommittee on Human Resources chaired by the gentleman from Tennessee [Mr. FORD], and we passed a resolution that would, we thought, correct. We did find that there potentially were many fraud cases and abuse cases going on in this area.

To address the problem, I offered an amendment in behalf of the gentleman from Tennessee [Mr. FORD], the gentleman from New York [Mr. HOUGHTON], and the gentleman from Pennsylvania [Mr. SANTORUM], which was unanimously adopted by the full committee.

In order to have us have a clear view of it, let me list three things it does.

No. 1, it ensures accurate translation of the interviews conducted by SSA officials during the SSI application process. We just want to be sure the translators are giving us a true, accurate, and certifiable translation.

Second, we established a streamlined procedure enabling the SSA, the Social Security Administration, to expeditiously terminate fraudulently obtained SSI benefits. I can advise the House the Social Security is actually under way now in trying to go back and find those old cases and see if they can file suit against those people getting SSI benefits fraudulently. So that process is under way.

And, third, we increased both civil and criminal sanctions available to SSA in SSI fraud cases.

So as the chairman said, I support this amendment that the gentleman from Pennsylvania has offered, and I will assure him that I will work diligently to see this agreement is kept in the conference agreement.

Mr. SANTORUM. Madam Speaker, I yield 2 minutes to the gentleman from New York [Mr. HOUGHTON], the ranking member of the Subcommittee on Oversight.

□ 1600

Mr. HOUGHTON. Madam Speaker, I thank the chairman, the gentleman from Texas [Mr. PICKLE], who has done a wonderful job and is a very fair chairman, bipartisan chairman, and we need more of that in this day and age.

Madam Speaker, I rise to support the motion. I think it is important. There is a particular section I would like to talk about. But the reason it is important is because I do not think the Senate has dealt sufficiently with the fraud issue. Therefore, in order to have this be an important element in the conference, we ought to take this thing up and we ought to support the gentleman from Pennsylvania [Mr. SANTORUM] and the gentleman from Texas [Mr. PICKLE].

Madam Speaker, section 231 of the House contains the bipartisan in what they have said.

Madam Speaker, section 231 of the House contains the bipartisan fraud amendment. What it does is it requires four things. It requires Social Security to obtain information, to move quickly. To focus the limited resources on areas it thinks are important and also to use its new penalty authority.

As others have said, this does not come right in over the transom; this has been a yearlong investigation. The investigation has uncovered a variety of different things. One of the things the gentleman from Pennsylvania [Mr. SANTORUM] mentioned is the horrible use of these middlemen, I mean preying upon new citizens coming into this country who do not know any better, and then the skimming process takes place. It is clearly obvious that this

thing is going on all over the place and is costing the American taxpayers billions of dollars.

So we have differences, I am sure, as to how to reform the welfare system, but we do not have any difference on this.

Madam Speaker, I would urge my colleagues and all our colleagues here to support the motion to instruct and restore taxpayers' confidence.

Mr. JACOBS. Madam Speaker, I yield 3 minutes to the distinguished and handsome gentleman from Tennessee [Mr. FORD].

Mr. FORD of Tennessee. I thank the gentleman for yielding this time to me.

Madam Speaker, I join with my colleagues in strong support of this bipartisan amendment. My good friend and colleague, the gentleman from Pennsylvania [Mr. SANTORUM], I would like to refer to the amendment as the Pickle-Ford-Santorum amendment that was offered in the subcommittee and added to this particular bill.

You know, Madam Speaker, it was clear that it was early on that a response to this problem that we were faced with, with the SSI program, is, I like to say, thanks to both the staff of the Subcommittee on Human Resources and the Subcommittee on Oversight, who investigated this matter.

On February 24 there was a joint session of the Oversight Subcommittee and the Human Resources Subcommittee that conducted hearings. It was the intent of both of those committees, and we did act on the amendment and put it into this particular bill.

Madam Speaker, I join with my colleagues in a bipartisan effort to say "yes" as a conferee. I see Mr. SANTORUM is a conferee also. We will make sure both sides of the aisle will be protected, Democrats and Republicans, to keep this provision in the bill.

I just wanted the Republican side to know that it was a concerted effort, it was not one person's idea. This was a full investigation conducted by two subcommittees and a bipartisan effort in the full committee to bring this provision about.

Mr. SANTORUM. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. JACOBS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time, and I move the previous question on the motion to instruct conferees.

The previous question was ordered. The SPEAKER pro tempore (Ms. DANNER). The question is on the motion to instruct conferees offered by the gentleman from Pennsylvania [Mr. SANTORUM].

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. GIBBONS, ROSTENKOWSKI, PICKLE, JACOBS, FORD of Tennessee, ARCHER, BUNNING, and SANTORUM.

There was no objection.

ANNOUNCEMENT OF INTENT TO OFFER ON TOMORROW, JUNE 22, 1994, A MOTION TO INSTRUCT CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993

Mr. MCCOLLUM. Madam Speaker, pursuant to clause 1(c) of rule 28, I am announcing to the House that I intend to offer a motion to instruct conferees on the crime bill, H.R. 3355.

The form of the motion is as follows:

Mr. MCCOLLUM moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 3355 be instructed not to make any agreement that would have the effect of reducing the funding provided for prisons to a level that is less than the level provided in titles VI and VIII of the House amendment.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4602 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1995

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-554) on the resolution (H. Res. 458) waiving certain points of order against the bill (H.R. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the House Calendar and ordered to be printed.

FREEDOM SUMMER REMEMBRANCE DAY

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service and the Committee on the Judiciary be discharged from further consideration of the resolution (H. Res. 457) expressing the sense of the House of Representatives that June 21, 1994, be designated as "Freedom Summer Remembrance Day," and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. HOLDEN). Is there objection to the request of the gentleman from Maryland?

Mr. FILNER. Mr. Speaker, reserving the right to object, I am pleased to join with my friend, the gentleman from Georgia [Mr. LEWIS], in introducing this resolution commemorating Freedom Summer of 1964 and the efforts of

James Chaney, Andrew Goodman, and Michael Schwerner. With this resolution, we are designating June 21, 1994, the 30th anniversary of their deaths, as "Freedom Summer '94 Day."

It is fitting for us to focus our attention on the contributions made to civil rights by a group of dedicated young people 30 years ago this summer. Hundreds of concerned young men and women joined Freedom Summer and worked for justice in Mississippi in 1964. Three of them made the ultimate sacrifice—one black Mississippian and two Jewish northerners. Three Americans not yet old enough to vote were killed in the cause of registering others to vote. I know that there are many Members of this body who will remember exactly where they were when they heard that Michael Schwerner, Andrew Goodman, and James Chaney were dead.

I was not in Mississippi that summer, but three summers before I was there as a Freedom Rider—and I had witnessed first-hand the attempts to resist integration. I saw friends beaten, I saw mobs attack women and children, I ducked from gunfire, and I served a jail sentence in the Mississippi State Penitentiary for my commitment to the principle of equality. I am proud, and yet humble, that I was able to add my contribution to this noble cause.

As we pause here today to reflect upon the events of 30 years ago and to begin the Freedom Summer '94 commemoration, it is most important for us to remember the goals of those young people in 1964. We have made progress. Yes, it is true that all Americans now have the right to sit in the front of the bus. Yes, it is true that all Americans now have the right to vote. But prejudice and inequity remain.

When we hear of the lack of jobs and economic opportunity for our inner city youth, when we hear of the scourge of drugs and random violence that threaten our communities, indeed, when we hear the President remind us that our children are now planning their own funerals, we recognize that the goals of Freedom Summer are not yet realized. So, in Freedom Summer '94, thousands of young people, ages 14 to 24, are organizing to improve the quality of life in their own neighborhoods. We met with many of them last evening, and their enthusiasm, dedication, and idealism are an inspiration to us all.

Let us, today, rededicate ourselves to caring, to working, to voting in this Chamber so that all American children will have the opportunity to live in a safe community, to an education worthy of their intellect and talents, to health care that is a right—not a privilege, and to a job and a future full of hope and promise.

There is still much work to be done.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. LEWIS of Georgia. Mr. Speaker, reserving the right to object, I rise today in support of House Resolution 457. This resolution commemorates the Mississippi Summer Project of 1964 and the efforts of James Chaney, Andrew Goodman, and Michael Schwerner by expressing the sense of this body that June 21, 1994—the 30th anniversary of their deaths—should be designated as Freedom Summer '94 Day.

These three young men gave their lives to advance the cause of freedom for every American. They were fighting and struggling for the universal right to vote. We must never forget these three men and what they died for.

This resolution also calls attention to Freedom Summer '94. This summer, youth organizations throughout the country are planning to establish creative partnerships among young leaders and help build a national network of youth leadership. At a time when many of our young people feel left out and left behind, it is my hope that the spirit of Chaney, Goodman, and Schwerner will inspire, motivate, and encourage our young leaders of today.

One of the most important things I tell people today is that you must believe in the possibility of positive change.

Thirty years ago, I watched young blacks and young whites struggling, fighting and shedding blood together. We stood together during times of difficulty. We must continue to do so now. As Americans, we should be about the business of building a truly interracial democracy, rather than dividing people along racial, ethnic, and religious lines.

During that period of our history, there was a coalition of conscience that worked together in a struggle to create an interracial democracy in America—to create what I like to call the beloved community. People from all walks of life, especially young people, and from around the country struggled together during Freedom Summer to make the State of Mississippi and the Nation a better place.

Mr. Speaker, I am pleased and delighted to sponsor House Resolution 457. I want to thank everyone who supported this resolution and my colleague from California, Congressman FILNER, who I first met in 1961 as a fellow freedom rider. Mr. FILNER worked very hard this week to win support for this resolution.

I am also pleased to announce that several of my colleagues and I will hold a special order later today to honor the memory of the three young men who gave their lives in the cause of freedom. I look forward to the special order and the participation of my colleagues.

Ms. WATERS. Mr. Speaker, I rise today to pay tribute to three martyrs of the American

civil rights movement—Andrew Goodman, James Chaney, and Mickey Schwerner.

Thirty years ago today, these three young men were arrested by authorities in the State of Mississippi, released, and then chased down on a lonely highway by a group of men and murdered. Goodman and Schwerner were white and from New York. James Chaney was an African-American and a Mississippian.

These young men were part of a nonviolent army of faith and love known as the Mississippi Freedom Summer. Young people—black and white, men and women, northerners and southerners—came to the State of Mississippi in the summer of 1964 in order to organize black Mississippians to register and vote.

The Emancipation Proclamation was 101 years old when Schwerner, Chaney, and Goodman began their work that summer. Yet African-Americans were still effectively enslaved by a system that refused them the right to vote for the public officials who represented them. The powers-that-be used intimidation, violence, and threats to keep black Mississippians down and to deny them their rights.

On their last day on Earth, Schwerner, Chaney, and Goodman traveled to a black church that had been burned by racist night riders. The church had been the site of a black voter registration meeting.

The racists sought to silence the voices of democracy and truth when they dragged Schwerner, Chaney, and Goodman from their car and shot them.

Instead, this unspeakable act galvanized the conscience of a nation throughout the summer of 1964. Young people sprang to take their place. Voter registration continued. The Mississippi Freedom Democratic Party, led by Fanny Lou Hamer, sent an integrated delegation to that summer's Democratic Convention in Atlantic City, challenging the segregationist delegates. A landmark civil rights bill passed the Congress and was signed into law on July 2, 1964, as President Johnson himself declared "we shall overcome."

Just recently, we paid tribute to those who served and who fell 50 years ago on the Normandy beaches of D-day, fighting for liberty and democracy. Like those heroes, Schwerner, Chaney, and Goodman are martyrs to the cause of freedom. It is worth remembering that freedom's battles are not always fought on foreign shores or against other armies. Schwerner, Chaney, and Goodman gave their lives so that this country might live up to its ideals of democracy and opportunity for all.

Thirty years have passed. Some issues may be different. But the work continues and will continue so long as we remember the courage and the commitment of Schwerner, Chaney, and Goodman.

Mr. LEWIS of Georgia. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 457

Whereas on June 21, 1964, James Chaney, Andrew Goodman, and Michael Schwerner

gave their lives at a young age in an effort to guarantee the rights that are the birthright of every citizen of the United States, particularly the right to vote;

Whereas James Chaney, Andrew Goodman, and Michael Schwerner were part of a movement that helped to achieve the passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965 and other milestones in the progress of this Nation toward achieving the goal of ensuring equal rights, equal opportunities and equal justice for all;

Whereas during the 30 years after the deaths of James Chaney, Andrew Goodman, and Michael Schwerner, this Nation has benefitted tremendously from the removal of many barriers to full participation by every citizen of this nation in political, educational and economic life;

Whereas the lives and resultant deaths of James Chaney, Andrew Goodman, and Michael Schwerner have come to symbolize the dream of brotherhood and sisterhood among citizens of this Nation from all races, religions and ethnic backgrounds and serve to inspire all citizens—in particular young citizens—to be dedicated to the ideals of justice, equality, citizenship and community;

Whereas the lifework of these men and thousands of other young students who traveled to Mississippi remains unfinished until all barriers are removed that bar the full participation of every citizen of this Nation in the democratic process of this Nation, especially the electoral process; and

Whereas the Nation continues to need the leadership and involvement of all its citizens, in particular the young, in solving problems in their communities and improving the lives of those in need: Now, therefore, be it

Resolved, that it is the sense of the House of Representatives that—

(1) June 21, 1994, is designated as Freedom Summer Remembrance Day;

(2) the House of Representatives expresses the importance of citizens—regardless of party, ideology, age, race, creed, and socioeconomic status—working to improve this Nation and address issues most critical to their communities;

(3) the Voting Rights Act of 1965 has helped to fulfill the promise of democracy in this Nation; and

(4) the House of Representatives reaffirms the goal of removing remaining barriers to full voter participation in this Nation.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

□ 1610

GENERAL LEAVE

Mr. WYNN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered and agreed to.

The SPEAKER pro tempore (Mr. HOLDEN). Is there objection to the request of the gentleman from Maryland?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 21, 1994.

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 on Tuesday, June 21, 1994 at 9:05 a.m. and said to contain a message from the President wherein he transmits draft legislation entitled, "Work and Responsibility Act of 1994."

With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,
Clerk.

WORK AND RESPONSIBILITY ACT OF 1994—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-273)

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 Ways and Means, the Committee on Education and Labor, the Committee on Agriculture, the Committee on Energy and Commerce, the Committee on the Judiciary, and the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit for your immediate consideration and enactment the "Work and Responsibility Act of 1994."

It is time to end welfare as we know it and replace it with a system that is based on work and responsibility—a system that will help people help themselves. This legislation reinforces the fundamental values of work, responsibility, family, and community. It rewards work over welfare. It signals that people should not have children until they are ready to support them, and that parents—both parents—who bring children into the world must take responsibility for supporting them. It gives people access to the skills they need and expects work in return. Most important, it will give people back the dignity that comes from work and independence. The cost of the proposal to the Federal Government is estimated at \$9.3 billion over 5 years and is fully offset, primarily through reductions in entitlements and without new tax increases.

The Work and Responsibility Act of 1994 will replace welfare with work.

Under this legislation, welfare will be about a paycheck, not a welfare check. Our approach is based on a simple compact designed to reinforce and reward work. Each recipient will be required to develop a personal employability plan designed to move that individual into the work force as quickly as possible. Support, job training, and child care will be provided to help people move from dependence to independence. Time limits will ensure that anyone who can work, must work—in the private sector if possible, in a temporary subsidized job if necessary.

This legislation includes several provisions aimed at creating a new culture of mutual responsibility. It includes provisions to promote parental responsibility and ensure that both parents contribute to their children's well-being. This legislation establishes the toughest child support enforcement program ever. It also includes: incentives directly tied to the performance of the welfare office; extensive efforts to detect and prevent welfare fraud; sanctions to prevent gaming of the welfare system; and a broad array of incentives that States can use to encourage responsible behavior.

Preventing teen pregnancy and out-of-wedlock births is a critical part of welfare reform. To prevent welfare dependency, teenagers must get the message that staying in school, postponing pregnancy, and preparing to work are the right things to do. Our prevention approach includes a national campaign against teen pregnancy and a national clearinghouse on teen pregnancy prevention. Roughly 1,000 middle and high schools in disadvantaged areas will receive grants to develop innovative teen pregnancy prevention programs.

The Work and Responsibility Act of 1994 proposes dramatic changes in our welfare system, changes so bold that they cannot be accomplished overnight. We can phase in these changes by focusing on young people, to send a clear message to the next generation that we are ending welfare as we know it. The bill targets resources on welfare beneficiaries born after December 31, 1971. This means that over time, more and more welfare beneficiaries will be affected by the new rules: about a third of the caseload in 1997, and half by the year 2000. States that want to phase in faster will have the option of doing so.

The results of these changes will be far-reaching. In the year 2000, 2.4 million adults will be subject to the new rules under welfare reform, including time limits and work requirements. Almost 1 million people will be either off welfare or working.

But the impact of welfare reform cannot be measured in these numbers alone. This legislation is aimed at strengthening families and instilling personal responsibility by helping people help themselves. We owe every child in America the chance to watch

their parents assume the responsibility and dignity of a real job. This bill is designed to make that possible.

I urge the Congress to take prompt and favorable action on this legislation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 21, 1994.

NATIONAL EMERGENCY WITH RESPECT TO POLICIES OF THE GOVERNMENTS OF SERBIA AND MONTENEGRO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-274)

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 Foreign Affairs and ordered to be printed:

To the Congress of the United States:

On May 30, 1992, in Executive Order No. 12808, the President declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States arising from actions and policies of the Governments of Serbia and Montenegro, acting under the name of the Socialist Federal Republic of Yugoslavia or the Federal Republic of Yugoslavia, in their involvement in and support for groups attempting to seize territory in Croatia and Bosnia-Herzegovina by force and violence utilizing, in part, the forces of the so-called Yugoslav National Army (57 FR 23299, June 2, 1992). The present report is submitted pursuant to 50 U.S.C. 1641(c) and 1703(c). It discusses Administration actions and expenses directly related to the exercise of powers and authorities conferred by the declaration of a national emergency in Executive Order No. 12808 and to expanded sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) (the "FRY (S/M)") contained in Executive Order No. 12810 of June 5, 1992 (57 FR 24347, June 9, 1992), Executive Order No. 12831 of January 15, 1993 (58 FR 5253, January 21, 1993), and Executive Order No. 12846 of April 26, 1993 (58 FR 25771, April 27, 1993).

1. Executive Order No. 12808 blocked all property and interests in property of the Governments of Serbia and Montenegro, or held in the name of the former Government of the Socialist Federal Republic of Yugoslavia or the Government of the Federal Republic of Yugoslavia, then or thereafter located in the United States or within the possession or control of United States persons, including their overseas branches.

Subsequently, Executive Order No. 12810 expanded U.S. actions to implement in the United States the United Nations sanctions against the FRY (S/

M) adopted in United Nations Security Council Resolution 757 of May 30, 1992. In addition to reaffirming the blocking of FRY (S/M) Government property, this order prohibits transactions with respect to the FRY (S/M) involving imports, exports, dealing in FRY-origin property, air and sea transportation, contract performance, funds transfers, activity promoting importation or exportation or dealings in property, and official sports, scientific, technical, or other cultural representation of, or sponsorship by, the FRY (S/M) in the United States.

Executive Order No. 12810 exempted from trade restrictions (1) transshipments through the FRY (S/M), and (2) activities related to the United Nations Protection Force ("UNPROFOR"), the Conference on Yugoslavia, or the European Community Monitor Mission.

On January 15, 1993, the President issued Executive Order No. 12831 to implement new sanctions contained in United Nations Security Council Resolution 787 of November 16, 1992. The order revoked the exemption for transshipments through the FRY (S/M) contained in Executive Order No. 12810, prohibited transactions within the United States or by a United States person relating to FRY (S/M) vessels and vessels in which a majority or controlling interest is held by a person or entity in, or operating from, the FRY (S/M), and stated that all such vessels shall be considered as vessels of the FRY (S/M), regardless of the flag under which they sail.

On April 26, 1993, I issued Executive Order No. 12846 to implement in the United States the sanctions adopted in United Nations Security Council Resolution 820 of April 17, 1993. That resolution called on the Bosnian Serbs to accept the Vance-Owen peace plan for Bosnia-Herzegovina and, if they failed to do so by April 26, called on member states to take additional measures to tighten the embargo against the FRY (S/M) and Serbian-controlled areas of Bosnia-Herzegovina and the United Nations Protected Areas in Croatia. Effective April 26, 1993, the order blocked all property and interests in property of commercial, industrial, or public utility undertakings or entities organized or located in the FRY (S/M), including property and interests in property of entities—wherever organized or located—owned or controlled by such undertakings or entities, that are or thereafter come within the possession or control of United States persons.

2. The declaration of the national emergency on May 30, 1992, was made pursuant to the authority vested in the President by the Constitution and laws of the United States, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3 of

the United States Code. The emergency declaration was reported to the Congress on May 30, 1992, pursuant to the section 204(b) of the International Emergency Economic Powers Act (50 U.S.C. 1703(b)). The additional sanctions set forth in Executive Order Nos. 12810, 12831, and 12846 were imposed pursuant to the authority vested in the President by the Constitution and laws of the United States, including the statutes cited above, section 1114 of the Federal Aviation Act (49 U.S.C. App. 1514), and section 5 of the United Nations Participation Act (22 U.S.C. 287c).

3. There have been no amendments to the Federal Republic of Yugoslavia (Serbia and Montenegro) Sanctions Regulations (the "Regulations"), 31 C.F.R. Part 585, since the last report. Of the two court cases in which the blocking authority was challenged as applied to FRY (S/M) subsidiaries and vessels in the United States, the government's position in the case involving the blocked vessels was upheld by the Fifth Circuit Court of Appeals. The Supreme Court declined to review the decision. *Milena Ship Management Co. v. Newcomb*, 804 F. Supp. 859 (E.D. La. 1992), *aff'd*, 995 F. 2d 620 (5th Cir. 1993), Cert. denied — U.S. —, 114 S.Ct. 877 (1994). The case involving a blocked subsidiary is pending a decision by the court on the government's motion for summary judgment.

4. Over the past 6 months, the Departments of State and Treasury have worked closely with European Community (the "EC") member states and other U.N. member nations to coordinate implementation of the sanctions against the FRY (S/M). This has included visits by assessment teams formed under the auspices of the United States, the EC, and the Conference for Security and Cooperation in Europe (the "CSCE") to states bordering on Serbia and Montenegro; deployment of CSCE sanctions assistance missions ("SAMs") to Albania, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Hungary, Romania, and Ukraine to assist in monitoring land and Danube River traffic; bilateral contacts between the United States and other countries for the purpose of tightening financial and trade restrictions on the FRY (S/M); and establishment of a mechanism to coordinate enforcement efforts and to exchange technical information.

5. In accordance with licensing policy and the Regulations, FAC has exercised its authority to license certain specific transactions with respect to the FRY (S/M) that are consistent with the Security Council sanctions. During the reporting period, FAC has issued 114 specific licenses regarding transactions pertaining to the FRY (S/M) or assets it owns or controls, bringing the total as of April 15, 1994, to 677. Specific licenses have been issued (1) for payment to U.S. or third-country secured credi-

tors, under certain narrowly defined circumstances, for pre-embargo import and export transactions; (2) for legal representation or advice to the Government of the FRY (S/M) or FRY (S/M)-controlled clients; (3) for the liquidation or protection of tangible assets of subsidiaries of FRY (S/M)-controlled firms located in the United States; (4) for limited FRY (S/M) diplomatic representation in Washington and New York; (5) for patent, trademark and copyright protection and maintenance transactions in the FRY (S/M) not involving payment to the FRY (S/M) Government; (6) for certain communications, news media, and travel-related transactions; (7) for the payment of crews' wages, vessel maintenance, and emergency supplies for FRY (S/M)-controlled ships blocked in the United States; (8) for the removal from the FRY (S/M) of certain property owned and controlled by U.S. entities; and (9) to assist the United Nations in its relief operations and the activities of the U.N. Protection Forces. Pursuant to regulations implementing United Nations Security Council Resolution 757, specific licenses have also been issued to authorize exportation of food, medicine, and supplies intended for humanitarian purposes in the FRY (S/M).

During the past 6 months, FAC has continued to oversee the liquidation of tangible assets of the 15 U.S. subsidiaries of entities organized in the FRY (S/M). Subsequent to the issuance of Executive Order No. 12846, all operating licenses issued for these U.S.-located Serbian or Montenegrin subsidiaries or joint ventures were revoked, and the net proceeds of the liquidation of their assets placed in blocked accounts.

The Board of Governors of the Federal Reserve Board and the New York State Banking Department again worked closely with FAC with regard to two Serbian banking institutions in New York that were not permitted to conduct normal business after June 1, 1992. The banks had been issued licenses to maintain a limited staff for audit purposes while full-time bank examiners were posted in their offices to ensure that banking records are appropriately safeguarded. Subsequent to the issuance of Executive Order No. 12846, all licenses previously issued were revoked. FAC is currently working with the Federal Reserve Board and the New York State Banking Department to resolve outstanding issues regarding the banks.

During the past 6 months, U.S. financial institutions have continued to block funds transfers in which there is an interest of the Government of the FRY (S/M) or an entity or undertaking located in or controlled from the FRY (S/M). Such transfers have accounted for \$58.6 million in Yugoslav assets blocked since the issuance of Executive Order No. 12808, with some \$22 million in funds transfers frozen during the past 6 months.

To ensure compliance with the terms of the licenses that have been issued under the program, stringent reporting requirements are imposed. More than 380 submissions were reviewed since the last report and more than 194 compliance cases are currently open. In addition, licensed bank accounts are regularly audited by FAC compliance personnel and by cooperating auditors from bank regulatory agencies.

6. Since the issuance of Executive Order No. 12810, FAC has worked closely with the U.S. Customs Service to ensure both that prohibited imports and exports (including those in which the Government of the FRY (S/M) has an interest) are identified and interdicted, and that permitted imports and exports move to their intended destination without undue delay. Violations and suspected violations of the embargo are being investigated and appropriate enforcement actions are being taken. There are currently 50 cases under active investigation. Since the last report, FAC has collected 20 civil penalties totaling nearly \$75,000 from 17 financial institutions for violations involving transfers of funds in which the Government of the FRY (S/M) has an interest. Two U.S. companies and one law firm have also paid penalties related to exports and unlicensed payments to the Government of the FRY (S/M) for trademark registrations.

7. The expenses incurred by the Federal Government in the 6-month period from November 30, 1993, through May 29, 1994, that are directly attributable to the authorities conferred by the declaration of a national emergency with respect to the FRY (S/M) are estimated at about \$3 million, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in FAC and its Chief Counsel's Office, and the U.S. Customs Service), the Department of State, the National Security Council, the U.S. Coast Guard, and the Department of Commerce.

8. The actions and policies of the Government of the FRY (S/M), in its involvement in and support for groups attempting to seize and hold territory in Croatia and Bosnia-Herzegovina by force and violence, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. The United States remains committed to a multilateral resolution of this crisis through its actions implementing the binding resolutions of the United Nations Security Council with respect to the FRY (S/M).

I shall continue to exercise the powers at my disposal to apply economic sanctions against the FRY (S/M) as long as these measures are appropriate, and will continue to report periodically to the Congress on significant developments pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 21, 1994.

THE WORK AND RESPONSIBILITY
ACT OF 1994

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

Mr. FORD of Tennessee. Mr. Speaker, I rise today to join with my colleagues, the chairman of the Committee on Ways and Means, and other members of that committee and the chairman of the Committee on Education and Labor in cosponsoring the new welfare reform package that has been sent to the Congress today by President Clinton, and that bill now has a number: 4605. I will be including statements from the gentleman from Florida [Mr. GIBBONS], the acting chairman of the full Committee on Ways and Means and the gentleman from Michigan [Mr. FORD].

Today I join with, not only the acting chairman, but, hopefully in a bipartisan way, Democrats and Republicans alike in trying to come up with ways and means to fashion a welfare bill that will respond to the real problems of poor people and the welfare population in this Nation. We have waited quite some time, but the President has kept his word to this Congress and to the American people. We do have a welfare reform package before us.

Mr. Speaker, this has been a very courageous move on the President's part, and I join with him, Republicans, and the American public in trying to say that, yes, we are going to move right away to bring a bill to the House floor.

The statements referred to are as follows:

Mr. GIBBONS. Mr. Speaker, today I am introducing, together with the Honorable WILLIAM D. FORD, chairman of the Committee on Education and Labor, the Honorable HAROLD E. FORD, chairman of the Committee on Ways and Means, Subcommittee on Human Resources, and the Honorable MATTHEW G. MARTINEZ, Chairman of the Committee on Education and Labor, Subcommittee on Human Resources, the Honorable RICHARD A. GEPHARDT, majority leader, and three other Members of the House of Representatives, H.R. 4605, the Work and Responsibility Act of 1994.

In making his welfare reform proposal, President Clinton has once again demonstrated his willingness to confront difficult problems and to propose balanced solutions. The President's proposal doesn't blame poor children and their parents. It doesn't blame immigrants, whom we have welcomed to our land under immigration and naturalization law. Instead, it follows the basic values of the American people—able-bodied parents ought to work to support their families, and parents ought to be responsible for their children.

Mr. Speaker, 30 years ago, President Lyndon Baines Johnson commissioned me to help lead the war on poverty. Contrary to popular

belief, we had more than a few successes in those days. In fact, that effort, along with strong economic growth, reduced the American poverty rate by more than 40 percent. But when we pulled back from those efforts, poverty rose, and welfare caseloads grew dramatically, particularly in the past 5 years. We have paid a high price for their ineffective policies of the last 20 years. Now is the time to change course.

President Clinton wants to renew our commitment to the American taxpayer to help poor parents who are willing to help themselves. He has pledged to end welfare as we know it, and I am ready to reenlist for that effort. The Government has an obligation to help those who cannot make it on their own, but they have an obligation as well—to their children, to their communities, and to our society.

Mr. Speaker, this is an issue on which there is bipartisan agreement that the system needs reform. I agree with the President that welfare reform should be a top priority when we complete work on health care reform. I look forward to helping the President in ending welfare as we know it, and I urge my colleagues to join me in this effort.

Mr. FORD of Michigan. Mr. Speaker, today I join Acting Chairman GIBBONS in cosponsoring President Clinton's Work and Responsibility Act of 1994.

The President has lived up to his promise to deliver a welfare reform bill to the Congress, and I applaud him. He has demonstrated his courage both by initiating a national debate on this difficult issue, and by proposing specific solutions to the problems we all seek to address.

I am cosponsoring the President's welfare reform bill because I believe we have a crisis in this country that we ignore at great risk to poor families, and our national well-being. While I agree with many of the proposed solutions in the President's bill, I will seek changes in the legislation that ensure families better opportunities to develop their skills, to work, and to earn a living wage.

President Clinton is right to focus his welfare reform proposal on work. As the research indicates, the majority of welfare parents want to work, and eventually do work. However, many are hampered in their efforts by a welfare system that at its best ignores their goals, and at its worst creates barriers to their realization.

And too often forgotten in the welfare debate are the barriers presented by today's labor market. Real wages for low-skilled workers have fallen precipitously, and opportunities for upward mobility have deteriorated. In isolated rural and inner-city labor markets, job availability is a significant concern.

Both the welfare system and the labor market are failing many families in America, and this is the context in which I plan to consider welfare reform. I pledge to work to ensure that more jobs at living wages are created under the welfare reform bill and other social policy initiatives. I make this pledge to the parents and children who receive welfare assistance, and to their many brethren who have left welfare to work, yet remain poor.

A TRIBUTE TO THE CREW OF THE
U.S.S. "SARATOGA"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mrs. FOWLER] is recognized for 5 minutes.

Mrs. FOWLER. Mr. Speaker, since the days of the great sailing ships, Americans have had a deep and abiding affection for their Navy, and that affection is shared by the people of northern Florida. In my district we have a special relationship with the Navy, and we feel a great deal of pride in the ships and crews who are home-ported there. That is why this Friday, June 24, 1994, will be a bittersweet day for us all—because that is the day the Navy's oldest active duty aircraft carrier, U.S.S. *Saratoga*, commanded by Capt. William H. Kennedy, will complete her final voyage, returning to Mayport from a 6-month deployment to the Mediterranean Sea.

"Super Sara" or simply "Sara," as she is affectionately known, is home to more than 5,000 superb sailors and aviators. These men have been away from their spouses, children, friends, and loved ones for over 165 days to ensure that our Nation's interests are being protected at sea. We will welcome them back with gratitude for their service and gladness for their safe return, but some tears will be shed as we reflect upon the fact that the Sara is coming home for the last time.

Saratoga, the sixth ship to bear that proud name, was launched in Brooklyn, NY, on October 8, 1955. Since that time, she has been a vital part of our Nation's defense, participating in a number of important military operations.

Saratoga patrolled off the coast of Cuba near Guantanamo Bay during the Cuban missile crisis. She was stationed off the coast of Lebanon during the Six-Day War. She saw combat in the Tonkin Gulf during the Vietnam war and in the Red Sea during the Persian Gulf war, and she was the first carrier to transit the Suez Canal by night. A number of *Saratoga* alumni have gone on to distinguish themselves in the best Navy tradition. In fact, one of them, Adm. Jeremy Boorda, is now the Chief of Naval Operations.

Saratoga began her final deployment—the 22d of her 38-year career—on January 12, 1994. Entering the Adriatic on February 1, *Saratoga* and her embarked carrier, *Airwing 17*, commanded by Capt. Philip Howard, launched the first of thousands of sorties in support of United Nations and NATO operations "Deny Flight" and "Provide Promise" over Bosnia and Herzegovina. She spent nearly 70 days of her 165-day deployment in the Adriatic Sea, and her presence did a great deal to ease the suffering of those ashore in the former Yugoslavia.

Saratoga also participated in exercises and operations with other U.S. services and allies, including exercise

"Dynamic Impact," a large-scale NATO exercise which included the navies of 12 nations. Throughout this deployment *Saratoga* sailors also served with distinction as America's goodwill ambassadors, hosting foreign dignitaries and visitors both at sea and in port. In each port, *Saratoga* sailors volunteered their off-duty time to help others including spending a day with Bosnian refugees at a camp in Slovenia.

On June 12, *Saratoga* turned over the watch to her relief, U.S.S. *George Washington*, our Navy's newest aircraft carrier, enabling the United States to maintain a continuous aircraft carrier presence in the Mediterranean Sea.

As you can see, Mr. Speaker, the Sara and her accompanying battle group ships have continued to do what we depend on our aircraft carriers to do best—provide a continuous and capable forward presence to ensure American interests are protected throughout the world. To maintain our forward presence, our national security strategy requires 11 active and 1 operational reserve aircraft carriers, and I believe that building CVN-76 is an investment for the future we can afford right now. It is the right thing to do and the foundation for essential naval force modernization.

Since she has been an integral part of Navy life in north Florida for nearly 30 years, the Jacksonville community has expressed an interest in making Jacksonville the final resting place for the *Saratoga* as a naval memorial and museum. As I speak, the "Save Our Sara" committee in Jacksonville is busy researching the specific steps which must be taken to preserve the legacy of this fine warship after her decommissioning on August 20.

Mr. Speaker, I ask my colleagues to join me in saluting the thousands of *Saratoga* sailors who will return from the ship's final deployment this Friday, as well as all the sailors who have served aboard this great ship during her long and distinguished career. Their sacrifice and service have protected our shores and our interests aboard for 38 years, and they deserve the thanks of a grateful Nation.

Although the book is about to close on the final chapter of the *Saratoga*'s active duty life, many of these individuals will continue to serve our Nation aboard other vessels. They will take with them many fond memories of life aboard the Sara and in Jacksonville, and I know that my colleagues and the people of north Florida join me in wishing them fair winds and following seas.

□ 1620

EMPLOYER MANDATES IN CLINTON'S HEALTH PLAN A BAD IDEA

The SPEAKER pro tempore (Mr. HOLDEN). Under a previous order of the

House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

Mr. KIM. Mr. Speaker, 9 months ago, President Clinton presented us with his plan to radically change the American health care system. The details of this plan are by now familiar to all of us. The Clinton plan contains, as its centerpiece, an employer mandate that would force every employer to pay 80 percent of the health care costs for their employees and their families, or up to 7.9 percent of payroll.

From the beginning, I, along with most other Republicans, have strongly opposed the employer mandates proposed by the President. For months, we have been trying to convince the proponents of the plan that these new mandates would be destructive to business, especially small business, and would threaten the livelihood of ordinary American people.

However, the proponents of the Clinton plan are not listening. They persist in trying to convince the American people that forcing employers to pay for the employees' health care costs would not put companies out of business, would not reduce employees' wages, would not cost hundreds of thousands of Americans their jobs.

I am here to tell you that those who are trying to sell this line of reasoning are dead wrong. As a former small businessman myself, I know from firsthand experience that business simply cannot afford to absorb this enormous new payroll tax without cutting wages, laying off employees, or, in some cases, going out of business entirely.

You do not have to take my word for this. Over the past few months, numerous studies have been conducted to look at this impact that Clinton's plan will have on wages and jobs. Almost universally, these studies predict that the Clinton plan will have a devastating impact on jobs and wages.

Let's take a look at this chart. The studies done by the State of California Office of Planning Department says jobs will be lost, between 2.5 to 3.7 million jobs.

Let's take a look at the CONSAD study, which is commissioned by the National Federation of Independent Businesses. It says, 850,000 job losses, up to 3.7 million potential job losses.

According to CONSAD, 470 employees of small businesses will lose their jobs, 540,000 employees in the retail and service industry will lose their jobs, and 23 million employees will see their wages reduced by a total of \$28 billion, or \$1,200 per year per worker.

While these results are disturbing enough, I am even more disturbed by the conclusion of who will exactly be hurt the most by these proposed employee mandates. According to the study of those who lose the jobs the most, let's look at this chart: Women, 59 percent of women lose their jobs. That is without the subsidy. Low-wage

people, 66 percent of low-income people lose their jobs. Parents with children, 75 percent. And 88 percent of part-time workers will lose their jobs.

In other words, not only will the employer mandates in the Clinton plan create massive job loss and wage decline, but the plan will also concentrate those losses among those American people who are least able to afford such losses, such as this group of people, the very people this plan is supposed to help.

I believe the CONSAD study clearly demonstrates how bad an idea this employer mandate is.

□ 1630

While these kind of mandates may bring a few more people into the health care system, they only do so at great cost to the wages and jobs of ordinary people. Even worse, employer mandates hurt groups of people, people with families, the poor, women that are most in need of our help.

For these reasons, I strongly urge my colleagues to explore alternatives to the Clinton plan that do not require employer mandates. Let us fix what is wrong with the system, but let us not risk the livelihoods of millions of hard-working American people.

HEALTH CARE REFORM VOTES

The SPEAKER pro tempore (Mr. HASTINGS). Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, I submit for the RECORD the votes on health care reform which took place in full committee in the Education and Labor Committee on June 17, 1994:

COMMITTEE ON EDUCATION AND LABOR

FULL COMMITTEE

HEALTH CARE MARKUP, JUNE 17, 1994

The following recorded votes were taken on June 17, 1994 in the Committee on Education and Labor during full committee consideration of Chairman FORD's mark, H.R. 3600, Health Security Act of 1994:

1. An amendment by Representative Arney to eliminate the provisions imposing government-determined premium caps on all health plans. The amendment was defeated 14-26.

DEMOCRATS

Mr. Ford, "nay."
Mr. Clay, "nay" by proxy.
Mr. Miller (CA), "nay" by proxy.
Mr. Murphy, "nay" by proxy.
Mr. Kildee, "nay."
Mr. Williams, "nay."
Mr. Martinez, "nay."
Mr. Owens, "nay" by proxy.
Mr. Sawyer, "nay" by proxy.
Mr. Payne, "nay" by proxy.
Mrs. Unsoeld, "nay."
Mrs. Mink, "nay" by proxy.
Mr. Andrews, not voting.
Mr. Reed, "nay."
Mr. Roemer, not voting.
Mr. Engel, "nay" by proxy.
Mr. Becerra, "nay."
Mr. Scott, "nay."
Mr. Green, "nay."
Ms. Woolsey, "nay."

Mr. Romero-Barceló, "nay" by proxy.
Mr. Klink, "nay" by proxy.
Ms. English, "nay" by proxy.
Mr. Strickland, "nay" by proxy.
Mr. De Lugo, "nay."
Mr. Faleomavaega, "nay" by proxy.
Mr. Baesler, "nay."
Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
Mr. Petri, "yea" by proxy.
Mrs. Roukema, "yea."
Mr. Gunderson, "yea" by proxy.
Mr. Army, "yea."
Mr. Fawell, "yea" by proxy.
Mr. Ballenger, "yea."
Ms. Molinari, "yea."
Mr. Barrett, "yea" by proxy.
Mr. Boehner, "yea."
Mr. Cunningham, "yea" by proxy.
Mr. Hoekstra, not voting.
Mr. McKeon, "yea."
Mr. Miller (FL), "yea."
Mr. Castle, "yea" by proxy.

2. An amendment by Representative Army to strike the monetary penalties, up to \$5,000 or three times the amount owed, which may be levied by the Department of Labor on individuals who fail to pay premiums owed. The amendment was defeated 15-27.

DEMOCRATS

Mr. Ford, "nay."
Mr. Clay, "nay" by proxy.
Mr. Miller (CA), "nay" by proxy.
Mr. Murphy, "nay" by proxy.
Mr. Kildee, "nay."
Mr. Williams, "nay."
Mr. Martinez, "nay."
Mr. Owens, "nay."
Mr. Sawyer, "nay" by proxy.
Mr. Payne, "nay" by proxy.
Mrs. Unsoeld, "nay" by proxy.
Mrs. Mink, "nay" by proxy.
Mr. Andrews, Not voting.
Mr. Reed, "nay" by proxy.
Mr. Roemer, "nay."
Mr. Engel, "nay" by proxy.
Mr. Becerra, "nay."
Mr. Scott, "nay."
Mr. Green, "nay."
Ms. Woolsey, "nay."
Mr. Romero-Barceló, "nay" by proxy.
Mr. Klink, "nay" by proxy.
Ms. English, "nay" by proxy.
Mr. Strickland, "nay" by proxy.
Mr. De Lugo, "nay."
Mr. Faleomavaega, "nay" by proxy.
Mr. Baesler, "nay."
Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
Mr. Petri, "yea" by proxy.
Mrs. Roukema, "yea."
Mr. Gunderson, "yea" by proxy.
Mr. Army, "yea."
Mr. Fawell, "yea" by proxy.
Mr. Ballenger, "yea."
Ms. Molinari, "yea."
Mr. Barrett, "yea" by proxy.
Mr. Boehner, "yea" by proxy.
Mr. Cunningham, "yea" by proxy.
Mr. Hoekstra, "yea."
Mr. McKeon, "yea" by proxy.
Mr. Miller (FL), "yea."
Mr. Castle, "yea" by proxy.

3. An amendment by Representative Hoekstra to delete the provisions which require the Secretary of Labor to establish a special "migrant health plan" for migrant and seasonal agricultural workers and their families. The amendment was defeated 18-25.

DEMOCRATS

Mr. Ford, "nay."

Mr. Clay, "nay" by proxy.
Mr. Miller (CA), "nay."
Mr. Murphy, "yea."
Mr. Kildee, "nay."
Mr. Williams, "nay."
Mr. Martinez, "nay" by proxy.
Mr. Owens, "nay" by proxy.
Mr. Sawyer, "nay."
Mr. Payne, "nay" by proxy.
Mrs. Unsoeld, "nay" by proxy.
Mrs. Mink, "nay."
Mr. Andrews, "yea."
Mr. Reed, "nay" by proxy.
Mr. Roemer, "nay."
Mr. Engel, "nay" by proxy.
Mr. Becerra, "nay" by proxy.
Mr. Scott, "nay."
Mr. Green, "nay."
Ms. Woolsey, "nay."
Mr. Romero-Barceló, "nay" by proxy.
Mr. Klink, "nay" by proxy.
Ms. English, "nay" by proxy.
Mr. Strickland, "nay."
Mr. De Lugo, "nay."
Mr. Faleomavaega, "nay" by proxy.
Mr. Baesler, "yea."
Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
Mr. Petri, "yea" by proxy.
Mrs. Roukema, "yea."
Mr. Gunderson, "yea" by proxy.
Mr. Army, "yea" by proxy.
Mr. Fawell, "yea" by proxy.
Mr. Ballenger, "yea."
Ms. Molinari, "yea."
Mr. Barrett, "yea" by proxy.
Mr. Boehner, "yea" by proxy.
Mr. Cunningham, "yea" by proxy.
Mr. Hoekstra, "yea."
Mr. McKeon, "yea" by proxy.
Mr. Miller (FL), "yea."
Mr. Castle, "yea."

FREEDOM SUMMER REMEMBERED

Mr. LEWIS of Georgia. The Speaker, I am pleased to reserve this special order in tribute to the Mississippi Summer Project of 1964 and the efforts of James Chaney, Andrew Goodman, and Michael Schwerner, three civil rights workers who were murdered in Mississippi that summer.

During that period of history, there was a coalition of conscience that worked together in a struggle to create a truly interracial democracy in America—to create what I like to call the beloved community. People from all walks of life, especially young people, and from around the country struggled together during Freedom Summer to make the State of Mississippi and our Nation a better place.

Earlier today I presented House Resolution 457 to the House under unanimous consent to commemorate the Mississippi Summer Project of 1964 and the efforts of the three slain civil rights workers by designating June 21, 1994—the 30th anniversary of their deaths—as Freedom Summer '94 Day.

This resolution also acknowledged Freedom Summer '94. This summer, youth organizations throughout the country are planning to establish creative partnerships among youth activists and help build a national infrastructure of youth leadership.

At that time, the State of Mississippi had a black voting age population of more than 450,000, but only about 18,000 were registered to vote. Almost 200,000 people turned out to participate in a mock election that SNCC had sponsored in 1963, and that election spurred us to organize the Mississippi Summer Project. After the election, we started recruiting students to come and be a part of the Mississippi Summer Project.

These three young men gave their lives to advance the cause of freedom for every American. They were fighting and struggling for a universal right to vote. We must never forget these three men and what they died for.

After the murders, we lived in Mississippi with the constant possibility that something could happen to any of us. During the summer, many churches were bombed and burned, particularly black churches in small towns and rural communities that had been headquarters for freedom schools, voter registration rallies, and workshops. There were shootings on homes, so we lived with constant fear.

Despite being attacked by racial violence, we tried not to become too preoccupied with the fear. We came to feel that we were part of a nonviolent army, and, within the group, you had a sense of solidarity. You knew you had to move on despite the fear. I will never forget some of the problems and trauma that some of the SNCC people went through. It was a trying time for all of us.

I think for many of us that summer in Mississippi was like guerilla warfare. You knew that you had to prepare yourself, condition yourself, if you were going to be there. You knew that you were going to stay for a period of time, and there were going to be some disappointments and some setbacks. What we tried to instill, particularly in the SNCC staff and into the young people coming down, was that even as they came there, we weren't going to change Mississippi in 1 summer or 1 year, that it was a much longer effort. In a sense we went down to help the people there, but no doubt they helped all of us a great deal; there's no question about that. Some of us, no doubt, literally grew up overnight because of being in positions of responsibility where we had to make tough decisions, we had to act. Our main purpose was empowering the local, indigenous black people of Mississippi.

I think Freedom Summer helped many of us to reaffirm our commitment to nonviolent struggle. While nonviolence was, for some, merely a tactic for social change, for many of us it became a philosophy of life—a way of living. When we suffered violence and abuse, when we were arrested and jailed, our concern was not for retaliation. We sought to understand the human condition of our attackers and to accept suffering in the right spirit.

As I worked throughout the South during the 1960's I saw civil rights workers and indigenous people whom we were trying to help with their heads cracked open by nightsticks, lying in the street weeping from tear gas, calling helplessly for medical aid.

I saw old women and young children in peaceful protest, who were run down by policeman on horses, beaten back by fire hoses, and chased by police dogs. Yet these people were still able to forgive, understand, and sing, "Ain't going to let nobody turn me around."

We saw young blacks and young whites working, struggling, fighting, and shedding blood together 30 years ago. We stood together during times of difficulty. We must continue to do so now. As Americans, we should be about the business of building a truly interracial democracy, rather than dividing people along racial, ethnic, and religious lines in 1994.

Mr. Speaker, I am pleased that so many of my colleagues have agreed to participate in this special order.

□ 1640

Mr. Speaker, what I would like to do right now is call on two of the Members of this great body who were in Mississippi during the summer of 1964.

It is my pleasure to yield to the gentlewoman from the District of Columbia, ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, I want to both thank and acknowledge the leadership of the gentleman from Georgia, Mr. JOHN LEWIS, who I met more than 30 years ago as a compatriot in the Student Nonviolent Coordinating Committee, for calling us to account around the lives of three young men whose names will always be remembered together as Schwerner, Goodman, and Chaney, who died together and gave new meaning to the words "black and white together," because they died together in Neshoba County 30 years ago.

Mr. Speaker, I had spent 1963, or part of it, in the delta preparing for the Mississippi Freedom Summer, in the prototype of what was to become that summer, teaching in the freedom schools, encouraging youngsters and adults to vote. It was the most eventful summer of my life. It was a summer when I also helped write the Mississippi Freedom Democratic Party brief, with Joe Rauh, and ran the lobbying operation that ultimately resulted in changes that introduced people into the party ranks and delegations without regard to race and gender.

Mr. Speaker, I remember a point in the summer when we were told that the three were missing. They had just gotten there. The summer had just begun for the students. Mickey Schwerner's brother was a classmate of mine in college. His wife was in Washington working with us. We waited on

a watch we hoped would not be a death watch, and it was.

We should remember today, Mr. Chairman, not only because of the sacrifices of these extraordinary young men, and we should remember not for memory's sake, or for the sake of nostalgia. For two reasons we should remember. One has to do with continuing discrimination, the other with new and troubled intergroup relations.

The continuing discrimination is sometimes clear in its rawest form, as we see openly racist cults forming in the United States. They do not hide their disagreement with 30 years of progress in race relations in this country.

There is also bitter feeling in the black community about under-the-table discrimination, the kind of discrimination that nobody or most of us dare not practice openly, but which is practiced covertly every day. Particularly do young black men feel this because of the stereotyping that comes from the fact that so much crime is committed by black youngsters, and so all young black men are often considered to be potential criminals. That is the kind of stereotyping that Schwerner, Goodman, and Chaney died to remove.

The second reason, of course, has to do with intergroup relations. This has always been part and parcel of the raison d'être of the civil rights movement. It has always been an all-inclusive movement. I never thought we would get 30 years after the triumph of that movement and find that there was name-calling across racial and ethnic lines and a tension that we did not see even then.

Yes, we must not forget, Mr. Speaker, that Schwerner and Goodman and Chaney were not all black, that two of them were white and Jewish, and only one of them was black, and that they died together for a cause they all believed in.

When we separate ourselves and do not communicate with ourselves, when there is self-segregation, it is easy, it is easy for us to forget the high principles of the civil rights movement, the high principles for which Schwerner, Goodman, and Chaney died. Kids are self-segregating themselves, and increasingly groups around the country are self-segregating themselves. That kind of self-segregation, as opposed to the normal kind of fraternization among groups who are from the same background, but rigid self-segregation, Mr. Speaker, is the breeding ground for intergroup tension, deprecation, and hatred.

Out of the Mississippi Freedom Summer the person I shall remember the most is Fannie Lou Hamer, who thereafter become my own mentor, though she had a sixth grade education and I had just graduated from law school. She always took me back to first prin-

ciples. When she died, her town, before that day, had declared Fannie Lou Hamer Day, and that was Ruleville, MS. Fannie Lou Hamer had brought together the blacks and the whites in that most segregated part of Mississippi to work together on raising food, plants, and animals, so they could all relieve themselves of the hunger that characterized Sunflower County.

Today, Mr. Speaker, I would like to invoke the spirit of Fannie Lou Hamer, and I thank the gentleman also for invoking the spirit of Schwerner, Goodman, and Chaney.

I want to mention, Mr. Speaker, finally, that this weekend the gentleman from Georgia [Mr. LEWIS] and I and a number of Members shall be in Mississippi, because there is a reunion this weekend of those of us who were there then, designed to call us all to account and to bring us and help bring our community to its senses on the sensitive and tragic and overriding issue of race in this country.

We shall have fun together, we shall sing together the old freedom songs, and there shall be more serious business at the table, the business of reminding ourselves and helping to remind our country that we have a long way to go, and we have got to go there together, to both end discrimination, and while respecting our individual backgrounds, bring us all together, for after all, this is one country, and we, too, are one.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentlewoman from the District of Columbia [Ms. NORTON], my friend and colleague, for participating in this special order.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. FRANK], who was in Mississippi in 1964.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from Georgia [Mr. LEWIS] for yielding to me. It was an honor to follow his leadership 30 years ago, because he was then one of the leaders of the party of conscience in this Nation, those who were genuinely dedicated to making the constitutional principles that we profess a reality. He continues to be a leader. I continue to be honored to follow him and to be associated with him.

Mr. Speaker, as I look to him and to the gentlewoman from Washington, DC [Ms. NORTON], who was also in Mississippi, it becomes particularly poignant to think of the murder of James Chaney and Andrew Goodman and Michael Schwerner, because we were all about the same age 30 years ago. We all had the same kind of motivation.

As I look at my colleagues who were leaders then, and are leaders now, I wonder if people of the dedication of those three who were, and let us remember, they were murdered, they were murdered with the participation of law enforcement officials of the

State of Mississippi, they were murdered brutally, with the Federal Government standing idly by at the time. The question naturally arises; What further contribution would these three people have made?

Mr. Speaker, it is very important to contrast where we were in 1964 and where we are today. We have a long way to go in making our constitutional principles realities for everyone, but we have accomplished very significant progress. The fact, for instance, that we stand on this floor today with a colleague from Mississippi, Mr. BENNIE THOMPSON, who will be joining us, and others indicates that we are capable of significant improvement.

In 1964, as the gentleman from Georgia [Mr. LEWIS] has pointed out, the vast majority of African-Americans in Mississippi might as well have lived in South Africa, for all the rights that they had as individuals. There was a degree of deprivation of individual rights within the United States 30 years ago that was unimaginable to people outside. I saw that because I went to Mississippi from Massachusetts, and it was, while I thought of myself as well-read and well-informed, as extraordinary revelation to understand how little black people in that State could enjoy the rights that I had taken for granted all my life. We continue to make that fight.

It is important, both that we remember that progress has been made, and that we remember that a good deal of progress has yet to be made. In particular, I was pleased that my colleagues who spoke before me noted that by accident, it could have been a different combination, but Chaney, Schwerner, and Goodman happened to be one black and two Jewish Americans. There was any conceivable combination that you could have put together out of that, but that is important, because we are at a time now when there are people who would try to inflame relations in this country. Even as we move to diminish the prejudices that have plagued us, there are people who would like to fan new ones, who would like to expand old ones.

□ 1650

I was very proud to be in Mississippi in 1964, and I felt I was there as an American, fighting hard for the principles of our Constitution. I also felt, being Jewish, that I was fulfilling an important part of the tradition I had been born into and cherish, the Jewish tradition, both as a matter of self-interest because a society in which minorities are mistreated is one in which Jews will not do well, and as a matter of commitment to broader principles that both as an American and as a Jew I had been brought up to treasure. And I am very pleased to join again today with my colleague from Georgia, and others to reaffirm all aspects of that,

to reaffirm first of all our solemn duty as Americans to make the Constitution real for everybody, to make that glorious statement of principle a glorious reality. We are coming closer and closer but we cannot slack off.

And I also want to have the chance to celebrate the working together of the African-American and Jewish communities as part of the broader American community, as we work with others, stressing those things which we have in common with each other as well as those things which all of us as Americans have a commitment to.

Thirty years has seen a lot of progress. We have a ways to go. It is important for us on occasions such as this to rededicate ourselves to making that progress. This is a nation which is capable of even more greatness than we have achieved. This is a nation capable of genuinely fulfilling the promise we have made and have been carrying forward.

We, in particular, in this body are especially lucky because we have been given a particular opportunity to carry that out. Being able to serve in the democratically elected legislative body of the greatest representative government that has ever been known in the history of the world is an extraordinary honor for all of us. I think it is very appropriate on this occasion, 30 years after three young Americans were murdered because they dared to think that the Constitution could become a reality, it is very appropriate for us to use the privileged position we have been given to dedicate ourselves to continuing their work.

I thank my friend from Georgia.

Mr. LEWIS of Georgia. I want to thank my friend and my colleague, Mr. Speaker, and I want to thank the gentleman from Massachusetts [Mr. FRANK] for his participation and for his being in Mississippi in 1964, 30 years ago and being here today and for keeping his eyes on the prize.

Mr. Speaker, I think it is fitting and proper that I yield to one of the real leaders in the struggle for civil rights and social change long before I came to this body, the gentleman from California DON EDWARDS, who visited the South, Mississippi, Alabama, particularly Jackson, Selma, Greenwood.

Mr. Speaker, I yield to the gentleman from California DON EDWARDS an outstanding Member of this body.

Mr. EDWARDS of California. Mr. Speaker, I thank the gentleman from Georgia for arranging this series of discussions tonight and the gentleman from Massachusetts, [Mr. FRANK]. Mr. LEWIS is one of the great heroes of the dark days of American apartheid and our war against it, and may be the most prominent of all of the great men and women who risked their lives in Mississippi.

Yes, I went to Mississippi as a member of the House Judiciary Committee

in late 1963. My son, Leonard Edwards, now a superior court judge, was living with Fanny May Hamer in Ruleville in Sunflower County where he was one of the leaders in encouraging young black Americans in Mississippi to register to vote. It was a dangerous summer; it was a dangerous country, dangerous times. People would follow you in their cars. Threats. My son and I left Ruleville to go to another city where there was a freedom house with young Americans who were living together, working all day every day to register voters. Fifteen minutes after we left the house the next morning to go on to McComb, MS the house was bombed and several young men and women were seriously injured.

But the young people who died, whose contribution we are celebrating today, with President Kennedy, were key elements in our success in enacting the 1964 and 1965 Civil Rights Acts. We could not have been successful if it had not been for the sacrifice of the lives of many, including President Kennedy, because, Mr. Speaker, we did not have the votes in the Judiciary Committee in 1963 to report favorably the civil rights bill. After that dreadful day in November 1963, when President Kennedy was assassinated in Dallas, Lyndon Johnson, the new President, came to the Congress and asked us in the name of President Kennedy to enact the civil rights bill that he so lovingly had fostered. And we did.

But we could not have done it without the sacrifice of the three young people, whose bodies were buried outside of Philadelphia, MS under 12 feet of mud and stone in that awful dam.

So we celebrate their contribution today, but we must remember also that the emancipation is not over, it has a long way to go. Up until 1980 or 1981 civil rights bills could come to the floor of this House and the floor of the Senate and quite readily pass. We had a bipartisan, nonpartisan understanding that it was our duty as American legislators to end the remnants of apartheid in this country.

I regret to say that since the early 1980's, there has been almost a reversal in our success. More than 11 Supreme Court decisions have not assisted or encouraged the emancipation. They have worked against, and weakened, the precious civil rights bills. And I suppose, Mr. Speaker, that Shaw versus Reno was almost the crowning blow, the dagger in the heart of civil rights, when you think that the seats of six fine African-American Members of the House of Representatives are in peril now because of Shaw versus Reno. This completely unnecessary decision of the Court showed the attitude of the Court toward civil rights, and to a certain extent that of America today, because we do not fight for civil rights anymore. We are having trouble with the crime bill in getting a very modest proposal accepted called the Racial Justice Act.

So let us use the celebration of the contributions of the three young Americans whose bodies were found under the dam to declare that we must continue the emancipation. We cannot live, as Lincoln said in his debate with Stephen Douglas in 1857, as a divided America. A nation divided against itself cannot stand. And, Mr. Speaker, we are divided and we can only be brought together by efforts of all of us to continue the civil rights struggle, to perhaps include economic rights and social rights as American ideals in future work.

I thank the gentleman from Georgia for arranging this very important series of speeches tonight.

□ 1700

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague, the gentleman from California [Mr. EDWARDS], for his long service in the cause of civil rights and social justice and for participating in this special order tonight.

Mr. Speaker, I yield to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker, I have prepared remarks, but I would like to speak for a moment from the heart.

First, I would like to thank the gentleman from Georgia [Mr. LEWIS] and the gentleman from Massachusetts [Mr. FRANK] for allowing this special order, for this special order occasion that is being undertaken, I would also like to thank the previous speaker who, in the next session of Congress, will have left us an immense legacy to try and live up to the type of reputation that he, DON EDWARDS, has put forward here in the House of Representatives on behalf of this Nation.

It is fitting on an evening like this, even though there will be many more celebratory times when we will say to our colleague, DON EDWARDS, thank you for all of his work, at least this evening I think he would appreciate being praised for being there when it counted for all of us.

As the gentleman from Massachusetts [Mr. FRANK] said, it is true that 30 years ago there were difficulties that brought many races together to fight for freedom, and yet 30 years hence, we are still in that struggle notwithstanding substantial progress that has been made, so it is in the memory of Goodman and Schwerner, and Chaney, a trilogy of names that will always be connected, that we come together today and celebrate the 30th anniversary of freedom summer.

Today, as we celebrate the 30th anniversary of freedom summer, we are painfully reminded that freedom has its price.

On this day 30 years ago, three courageous, dedicated selfless, young men—Andrew Goodman, Michael Schwerner, and James Chaney—paid the ultimate price for freedom. They gave their

lives, so that all Americans can truly enjoy "Liberty, Peace and the Pursuit of Happiness."

Our American dream, sadly enough, is marred by the nightmare of so many of their kind, who sacrificed to their bitter ends, for the realization of justice and equality in this country. They crossed racial, religious, cultural, gender, political, geographic, social, and economic lines in their unyielding quest for freedom. They marched for freedom—they died for freedom.

Just as Goodman, Schwerner, Chaney, and countless other freedom fighters united to address racial injustices, we too—as Members of the very institution tasked with being agents for change—must unite to address crime, homelessness, health care, and welfare.

We can take our example from those who participated in freedom summer—who put aside their varied differences for a much bigger cause. We can likewise put aside our political differences, to accomplish a much bigger cause, in the summer of 1994.

As we commemorate the heroics of the civil rights class of 1964—of which we have the good fortune of serving with one of its most distinguished alumni, our friend and colleague, Representative JOHN LEWIS—let us rededicate ourselves to the tenets that these Americans espoused and pledged their lives to—securing the rights of all Americans, as guaranteed under the Constitution of these United States of America.

Then perhaps, we can say with straight faces, relieved hearts, and genuine sincerity, the immortal words of Dr. King, "Free at Last, Free at Last, Thank God Almighty, We're Free at Last."

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and my colleague, the gentleman from Florida [Mr. HASTINGS], for his words, his leadership, for his sense of vision over the years, and for participating in this special order this afternoon.

Mr. Speaker, it is now my pleasure and delight to yield to the majority whip of the House, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, one day, decades from now, when a new generation of American schoolchildren sits down to study the fight for justice and equal rights in America they will learn about a woman named Rosa Parks, and her courageous ride on a bus;

They will learn about Martin Luther King, and his simple and inspiring dream;

They will learn about the freedom riders and the thousands of men and women who braved dogs and hoses and batons to cross the bridge at Selma.

But as they learn about these inspiring people and places, they will notice

that one name continues to surface at every juncture, one bright light continues to shine at every crossroads showing the way with his leadership and his courage, and his bravery.

They will learn, Mr. Speaker, about a compassionate and committed young man from the State of Georgia named JOHN LEWIS, who in one long summer helped bring a Nation to its senses and brought injustice to its knees.

Mr. Speaker, I am deeply honored this evening to be on this floor on the anniversary of the freedom summer of 1994 with the man who as much as anyone helped mobilize students against injustice in the South back in 1964, who helped raise the consciousness of America and who continues to inspire us today with his leadership and his courage.

Mr. Speaker, JOHN LEWIS is a hero to me and millions of other people around the world.

Mr. Speaker, a young African-American boy growing up in Mississippi today might find it hard to believe that there was a time when blacks would be beat up if they tried to vote.

He might find it hard to believe that there was a time when people in America would disappear without a trace, simply for expressing the right guaranteed to them under the Constitution of the United States.

And he might find it impossible to believe that 30 crowded summers ago, three young men were arrested, jailed, beaten, shot and killed, simply because they tried to extend that basic right to other Americans.

But it did happen, Mr. Speaker. And we are here today to honor those three heroes, James Chaney, Andrew Goodman, and Michael Schwerner, who answered the call 30 years ago to go to Mississippi and extend the cause of freedom for every American.

Like thousands of other students like them, including Congressman BOB FILNER, who led other students from his school, Congresswoman ELEANOR HOLMES NORTON, who spoke so eloquently on the floor who continues today to provide leadership and who was there, my friend and colleague who has been a champion of civil liberties and civil rights in this institution, DON EDWARDS, whom we will miss so dearly because of his incredible leadership, my wife Judy, who spent the hot summer of 1964 working with JOHN LEWIS to end over 200 years of discrimination and abuse, they believed that what they were doing was right, that everybody deserved an equal chance at the American dream, and they put their lives on the line to extend that right.

We should never forget that 30 years ago, a group of inspired and committed young Americans, working together, nonviolently, helped change the world.

Today, we can't forget that to advance the cause of freedom in the world, to advance the cause of human

rights, sometimes we have to take risks, sometimes we have to stand on principle, not because our consciences tell us to, not because our history tells us to, but because it is right.

We have come a long way since 1964, we have made a lot of progress, but we still have a long way to go.

We still live in an America that is separate and unequal.

We still live in an America where basic justice is being denied to millions of Americans.

We honor the memories of these three men today not just to remember their sacrifices, not just to remember their experiences, but to remind ourselves that we are the heirs of their sacrifice, and we must remain eternally vigilant to end the discrimination and prejudice they fought against, here and around the world.

Because in the end, that's the highest tribute we can pay.

□ 1710

I thank my colleague from Georgia [Mr. LEWIS] for leading us this evening on this very important anniversary.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the majority whip, the gentleman from Michigan [Mr. BONIOR], for participating in this special order. I want to thank him for his commitment, his dedication to the cause of justice and social change. I also want to thank him for those kind and moving words.

Mr. Speaker, I count the majority whip as a friend and as a brother.

Mr. Speaker, at this time it is my pleasure to recognize the gentleman from Mississippi [Mr. THOMPSON]. This gentleman is a living example of the progress that we have made in the State of Mississippi and in the South during the past 30 years.

I yield to the gentleman from Mississippi [Mr. THOMPSON].

Mr. THOMPSON of Mississippi. I thank the gentleman from Georgia [Mr. LEWIS].

Mr. Speaker, today marks the 30th anniversary of the murder of three civil rights workers in Philadelphia, MS, by the Neshoba County deputy sheriff and fellow members of the Ku Klux Klan. These young men, James Chaney, Andrew Goodman, and Michael Schwerner were brutally murdered for attempting to register African-Americans to vote. These deaths signaled to the country that civil rights activists were willing to put their lives on the line to end legal segregation in America.

Chaney, through his extraordinary courage as a teenager in the 1950's, began to inspire his family and neighbors in the community of Meridian to help transform Mississippi from a State that forced African-Americans to live as second-class citizens to a society offering equal opportunity to all.

As we commemorate the 30th anniversary of Freedom Summer 1964 let's

not forget these three young men who gave their lives in the struggle for civil and human rights. Their loss should continue to serve as a special call to this Nation to work together to end the racism, poverty, and violence that plague our communities.

Mississippi can proudly boast about having the highest number of African-American elected officials. However, we must always be reminded that we had to fight to be granted the right to vote. I, along with many of my colleagues, am here today as a direct result of the struggles of the sixties. To borrow an overused, but appropriate saying, if you don't remember your history, you are doomed to repeat it. We must remember that freedom has been and will continue to be a constant struggle.

[From the New York Times, October 21, 1967]

MISSISSIPPI JURY CONVICTS 7 OF 18 IN RIGHTS KILLINGS—ALL-WHITE PANEL ACQUITS 8 AND RULES A MISTRIAL ON 3 IN KLAN CONSPIRACY CASE

(By Walter Rugaber)

MERIDIAN, MISS., Oct. 20.—A Federal Court jury of white Mississippians convicted seven men today for participating in a Ku Klux Klan conspiracy to murder three young civil rights workers in 1964.

GUILTY verdicts were returned against Cecil R. Price, 29 years old, the chief deputy sheriff of Neshoba County, and Sam H. Bowers Jr., 43, of Laurel, identified as the Imperial Wizard of the White Knights of the Ku Klux Klan.

Also convicted were Horace D. Barnette, a one-time Meridian salesman; Jimmy Arledge, 30, a Meridian truck driver; Billy Wayne Posey, 30, a Williamsville service station operator; Jimmie Snowden, 34, a Meridian laundry truck driver; and Alton W. Roberts, 29, a Meridian salesman.

MAXIMUM TERM 10 YEARS

The maximum penalty for the conspiracy convictions is 10 years in prison and a \$5,000 fine.

Eight other men were acquitted by the panel of five men and seven women. The jurors were unable to reach a verdict on three of the 18 defendants, and mistrials were declared.

Murder is generally not a Federal crime unless committed on Government property. The conspiracy charges, filed under a Reconstruction era law, were brought after the state courts failed to take action.

The convictions were said to be the first in a civil rights slaying in Mississippi. The state has had a series of unpunished racial killings in recent years, starting with the murder in 1955 of Emmett Till, a Negro from Chicago.

But the lynching in nearby Neshoba County of the three young rights workers occurred at the height of the direct assault on segregation in the South and has been one of the most widely followed criminal cases of the decade.

The Department of Justice and the Federal Bureau of Investigation fought in court for more than three years. Informed estimates of the prosecution's cost ranged upward from \$1 million.

The dead youths were Michael H. Schwerner, 24 of New York, a white field worker for the Congress of Racial Equality; Andrew Goodman, 20, of New York, a white

college student, and James E. Chaney, 21, of Meridian, a Negro plasterer.

They disappeared June 21, 1964, after driving to Neshoba County from Meridian to investigate the burning of a Negro church. Price arrested them and placed them in the county jail that afternoon.

3 HELD FOR LYNCHING

The Government found that Price held the three until a Klan lynching party could be assembled, then released them, recaptured them on the highway and turned them over to the gunmen for execution.

The bodies were found Aug. 4, 1964, buried about 15 feet beneath the earthen dam of a small farm pond in Neshoba County. Prosecution witnesses told how the three had been buried in a common grave and covered with the aid of a bulldozer.

The defendants who pulled the triggers were never identified in court. Horace Barnette presumably named them in a signed confession.

Many newsmen, Government sources and other longtime observers of the state were surprised by the news of the guilty verdicts and predicted that the jury's decision would have a substantial effect here.

Several observers said that the convictions would not only restrain terrorist activities in Mississippi but also make it easier for the prosecution to obtain convictions in future cases.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague, the gentleman from Mississippi [Mr. THOMPSON], for participating in this special order, and I look forward to being with him and the good people of Mississippi this weekend in visiting his district.

Mr. Speaker, it is now my pleasure to yield to the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. I thank the gentleman.

Mr. Speaker, I thank the gentleman from Massachusetts [Mr. FRANK], the gentleman from Georgia [Mr. LEWIS], for organizing this opportunity for us to come to the floor and remember freedom summer. Let me say to the gentleman from Georgia [Mr. LEWIS] that I will not occupy much of this time because in some ways I feel inadequate to the task.

I played no personal role in these events, was but a young man growing up in Ohio at the time. But I grew up being taught that one man, one person, can make a difference, that if we believe enough, we can change the world all by ourselves. The reason I was taught that is because of the example of people like the gentleman from Georgia [Mr. LEWIS], and people like Michael Schwerner, Andrew Goodman, James Chaney, who are not here to tell the story. But I was taught that because of such people who did, when the time came and they were called, did stand up and did singlehandedly change the world.

I had the opportunity, I say to the gentleman from Georgia [Mr. LEWIS], on Friday to go back to my alma mater, Northwestern University, in Evanston, IL, to address the students

there on the occasion of the commencement of the Class of 1994, as so many of our colleagues have had a chance to address students at this time of graduations and commencements.

I asked them to believe, and I told them that I hoped they do believe, that they are so good and so smart and so idealistic that they can really change the world. And as evidence of their abilities, I submitted to them what happened 30 years ago almost to the day they graduated and that is that three young men, certainly not willingly, but were ready to give their lives for a simple idea, that all people can be equal, that all people in this democracy have the right to vote and to exercise and be part of all the cherished freedoms.

Mr. Speaker and I say to the gentleman from Georgia [Mr. LEWIS] I thank you for what you have given to me as a legacy. I thank you for your continued leadership, and I thank you for reminding us every single day that each and every one of us is a Member of this body and each and every person listening at home and those not listening can, if they so desire and if they have the strength of will and the strength of character, can change the world, can make a difference even today because you have done so.

I thank you for giving us this opportunity as a country to remember how 30 years ago three young men also made a difference.

□ 1720

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentleman from Ohio [Mr. FINGERHUT] for participating in this special order, and I thank him for those kind words.

Now, Mr. Speaker, it is my pleasure to yield to the gentleman from Pennsylvania [Ms. MARGOLIES-MEZVINSKY].

Ms. MARGOLIES-MEZVINSKY. Mr. Speaker, as my colleagues have heard, it was 30 years ago today that a young African-American man from Mississippi and two young Jewish men from New York were arrested, taken to jail, beaten, shot, and killed because they were registering voters in Mississippi.

Thinking of these three young men who gave their lives in the cause of freedom, I reflect on that seminal summer when more than 1,000 young men and women from colleges and universities across the Nation went to Mississippi to participate in voter registration drives.

I also reflect on the alliance between African-Americans and Jewish-Americans, which was an important piece of the summer project's success.

This alliance during freedom summer was typical of the battle for human rights—a battle which Jewish-Americans and African-Americans fought side by side, risking their lives—and sometimes dying for the cause.

Thus on this night that we honor James Cheney, Mickey Schwerner, and Andrew Goodman, I ask that we also remember the long and productive alliance between Jewish-Americans and African-Americans.

When extremists on both sides today try to break that alliance, let us remember our past accomplishments and the common goals and objectives of both groups—for they have more in common than not. Both share experiences that make them revere tolerance—that make them understand, and fight for—even die—for freedom.

What is more important?

It is for us to cherish their legacy and make sure we make it live.

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentlewoman from Pennsylvania [Ms. MARGOLIES-MEZVINSKY] for participating in this special order.

Ms. MARGOLIES-MEZVINSKY. Mr. Speaker, I thank the gentleman from Georgia [Mr. LEWIS] for giving me the opportunity to do so.

Mr. LEWIS of Georgia. Mr. Speaker, it is my pleasure to yield to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Georgia [Mr. LEWIS] for yielding to me, and may I, first of all, say that it is a pleasure to be a colleague of the gentleman who I certainly read about for many years before I ever had the pleasure of meeting with him and serving with him, and I said this many times before, and I will say it again:

When we think of a true American hero, the gentleman from Georgia [Mr. LEWIS] is certainly my idea of a real American hero, someone who has really done so much to further justice in this country and someone who, despite the way he had been treated, emerged with no sense of bitterness or hostility whatsoever.

I just want to say, Mr. Speaker, it is indeed a pleasure to be the gentleman's colleague and his friend.

Mr. Speaker, 30 years ago today three young men, committed to the righteous cause of racial justice and equality, were brutally murdered while they prepared for the Freedom Summer of 1964 in Mississippi. Despite differing backgrounds, James Chaney, Michael Schwerner, and Andrew Goodman shared a strong unwavering commitment to democracy and civil rights for all Americans. Their barbaric murders served as a solemn, but jarring, reminder of the social and political battles which were fought in our Nation's cities, suburbs, and countryside not so long ago. Black and white, Jewish people and Christian people, men and women worked together toward the fulfillment of common goals, often risking their personal safety.

Recently there has been increased national attention focused on certain groups and individuals who denounce the important and shared role in an al-

liance that African-Americans and Jewish-Americans have played in our Nation's history. Mr. Speaker, throughout our country's history blacks and Jews have shared much and have had much in common. Both have been persecuted and have faced discrimination. Both have been in the forefront of pushing for social justice and social equality in this country and, indeed, the world. Some hatemongers would attempt to drive the two groups apart with falsehoods, hatemongering, revisionist history and appeals for prejudice, but they will not succeed.

Andrew Goodman and Michael Schwerner were two Jewish-Americans from my city, New York City, and James Chaney was a black man in Mississippi. They shared a dream of equality and a better life for all Americans, and today, Mr. Speaker, we still share that dream. The 30th anniversary of the murders of Schwerner, Chaney, and Goodman provides an historic opportunity to highlight our shared commitment to civil and human rights and social justice. The alliance between African-Americans and Jewish-Americans in this country has been a strong one and continues to be strong because there still is much in common. We must continue to work together. All Americans must continue to work together toward the betterment of our society for all Americans.

Mr. Speaker, I thank the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. I want to thank my colleague and friend, the gentleman from New York [Mr. ENGEL], for participating in this special order tonight.

It is now my pleasure to yield to the gentleman from New Jersey [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, I thank the gentleman from Georgia [Mr. LEWIS] for yielding to me, but I particularly thank the gentleman for his leadership, not only this evening in connection with this special order remembering those events of 30 years ago, but, most importantly, for his leadership 30 years ago in the cause and the fight for the most important and cherished right of all Americans.

I never participated in the work in Mississippi. I did have the privilege, however, of joining with half a million other Americans when I heard the great Reverend Martin Luther King say, "I have a dream," and I remember that cherished dream, and I know that the three men who we remember tonight shared that dream just as a thousand others who worked in Mississippi shared that dream, just as millions of other Americans throughout our Nation shared that dream. It was a dream and a fight for the most precious right that we possess as American citizens, the right to vote, the right to determine our own destiny, the right to exercise power at the ballot box.

□ 1730

I think it is particularly fitting that we remember that the 3 people who died in Mississippi, one black and two Jews, although they came from very different backgrounds and very different heritages, shared a common bond, shared a common goal and a common ideal. On this 30th anniversary, let their memories serve as a reminder to all Americans and a clarion call of what they died for, and that they did not die in vain. They died to fight bigotry and hatred wherever it existed. They died to ensure that every American could vote and could exercise the right at the ballot box. Let all Americans now gather around and continue to honor that ideal by exercising their right to vote so that the efforts of these 3 men shall not have been in vain.

Mr. Speaker, I thank my friend, the gentleman from Georgia, for giving me this opportunity to participate in this event.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentleman from New Jersey [Mr. KLEIN] for participating in this special order.

Mr. Speaker, in the past three decades, our society has made a great deal of progress. Because of the Mississippi freedom summer and the sacrifices made by Goodman, Chaney, and Schwerner, our Nation is a better place. We have witnessed what I like to call a nonviolent revolution, a revolution of values, and a revolution of ideas. The Mississippi summer project gave many of us hope that the building of an interracial democracy was possible even under the most adverse and daunting conditions. The civil rights movement instilled in many of us the dream that we could through disciplined nonviolent action transform this Nation into the beloved community. This has been a conscious goal, and, though it may be a distant one, the Mississippi summer project strengthened my conviction that we can make that dream a reality.

Mr. PAYNE of New Jersey. Mr. Speaker, I join my colleagues in honoring the memory of three courageous young Americans who, 30 years ago today, paid the ultimate price for their belief in a freer, more just America—Andrew Goodman, James Chaney, and Mickey Schwerner.

As an activist myself during that era, I attended the famous march on Washington in 1963 when Dr. Martin Luther King delivered his famous "I Have a Dream" speech and I also marched in Selma, AL. During freedom summer of 1964, I well remember the shock waves sent through our entire community at the news of the terrible fate met by these three young men.

In the midst of the horror and outrage we felt at the news of the murders, there also emerged a great sense of determination that these young lives would not have been given in vain—that the movement for freedom and justice would march forward. The sacrifice that

these young men made, their unwavering commitment and idealism, sustained us through many dark days and we remembered them with special gratitude in times of victory.

As we pay tribute to these three brave Americans today, let us pledge never to forget the lessons they left us. Let us never underestimate the right to vote and to participate in the political process. The door which is open now was once boarded shut for millions of Americans.

Let us also remember the lesson these young men taught us about the value of friendship between people of all backgrounds committed to a common cause. In a time when there is too much division and mistrust among groups in our Nation, we should reflect upon these three young men, two Jewish and one African American, united by the bonds of friendship and a common passion for justice.

Andrew Goodman, James Chaney and Mickey Schwerner remain true American heroes. They undertook a dangerous and ultimately deadly mission to ensure that all of their fellow citizens, regardless of race, would be guaranteed the basic rights of democracy. Mr. Speaker, let us honor their memory and renew our commitment to the ideals for which they sacrificed their precious young lives.

Mr. MFUME. Mr. Speaker, today, June 21, 1994, marks the 30th anniversary of the murder of three civil rights pioneers: Andrew Goodman, Mickey Schwerner, and James Chaney.

It was the summer of 1964. Waves of college students gathered together in Mississippi to join other civil rights groups in the summer project of 1964. This project established schools, clinics, and voter registration programs. The purpose of this project was to assist African-Americans in exercising their voting power.

Shortly after the project began three civil rights workers, two Jewish and one African-American, came together to help create a better society for future generations. Mickey Schwerner, a 24-year-old Jewish-American, arrived in Meridian, MS 6 months before the project began in order to set up community centers to help African-Americans with the democratic process. James Chaney, a 21 year old African-American, was a native of Meridian and had been active in civil rights movement for the majority of his life. Andrew Goodman, a student of Oxford University, met Chaney and Schwerner at a training session for volunteers in Oxford, OH on the 19th of June. On the 20th they rode to Meridian, MS together. On the 21st they were murdered.

The trio set out on Sunday, June 21, 1964, to investigate the burning of a church in Neshoba County. As they headed back home, a deputy of Neshoba County stopped them under the guise of a speeding charge. They spent 5 hours in jail and were released late that night. The men were then led into a trap of blood-thirsty klansmen and bigoted police officers, including the town sheriff. Goodman and Schwerner each received a bullet to the chest at point blank range. Chaney, however, was shot three times. We don't know whether he was punished more for his skin color or his relentless struggle. What we do know is that Mr. Chaney was shot once in the abdomen, once in the back, and a final shot to the head.

Three men from different backgrounds came together for one common goal that summer of 1964. To promote justice and equality of all individuals. They worked together, suffered together, and gave their lives together so that we all could stand today and participate in the democratic process that is every American's birthright. Their lives symbolize the dream of unity among all citizens of this Nation, regardless of race, religion, and culture.

Now, I ask that we all remember the courage and dedication of Schwerner, Goodman, and Chaney. Let this commemoration of their lives inspire us to dedicate our lives to the ideas of justice, equality, citizenship, and community.

Mr. STOKES. Mr. Speaker, I want to thank my colleagues, my good friend from Georgia, JOHN LEWIS, and the distinguished gentleman from Massachusetts, BARNEY FRANK, for reserving this special order. I join them for this hour which is dedicated to three individuals who, even in memory, continue to embody the struggle for civil rights in this country.

Thirty years ago today, on June 21, 1964, Andrew Goodman, James Chaney and Mickey Schwerner were brutally murdered in rural Neshoba County, MI. On that day, these three young men—two Jews and one African American—gave their lives for the cause of freedom.

We know their lynchings marked a turning point in the civil rights movement, as the names Chaney, Goodman and Schwerner were splashed across newspapers and television screens throughout America. For many of us who were a part of the civil rights movement, this brutal act of violence is as vivid in our minds today as it was 30 years ago.

We recall that even as the search intensified for evidence in the disappearance of these young men, here in Washington, ceremonies were underway to mark President Lyndon Johnson's signing of the landmark Civil Rights Act of 1964. When the murder case unfolded in Mississippi, no fewer than 21 individuals, ranging from a 17-year-old gas station attendant, to a 71-year-old retired police officer, were implicated in the plot to murder the young volunteers.

Mr. Speaker, the cause which drove these young men to work together for freedom is well known. Goodman, Chaney and Schwerner were part of the Mississippi summer project, a campaign which brought college students to Mississippi in an effort to register black voters. The slogan for the project was, "If you can crack Mississippi, you can crack the south."

We know the job undertaken by these young men, and many other like them, was not an easy one. Like most of the South during that period, the State of Mississippi was hostile, filled with racial tension, and extremely resistant to change. Yet, hundreds of dedicated students immersed themselves in these settings in the hopes of bringing about positive change. The young men we honor this evening paid the ultimate sacrifice for their belief that others were entitled to a better life.

Mr. Speaker, when we reflect upon the interwoven lives of Goodman, Chaney and Schwerner, we are reminded of the unique partnership that existed between the black and Jewish communities during the struggle for

civil rights in America. We are reminded that blacks and Jews marched on Selma, participated in sit-ins and demonstrations, and, in many instances, gave their lives for freedom. During that turbulent period, we recognized that fact that the only way to eradicate inequality and injustice was by working together.

The need for a continued close working relationship between the black and Jewish community is just as critical in today's world. We must be mindful that forces exist that would rather tear apart a historical partnership than build upon a relationship that has successfully benefitted both races.

Mr. Speaker, the deaths of Andrew Goodman, James Chaney and Mickey Schwerner, mark a pivotal event in our Nation's history. I commend my colleagues for bringing us together, not only to remember these young men, but to remind us of the lesson symbolized by their deaths.

GENERAL LEAVE

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of my special order tonight.

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

There was no objection.

CALL FOR AN END TO THE EXCISE TAX ON BEER

The SPEAKER pro tempore (Mr. KLEIN). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Massachusetts [Mr. BLUTE] is recognized for 60 minutes as the minority leader's designee.

Mr. BLUTE. Mr. Speaker, before we move on to a new special order, we on this side would also like to congratulate the gentleman from Georgia for his great contributions to our country, more particularly for his great efforts during the civil rights movement. We know that there was a lot of courage involved in that effort and we want to congratulate him for putting together that very enlightening special order.

Mr. Speaker, changing the subject tonight, we would like to get to the subject of taxes, once again, to discuss taxes here on the floor of the House. It seems unfortunate that taxes are the topic of debate here all too often. There is no question that the American people are sick and tired of the many financial burdens and increasing financial burdens imposed on them by government at all levels. Taxes in the form of sales taxes, income taxes, capital gains taxes, gas taxes and on and on and on. But this evening I would like to talk about just one particular tax that we in Congress hear about constantly from working Americans across this country, a tax that they are upset about and that they do not want to see raised once again, the excise tax

on beer. The reason people mention the beer tax to me as I travel throughout my district each weekend and read my mail each day is that every time Congress is looking to finance some new initiative, whether it be health care, GATT, welfare reform, or something else, a beer tax is almost always suggested as being the answer to all or part of the financing scheme.

Let me just read one example of a letter I received from a constituent concerning this issue and the negative impact that the last time the Congress reached for an increased in the excise tax on beer had on this one individual and his family:

DEAR CONGRESSMAN BLUTE: As owner of a small package store the new (1991) tax and the worsening economy has hit us hard. So bad that we are now closing our family-run store and we are going to file Chapter 7 for both the business and personally.

I hope you'll stand up for American consumers and small business owners like me. Even though stopping any new tax is too late to help my business, maybe it will still help others.

Clearly, many Americans care about this issue, even though excise taxes are not something that they see printed out on their sales slip at the local supermarket. So tonight we are here to dispel some of the myths that these taxes are a positive thing, and to reaffirm the fact that beer tax hikes not only hit consumers in the wallet, they kill jobs in the districts of every Member of this House.

Let us talk about jobs for a few minutes. We all know that there are not enough of them out there currently, so we need to do everything we can to preserve the good jobs in our country that allow many American families to make ends meet.

The jobs of over 2.7 million workers are affected by the beer industry. There are 500,000 retailers, 3,000 wholesalers, and 400 breweries in this country, employing 845,000 people between them.

Additionally, the success of the industry affects many other livelihoods, from the farmers who grow the hops and barley to the truckers who deliver the kegs and the cases.

Mr. Speaker, in my State of Massachusetts, approximately 202,000 people are employed in beer-related businesses. In my district alone there are over 16,000 jobs impacted by this industry. From store cashiers to restaurant owners to the men and women who work at bottling plants, hardworking Americans depend on revenues from the sale of beer for their paychecks.

Those job figures are based on what the industry looks like today. But just a few years ago, there were 31,000 more Americans providing for their family as a result of their jobs in this industry. Those jobs are now gone. The reason? Higher excise taxes.

Many may not remember that a provision of the now infamous 1990 budget

deal doubled the excise tax on beer. In January 1991, beer taxes shot up from \$9 to \$18 per barrel. Consumers, faced with a stiff price hike, chose not to buy as much and sales fell 3 percent, the worst decline in sales in 30 years. As I said before, 31,000 Americans found themselves out of a job, not because they did not work hard or because they failed to show up for work one day, but they were put in the unemployment line by their own Government because of an ill-advised tax. It reminds me of what Justice Marshall once said about taxes:

"The power to tax involves the power to destroy."

The crazy thing about this job loss is that while tax revenues from the doubled beer excise tax initially rose, the most recent figures show that the revenues are now declining again, at a rate of more than \$70 million from fiscal year 1992 to fiscal year 1993.

Consumers are changing their buying habits because excise taxes have reached beyond the saturation point.

I few facts on these taxes:

Beer is taxed nearly 3 times higher than most other consumer products. By doubling the excise tax, consumers actually get taxed twice, because they pay a sales tax on top of that excise tax.

Today, approximately 80 cents of every six-pack of beer is paid in taxes.

I wish we could take a vote today on repealing that wrong-headed tax from 1991, but unfortunately we cannot.

Mr. Speaker, it brings to mind the similar disastrous experience with the luxury tax, which was imposed and supposed to produce a tremendous amount of revenue. History teaches us that the revenues declined and thousands of Americans were thrown out of work in the boating industry. Thankfully this Congress and this administration saw the error of that way and repealed the luxury tax.

What we can do tonight, and I hope to do along with some of my colleagues tonight, is to educate the American people and the other Members of Congress about what a bad idea doubling that excise tax was in 1991 and what a derogatory effect it had on our country in terms of jobs and in terms of taking money out of the pockets of the 80 million Americans who enjoy a beer every now and then.

□ 1740

What public policy good does it serve to tax the beer drinkers of America, who are an overwhelmingly responsible, hard-working group, who should not be singled out in this way?

We have heard it called a sin tax. But in my view, it is not a sin tax. Where I come from, it is not a sin, after a long day of work, to come home, put the Red Sox on the tube, put your feet up, and have cold beer. Let us remember that the working men and women are

the ones who have to bear the brunt of our public policy decisions here in the Nation's Capital.

Mr. Speaker, at this time I would like to yield to our distinguished colleague from the city of Buffalo, NY, who also would like to join in this special order, the gentleman from New York [Mr. QUINN].

Mr. QUINN. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. BLUTE]. I wanted to join him and others today that will join us in a few minutes to strongly state my opposition to increasing excise taxes on beer as well.

We are here tonight to talk about middle class working Americans. As this Congress tackles important issues, health care and welfare reform in the coming weeks and months, it is important that we stand firm, that Members tell Congress and tell the President that higher beer taxes are not the answer to fund these worthwhile programs.

When I ran for Congress back in 1992, I pledged to oppose any new Federal excise taxes on beer. Back in January 1991, Federal excise taxes on beer doubled. In New York State, there has been almost a 400 percent increase in State beer taxes over the last 5 years. A 400 percent increase.

We know what happened back in 1991 after the Federal tax doubled. Sales declined and revenues declined. The decline in sales were the largest in 35 years, and almost 31,000 jobs were lost in our country. When you consider that many small businesses that rely on income from beer sales, the numbers of those job losses become staggering.

That is right, jobs were lost. Middle and lower class taxes went up, and there is no major decrease in teen drinking or drunk driving. It just does not seem to make sense.

In 1993, New Yorkers paid \$191 million in Federal beer taxes, and another \$86 million in State beer taxes.

In another area of New York State, I represent Buffalo, NY, in Fulton, NY, the Miller Brewery will be closing on October 1 of this year. Nine Hundred people will be out of work. Three hundred people have already been laid off. Why? Because the 1991 tax increase seriously hurt sales. The town will lose one of its largest employers, one of the largest property taxpayers in all of the area.

Mr. Speaker, when we take a serious look at beer taxes and get by all the rhetoric, we can see that we are talking about a regressive tax that unfairly singles out beer drinkers and beer consumers. When the 1991 tax was passed, moderate drinkers, not chronic abusers, but moderate drinkers reduced their beer consumption. It punished millions of hard working Americans. The minority of drinkers who abuse alcohol are not put off by higher costs. Sadly enough, and unfortunately, these

people have serious problems and need to be helped through education, treatment, and tougher law enforcement.

Middle class working class Americans, like the people that I represent in Western New York, and people across this country, are taxed enough Mr. Speaker. Higher beer taxes are not the answer.

Mr. BLUTE. Mr. Speaker, I want to thank my colleague, Mr. QUINN, from Buffalo, NY.

Mr. Speaker, at this time I would like to recognize for purposes of debate another distinguished colleague of ours from New York—from Long Island, NY, Congressman PETER KING.

Mr. KING. Mr. Speaker, I thank the gentleman for yielding. I rise tonight in support of his special order and in opposition to any increase in the excise tax on beer.

Mr. Speaker, in rising in support of Mr. BLUTE, I do so and I violate a pledge I made last November when as a Notre Dame graduate I was in deep depression after his alma mater, Boston College, defeated Notre Dame. I said on the floor I would never work with Mr. BLUTE or Mr. MARKEY. Notwithstanding that pledge, I feel so strongly about this issue that I am temporarily waiving the pledge and appearing tonight with him to speak out against any increase at all in the excise tax.

Seriously, Mr. Speaker, what we are talking about are the hard working men and women in our country who are already taxed. They are taxed by the Federal Government, they are taxed by the State government, they are taxed by the local governments, and we in New York have especially high taxes. We are the tax capital of the world. As Mr. BLUTE stated earlier, there are thousands of employees throughout this country who lost their jobs when the last excise tax was raised.

In my district alone, just yesterday, I was visiting Mr. Hap Boening, a beer wholesaler, touring his facility, seeing the large number of people he employs, seeing how slim the profit margin is and why, because of the increase in 1991 on the excise tax, and seeing how close they are to barely surviving because of those tax increases, and how we will put them over the edge if we raise the taxes again.

I find it very arrogant on the part of the people in Washington, bureaucrats, think tank operators, who somehow feel that you can always tax the working guy or the working woman. They call it a sin tax. As Mr. BLUTE said, it is no sin at all at the end of a hard day to come home and open up a can of beer and, as he said, to watch the Red Sox. Well, that it a bad example, I think. I don't know why anyone would want to watch the Red Sox. Certainly, if you wanted to watch the Mets or the Yankees or the Jets or the Giants or Rangers, who after 54 years won the Stanley Cup, or the Knicks, who to-

morrow night are going to win the NBA championship, what is wrong at the end of a hard day, with coming home and having a beer, of enjoying a barbecue in your backyard with your family, and having a beer or two. This is what the working people of this country want to do. They want to work hard, they want to enjoy their families, enjoy their homes, and have a little relaxation.

Yet, very arrogantly, the first impulse in Washington is when they need a few dollars to fund some exotic social program, is to look to the middle class people, the blue collar people, the decent men and women that make this country work, and take away one of the few small luxuries, quote-unquote, that they still have.

So it is bad for our economy, it is bad social policy, and it is arrogant to even be considering any type of increase in the excise tax.

I think that Mr. BLUTE has performed a real service tonight in arranging this special order, in focusing public attention on an issue which is too often ignored. Also in mobilizing some of the finest legal brains here in the House of Representatives, some of the colleagues, as I look around and see them, the leading Members, certainly on our side of the aisle, who have come forward tonight to show their great regard for Mr. BLUTE and their great concern over this issue.

So, Mr. Speaker, I close my remarks by imploring the Clinton administration and imploring the Congress not even to consider any increase at all in the excise tax on beer.

I yield back my time to Mr. BLUTE, and commend him for the tremendous leadership he has shown on this and so many other issues. It is because of men like him that the country is what it is today.

Mr. BLUTE. Mr. Speaker, I thank my colleague for those words. I would remind him, with reference to the Yankees, that it is a long season, and the Red Sox will be back in September. So I thank him for those words and for participating in this debate. I know the gentleman to be a great champion of working men and women in his district and throughout the country, and this is an important issue relating to both our constituents and, more generally speaking, the people in the entire country.

I will enter the into the RECORD a statement by our colleague TIM HOLDEN from the 6th District of Pennsylvania opposing increases in the excise tax on beer. TIM writes that in his district, he has one of the oldest breweries in the entire country, the Yuengling Brewery, started in 1829, and is still a family-owned business and employs thousands of people in his district.

At this time I would like to bring up for this debate someone who really knows about the job implications of

this industry in his district. He is from St. Louis, MO, the home of many of the Nation's largest breweries, and that is JIM TALENT from St. Louis.

□ 1750

Mr. TALENT. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for yielding and for raising this important subject. It is a subject that we need to talk about a little bit more here, I think, in the House, for a lot of the reasons that other Members have elucidated. They affect us in St. Louis, too. I am very glad I am here because I want everybody in the House to know that we brew a lot of beer in the Midwest, not just in the Northeast. And we drink a lot of beer in the Midwest, and we are proud of it.

St. Louis is the home of one of the main facilities of Anheuser-Busch. Thousands of people who are employed in the St. Louis area either in that facility or in the beer distributorships in which the beer is taken to package liquor stores and grocery stores or in those stores on the making or the brewing or the distributing of beer. It is a very important part of the economy of St. Louis and a very important part of the life of a lot of people in my area and across the United States.

Like all of these Members, the possibility of an excise tax on beer came up in my campaign for Congress in 1992, and it has come up many times since then. I am dead set opposed to it.

I want, before I discuss the reasons for that, to go a little bit into the general tax situation which my friend, the gentleman from Massachusetts, mentioned earlier on in his remarks. It is true that the American people are overtaxed. A statistic that I think just highlights this is, if you look at the percentage of the average American family's income that is paid in Federal taxes today, it is approximately 25 percent. We are not talking here about rich people. We are talking about the average American family 25 percent of its income in Federal taxes of all kinds today: income taxes, excise taxes, Social Security taxes, and the rest.

Contrast that with two generations ago. Let us say in 1952, my father started a three-person firm in St. Louis at that time. He and my mom were starting out at that time. At approximately that time, the average American family paid 2.5 percent of its income in Federal taxes. So what we have experienced in the last two generations is a 1,000-percent increase in the burden of the Federal Government on the average American family in the United States. Then we wonder here in the Congress why people are having trouble saving for retirement, saving for an education for their children, having a vacation, making ends meet. People are holding on by their fingernails even though they are working harder than ever before, even though they are bor-

rowing more money, have less leisure time for themselves and their families, and they are holding on by their fingernails. And a big part of the reason is the increase in Federal taxes that has come out of this institution in the last two generations. Nothing is more annoying to that average American family than the prospect of paying more in taxes, and I think in particular the beer tax, the excise tax, because, as other Members here have said, it is a tax on working people, primarily. And it is a tax that threatens the jobs of working people, primarily.

If you are going to look to increase the revenue burden of the Federal Government, which is the last thing you ought to do, certainly this is the last place that you ought to look to do it.

The statistics have already been mentioned here. I can go through them again.

Beer taxes are paid primarily by working people. They are already paying three times on average the tax on beer that they pay on other commodities, three times. And Why? What is wrong with beer?

Other people have used the example, what is wrong with going home after a hard day's work, sitting down in front of the television, opening up a beer and watching the St. Louis Cardinals, who are going to come back and win the National League Pennant, watching the St. Louis Cardinals on television in the summer. There is absolutely nothing wrong with it. There is no reason to discriminate against that kind of activity in public policy.

In preparing for these remarks tonight, I decided I would try and find out what really happens on the ground in real life to real people when one of these tax increases occur. I called up my brother back in St. Louis. He has a little tavern in the hometown where we were raised. He has owned that place for about 10 years. He serves food, cooks a lot of that food himself and serves a lot of beer to people. He has a regular clientele who come in to watch sporting events. It is a family place. People bring in their kids, and he has specials. He has especially good chili in the summer days.

I called him up and said, what happens when you have to increase the price of a glass of beer by a nickel or a dime because taxes went up? Of course, he experienced the tax increase a few years ago. I said, what happens? Do people buy the same amount of beer that they bought before? He said, no. He is not an economist. He lived through this. He said, no. Instead of having three glasses of beer and a sandwich over the course of a couple hours and watching the baseball game, they have one or two.

This is not good from the standpoint of social policy. These are moderate drinkers. As my friend, the gentleman from New York [Mr. QUINN] mentioned,

these tax increases do not cut down on abusive drinking or drunk driving. Those people are not in control of their habits. An extra nickel or dime does not make any difference to them. It does make a difference to hard-working Americans who enjoy moderate drinking of beer as part of social activities, watching sporting events, eating with their friends. And so it is counterproductive. This is the most futile thing about it of all. Not only does it threaten the jobs of working people as it further threatens the lifestyles of working people, but in the end the Federal Government experiences not more revenue but less revenue because it results in people having two glasses of beer instead of three in the course of an evening watching a baseball game.

It is like a lot that Congress seems to do these days. It is counterproductive, hurts people and is futile in the end, even in terms of the objectives of the people who sponsor these kinds of measures.

I could not agree more with the gentleman's point of view on this. I thank him for bringing this up. It is an important measure to bring before the Congress and to emphasize. I am pleased to say that I do not see a lot of tendency this year to increase taxes on beer as part of these proposals. But it is important that we maintain vigilance on this issue so that it not come up, because people do keep talking about it.

I thank the gentleman for the opportunity to participate in his special order.

Mr. BLUTE. Mr. Speaker, I thank the gentleman for participating and for his articulate presentation on the issue of the impact of taxes on the American people. He is absolutely correct. The tax burden of average Americans by any standard, by any analysis has continued to increase in real terms in the last few decades. That causes real hurt for average American families.

A fine Member of Congress, the gentlewoman from Nevada [Mrs. VUCANOVICH] was unable to be here tonight but she submitted the following statement that I would like to submit for the RECORD, and she writes that her constituents in Nevada paid \$28 million in Federal beer excise taxes and \$4 million in State and local beer excise taxes last year. And she writes, "That is enough."

I would also like to put into the RECORD, a statement by our distinguished colleague, the gentleman from California [Mr. COX], who has been an outspoken leader on this issue and has filed a bill to repeal the 1990 increase in the excise tax. It is H.R. 1928. It would attempt to do to the beer excise tax what this Congress, in its infinite wisdom, has already done with the luxury tax. And that is, to repeal it.

Mr. Speaker, at this time I would like to yield to another one of our distinguished colleagues, the gentleman

from New York [Mr. MCHUGH], this time in upstate New York.

Mr. MCHUGH. Mr. Speaker, I thank the gentleman for yielding. I would certainly want to join with my other colleagues in thanking the gentleman from Massachusetts [Mr. BLUTE] for his efforts here today.

This may well be a preemptive strike, but as we have heard here this afternoon, we think it a very important effort to underscore the negative effects of what we view to be a very regressive and I think a very unnecessary levy. There seems to be an attitude in this city, Mr. Speaker, that in large measure taxes can be extracted without effect, that if we are clever enough, that if we can dress it up in fancy enough language, somehow we can expect the economy to give up dollars to the Federal Treasury and that no one will pay.

We see it every day. We see it most of all in the language that we use these days here in Washington particularly, because we do not levy taxes anymore. We talk about revenue enhancers. We do not levy taxes. We talk about contributions. We do not levy taxes. We ask people to somehow share the burden, to ante up their fair share.

We just do not levy taxes any longer, except in one instance. We do on rare occasions admit that we levy taxes on sinful activities. "Sin taxes," we are calling them. And somehow we think here inside the Beltway that that phrase makes our activities justified, that somehow if we talk about sinful, immoral activities, people should be expected to pay.

It just does not work that way, Mr. Speaker. Certainly, the Americans, throughout this Nation, know that. And it is something that regrettably America's elected leaders too often forget.

You have heard here this afternoon, I think very eloquently, how when we talk about the consumption of beer, we are talking about a lot of things. We are talking about issues that need the full attention of this Congress.

However, by and large we are not talking about sinful activity. The American people know most importantly that no matter what we call them, contributions, fair share, whatever it may be, sin taxes, taxes are taxes, and they will be paid, not by faceless corporations, not by accountants with green eye shades on, writing out a check and mailing it in, not by some faceless entity. Taxes are paid by people. They are paid by the people of this Nation.

When we talk about sin taxes, I think this is especially true. We have heard here today that really taxes on beer and taxes that fall most heavily on middle America, middle-class people who go out in the morning and work hard and who come home at night and are interested in just enjoying them-

selves, relaxing a bit, and having a beer or two in a wholly responsible way.

We have seen the evidence and the impact, the disastrous impact, of the sin taxes, so-called, that have been levied on beer to this point already. Members have heard the gentleman from New York [Mr. QUINN], my dear friend, talk about the effects on a place called Fulton, NY. Fulton, NY, is in my district. It is in Oswego County in the 24th Congressional District.

Indeed, as the gentleman suggested, on December 1, 1993, the Miller Brewing Co. announced that that facility would be closing this year. It would be closing, and what would be the result? The result would be the loss of what was at its height some 1,200 jobs, 1,200 hard-working men and women, largely middle class, blue collar, getting up in the morning and going about their business; 1,200 people supporting their families, and the impact and the devastation has already begun.

We know now that we have not just lost those 900 jobs, but we have lost the support that those jobs gave throughout the community, the brewery support of the local tax base, of course, paying for school and education for our young people, paying for sewer and water facilities so that the entire community could enjoy those aspects of living in America today. We have lost the commodities that they purchased in the local economy, the water that they purchase and the other goods to support the plant. Now those 900 people, people who pay taxes themselves, are without work and can use the money in the sin taxes perhaps to access the Federal job training or retraining program.

The irony of it, the foolishness of it, it seems to me is just so obvious. Sin taxes are paid, and in this instance, it was a tax that was paid first by the consumers, people who went out and enjoyed their beer on occasion in a responsible way, and when the taxes went up, found that they had to make hard choices; that the beer that they enjoyed had to be put aside for some other necessity, some other thing that they felt they had to purchase.

After a time, Mr. Speaker, as they bought less beer, the breweries recognized that the second set of individuals to pay that tax had to come forward as well, the workers in the brewing industry, the 900 family members in Fulton, NY, who now found themselves working in a facility that was deemed unnecessary because capacity for production had far outstripped the consumption of that particular product.

It is obvious, Mr. Speaker, these kinds of taxes, as most taxes are, represent a losing formula. The gentleman from Missouri [Mr. TALENT] said it very, very well. Sin taxes do not produce the kind of revenue lines that are necessary to support important programs. The more you tax these

commodities, the less amount that is purchased. Your revenue line goes down, and all of a sudden you have to raise taxes again and again and again.

Mr. Speaker, by any other name this is a disastrous tax. By any other name, it is a step that we should not be taking. We can construct meaningful health care reform, we can construct meaningful Government programs, without having to resort to these kinds of legislation, it seems to me. I ask my colleagues to join with the gentleman here this afternoon in requesting that we reject the rhetoric and legislate on the reality.

With that, Mr. Speaker, again I will close by thanking the gentleman from Massachusetts [Mr. BLUTE] for his efforts here today. It is an important fight and I am proud to be part of it.

Mr. BLUTE. I thank the gentleman from upstate New York for his leadership on this issue, and particularly for describing the impact of these excise taxes on people in his district, 900 jobs. Those are good-paying jobs that will be very, very difficult to replace in any other way at an equivalent pay scale and salary level.

Mr. Speaker, let me just read an excerpt from a letter I received from a beverage wholesaler in Massachusetts who employs hundreds of people in my district:

DEAR CONGRESSMAN BLUTE: As you return home in weeks to come, I urge you to take notice of signs—placed on all my beer trucks—which note the annual cost of excise taxes on the beer these trucks carry * * *

We are undertaking this awareness building effort to remind consumers in Massachusetts of the money they pay in excise taxes for the beer they drink. As a * * * wholesaler, we think it is important to remember who is paying the bulk of the beer tax burden. Unlike other consumption taxes such as those on luxury products that target the rich, beer taxes fall unfairly on working men and women earning average incomes. This group of Americans can least afford another drain on their wages, especially in these economic times.

As you grapple with the numerous critical issues facing our nation, resolving our nation's budget crisis will undoubtedly receive much of your attention. However, please remember that beer drinkers already pay their fair share and just had their taxes doubled in 1991 * * *

Thank you for your time.

Mr. Speaker, in summation, these taxes hit working people. They are regressive taxes, and they have real implications in people's lives, both in the form of taking spendable income out of their family budgets and also killing jobs in our country, jobs that are difficult to replace.

I urge the Congress, I urge the administration, as we address health care reform, as we address welfare reform, as we address GATT, as we address all of the calls upon the taxpayers' money, to not seek this avenue once again to produce revenues. It is not the right thing to do, and it is bad for America.

I thank my distinguished colleagues for joining us in this special order.

Mr. Speaker, I include a "Dear Colleague" that my friend Congressman CHRIS COX from California recently sent along to me. CHRIS had hoped to be there tonight but unfortunately had a scheduling conflict. He has a great bill pending and I think he makes some excellent points in this letter:

COSPONSOR H.R. 1928 TO REPEAL THE REVENUE-LOSING 1990 "LUXURY TAX" ON BEER
U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 21, 1994.

DEAR COLLEAGUE: Next week, nearly 1,000 beer wholesalers and brewers will visit Capitol Hill to discuss with you issues that affect the brewing industry. The most important item on their agenda will be to discuss the impact of the federal excise tax on beer.

As you know, the 1990 Omnibus Budget Reconciliation Act imposed several "luxury" taxes to soak the rich. They were all revenue losers: the penalty taxes on boats, planes, jewelry, furs, and autos lost revenue for the Treasury and cost thousands of U.S. jobs. Not surprisingly, last year Congress finally acted to repeal these revenue-losing "luxury" taxes.

You may not have known, however, that the same 1990 OBRA doubled the tax on beer—with similar results. The 1990 "luxury tax" on beer has been extremely damaging both to the nation's economy and the Treasury. It has destroyed 31,000 jobs in the brewing, wholesaling, and retailing industries. Total beer sales have suffered the worst decline in 30 years. And the ripples from this tax hike have been felt throughout many other sectors of our economy: direct purchases of agricultural and other products needed to make beer have fallen by more than \$200 million. The reduction in beer sales and the resultant loss of jobs have, in turn, cost federal and state governments hundreds of millions of dollars in lost tax revenues. Worse, the "luxury tax" on beer has cost millions more in increased outlays for unemployment compensation and other social services to help those who were put out of work by this ill-conceived tax increase.

Middle and lower-income Americans, who comprise the vast majority of our nation's 80 million beer drinkers, have been hardest hit by this tax on one of their few "luxuries." As a result of this regressive tax increase, beer is now taxed at three times the rate of most other consumer products. Those who would presume to indulge in the "luxury" of purchasing beer are not among the most heavily taxed people in our society.

I've introduced H.R. 1928 to repeal the "luxury tax" on beer, and eliminate this regressive tax on one of the few "luxuries" that is enjoyed by working Americans. If you would like to become a cosponsor, please contact Peter Uhlmann at x55611.

Sincerely,

CHRISTOPHER COX,
U.S. Representative.

Mr. HOLDEN. Mr. Speaker, I rise this evening to express my opposition to increasing the excise tax on beer.

Increasing the beer tax would have both a devastating affect on jobs in this country and also on hard-working Americans who drink beer after a long day at work.

Beer drinkers and the beer industry have already been called on to pay their fair share in excise taxes. In 1991, the excise tax was raised on beer resulting in the loss of over 31,000 American jobs. That's right—31,000

hard working-Americans were taxed out of a job, just 3 years ago.

Now there's talk of raising the excise tax another 150 percent. This will result in another 180,000 Americans losing their jobs to taxes. We as Members of Congress, should be working to create jobs, not tax them out of existence.

My district, in addition to having many beer drinkers, is the home of the Yuengling Brewery, the oldest brewery in America. Yuengling is a family owned brewery that has been operating since 1829, employing hard working Americans and providing refreshments for thousands.

How do I explain to the workers there that they are losing their jobs because Congress decided to raise taxes on beer?

How do I explain to the 55,600 beer industry workers in Pennsylvania that we are going to devastate their industry with more taxes?

Additionally, increasing the beer tax will only further hit the wallets of working Americans who now pay over \$3 in taxes for a case of beer. How much more should honest, hard-working Americans have to pay?

The beer tax is regressive and will most hurt those Americans who can least afford to pay. It is not wealthy Americans drinking wine in nice restaurants who will be most hurt by increasing the beer tax, it will be hardworking middle class Americans who enjoy a cold beer at the end of a long day.

Mr. NEAL of Massachusetts. Mr. Speaker, President Clinton made a smart move when he decided not to include beer taxes in his proposed health care package. Now, however, it's up to Congress to follow the same intelligent path as it weighs the funding demands of major Government programs, particularly health care.

The reason higher beer taxes should be avoided has nothing to do with politics: Using such taxes to fund ongoing Government programs is not smart budgeting because it simply doesn't work.

All we need to do is look toward the States to discover the growing inefficiencies of beer excise taxes. Last year, the Council of State Governments called these so-called sin taxes a worn out tax source. The council advised States to look for more stable revenues to fund vital programs such as health care and education.

The council is not alone in its contention that revenue for important social programs should not come from unreliable sources such as beer taxes. Other widely respected organizations, including the Federation of Tax Administrators and the National Council of State Legislators, agree that the excise tax piggy bank has been raided too often.

The Federal Government should heed these omens and leave beer taxes off the table once and for all when searching for health care funding vehicles. Funding for any major social program, especially national health care, should not fall unduly upon the shoulders of beer consumers or any other single group.

Tax fairness is a time-honored principle in our country, and during the past few years, responsible beer consumers have shelled out more than their fair share.

When the Federal beer excise tax was doubled in 1991, moderate drinkers—not chronic

abusers—reduced their consumption. Not only did this prove beer taxes to be a shaky revenue generator, but it also punished 84 million hard-working, middle class Americans whose only offense was purchasing a perfectly legal, adult consumer product.

The minority of drinkers who abuse alcohol are not put off by higher costs. They have serious problems which can only be cured through education and tougher law enforcement, not excessive taxation.

Punishing the many for the irresponsible behavior of the few is not just a bad idea, its bad public policy, period. Access to quality health care is a vital issue of our times, but implementing a regressive tax to fund a program for every American doesn't jibe with common sense.

Our task in Congress is clear: Any health care program up for consideration must include reasonable funding mechanisms—ones that do not gamble with people's security by betting on excise tax revenues which may never materialize.

Mrs. VUCANOVICH. Mr. Speaker, I rise in opposition to any increase in the excise tax on beer. No one outside the beltway thinks they are undertaxed—and they're right. But here we are again, only 3 years after Congress doubled the beer excise tax, looking at yet another increase.

Remember too, that not too long ago, the President campaigned on a pledge to not raise taxes on the middle class. Members on my side of the aisle applauded that pledge.

But I want to point out that in 1992, almost half of all beer sold in the United States was consumed by working people making under \$35,000. It's appalling that some people are once again proposing to increase a tax aimed straight at middle income Americans.

Increasing the beer excise tax is a direct and undisguised shot at these folks. They are being squeezed to the limit and are tired of paying for new and expanded Federal programs with their hard-earned money.

Last year Nevadans paid \$28 million in Federal beer excise taxes and \$4 million in State and local beer excise taxes. That's enough. Mr. Speaker, I urge my colleagues to look at spending cuts, not tax increases on the average working American, to pay for any new Federal spending.

GENERAL LEAVE

Mr. BLUTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend and to include extraneous material on the subject of my special order.

The SPEAKER pro tempore (Mr. KLEIN). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE CONTEXT OF THE HEALTH CARE DEBATE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the Chair recognizes the gentleman from Oregon [Mr. WYDEN] for 60 minutes.

Mr. WYDEN. Mr. Speaker, I think it is particularly important to try to set in some context the health care debate as we are facing it in the remaining weeks, particularly before the August recess. I think it would be fair to say, and I think Members of Congress on both sides of the aisle would agree that there is substantial confusion with respect to the health care issue. Certainly since the President gave his very eloquent address here in this Chamber, we have seen very powerful, very influential, very well-funded interest groups spend substantial sums of money to try to protect their interests, to try to make sure that the debate in effect goes their way, and I think the public is confused.

Mr. Speaker, I think it is important to set out a few facts, and one of them, Mr. Speaker, I think deals with why there is an immediate need for action on health care and action in this session of Congress.

Mr. Speaker, we know that our country does have superior health care in many respects. There are many things that are right about American health care, but the fact of the matter is that there are many things that we can do far better.

The infant mortality rate would be just one example. The infant mortality rate for our country ties us for 21st out of 25 industrialized nations. That means that in terms of the industrialized world, we are not up in front. We have a lot to do.

Specifically, that means that in our country there are 9 children out of every 1,000 that are born who die before their first birthday. At least half of the American infants who die could be saved with simple prenatal care for low-income mothers, care that they cannot get without health insurance coverage.

Eight out of ten uninsured Americans are part of working families. Mr. Speaker, it is a myth to say that those who are uninsured by and large want to be uninsured, or are just home and taking it easy. Most of them are part of working America. They get up in the morning, they go to work, they try to play by the rules, and yet they have not been able to afford health care.

We have almost 2 million Americans who lose their health insurance coverage each month. Eighty-one million Americans have pre-existing conditions, such as asthma and diabetes and high blood pressure, and health insurance companies in our country routinely use these kinds of conditions as a rationale to jack up insurance premiums or to deny our citizens access to insurance altogether.

More than 100 million Americans have so-called lifetime limits on the amount their health insurance policies will pay out. Chronic disease and illness does not respect these limits, and neither should the U.S. Congress.

□ 1810

It seems to me that when our constituents ask why is it so important that Congress act and that Congress act now on the health care issue, these are the kinds of considerations we should point to.

Let us talk about why it is not right for so many young people to not get a fair chance in life, why the infant mortality rate is so high in our country, why so many of our citizens are victimized when the insurance companies cherry-pick and take the healthy people and send those who are ill off to some underfunded Government program.

Those are the kinds of things that I think we ought to be focusing on as we go into this period before the August recess when it is so important that Congress act.

Mr. Speaker, let me also talk for a moment about some of the serious consequences in terms of the way health care is funded today. To a great extent today in America, our system of financing health care has a real strain of socialism, a redistributive kind of function that just is not right. What we have in America is those who do get their coverage through their place of employment in effect subsidize those who do not. In my home State of Oregon, what we find is the employers who cover their people usually offer preventive care, some outpatient health services, perhaps a catastrophic health care benefit. It is not a Mercedes, it is not a Cadillac, it is just the basics of American health care. But very often, those hardworking Oregon small businesses, and they usually are small because in my State the vast majority of businesses are small, they have to subsidize the companies that are not offering coverage to their workers. And not only do they have to subsidize the coverage, but they have to subsidize the coverage at the most expensive end, because we find in our country that the workers, of course, the businesses that do not cover their folks, those workers get sick, no question about that, they cannot defy human nature, they end up going to the hospital emergency room and then those costs, and I want to emphasize this word, those costs are socialized, they are socialized throughout the community and the employers who cover their people have to pick up the expenses.

So I happen to think that we ought to deal with this cost shift. The Congressional Budget Office has estimated that about \$25 billion in health costs are shifted onto persons with private insurance each year.

In 1991, hospitals were left with an estimated \$10.8 billion in unpaid bills from uninsured patients. That was up from \$3.5 billion in 1981. So I think we ought to deal with this matter of the cost shift. For those who want yet another example from the real world, the

National Association of Manufacturers has asserted that in 1991 its members were billed an extra \$11 billion to recoup costs not covered by the government or the uninsured.

So my own sense, Mr. Speaker, is that everybody has got to be part of the solution. We ought to say that individuals in our country ought to have to pay something as a portion of the cost of health care. There needs to be individual accountability, and I have long said that I personally would favor the idea of an individual making a co-payment every single time they go to a medical provider's office.

Individual responsibility, individual accountability ought to be right at the heart of financing health care.

But I also think that employers ought to have a role in financing health care as well, because if we do not have such a system the employers who cover their people subsidize the ones that do not, and they have to, in effect, pay the most expensive end of the health care system, and that is the cost of these emergency room bills.

So I think that we ought to recognize in our country, particularly if we want to be fair to our businesses and our businesses that are trying to compete in tough global markets, that we ought to stipulate that we are going to seriously deal with this problem of cost shifting. It is a problem that is growing in our country, and it is particularly inequitable to the small businesses across our country, such as the ones I have talked to in my home State who struggle, and yet valiantly are able to cover a significant portion of their workers' health costs and yet those Oregon small businesses are subsidizing some of their competitors, and that is not right.

Mr. Speaker, let me try now to touch on one of the other issues that is so important to the citizens of our country, and that is the elderly. We are finding that Medicare, which of course is a program that is of extraordinary importance to seniors, has left many of our seniors now paying more out of pocket for their medical bills than they did when Medicare began. We are finding many seniors for example having to pay more than a thousand dollars a year out of pocket for their prescription drugs. That seems particularly unfair, given the fact that taxpayers and seniors do much of the heavy lifting with their tax dollars to get these drugs, particularly cancer drugs, to market.

So I would hope that as we look to these last few weeks before the recess that we particularly take steps to try to address the concerns of seniors and fill in some of the gaps in Medicare.

In this regard, another important step that could be taken is to begin a serious, long-term care policy for our country and to build it around home health care. In my own State of Oregon

I had a lot of familiarity with this program back in the days when I was co-director of the Oregon Gray Panthers. We have started a home care program which has significantly reduced the number of older people in nursing homes and also made seniors happier and more comfortable with the prospect of being in their community.

To his credit the President in his health reform bill tries to start a long-term care policy for our country, beginning with home health care, and in my view the President deserves great credit for having launched this long overdue effort.

Finally, it seems to me in the Medicare area there must be an effort to try to make sure that the payments that seniors rely on for their health care services are based on what they need and not on where they live.

Recently the General Accounting Office sent to me a shocking report demonstrating enormous differences between regions of the country as to what Medicare will pay for a particular health service.

For example, there is a 180 percent differential between what Medicare will pay for mammography services of course being of great importance to older women in our country, and there is a great difference between what Medicare will pay between Southern California and Northern California, even with the same carrier.

So I would hope as we look to health reform that some uniform national standards be defined with respect to Medicare payments for our senior citizens, and I would point out that ensuring that there are some uniform payments standards would also be fair to our physicians, because they should not have to have the uncertainty that we now have with respect to Medicare payments when they see older people.

Mr. Speaker, finally, as we look to these last few weeks we should recognize that health care is really the premier domestic issue of our day and the test of our ability to govern.

□ 1820

One-seventh of our economy, almost \$1 trillion, is devoted to health care.

I would say that on a personal basis, this is the most important issue to the American people, because we know that if our families and their loved ones do not have their health, virtually nothing else matters. So this is an issue that we cannot allow to fall by the wayside.

There is a very serious problem with the American health care system today despite the many positive attributes of American health care, and that is why I outlined the issues with respect to infant mortality and life expectancy and the many challenges.

We have to make sure, particularly, that our young people get a fair start, and there is a problem with financing,

Mr. Speaker, because right now we do have the employers who cover their workers. In many instances, facing great difficulty in doing so, those employers have to subsidize the employers who do not cover their workers, and that is not right from the standpoint of making sure that all businesses face the same kind of competitive consideration.

Finally, it seems to me that we ought to make sure that we go to bat for our seniors, and to his credit, President Clinton starts a long-term-care policy for our country. He also initiates a number of positive changes in terms of nursing home insurance. I, the gentlewoman from Illinois [Mrs. COLLINS], Senator PRYOR and others have worked on this.

There is a great deal of bipartisan support for this, and this measure should be enacted also.

Finally it seems to me we ought to deal with the shocking General Accounting Office report that I mentioned that shows enormous disparities as to what Medicare pays for the various regions of our country for essential health services, and to me those issues, addressing the need for health care reform, because so many Americans go without every day, recognizing that the financing of American health care must be fair, and that all of us, individuals, businesses, and government, should contribute, and then, finally, making sure that our seniors get a fair shake and we address the problem that I outlined where many seniors are paying more out of pocket for their Medicare than when the program began.

These ought to be issues that come before the Congress before we go home for the August recess.

I think Members of both sides of the aisle can come to an agreement on many of these key kinds of issues. I am certainly anxious to work with my colleagues on a bipartisan basis toward that end.

I now yield to the gentleman from California [Mr. FAZIO], who has done yeoman work on the health issue for many years, and I appreciate his participation.

Mr. FAZIO. I thank my colleague from Oregon for yielding.

Of course, Oregon is a State that has really been on the cutting edge of health care reform, and I guess it is no surprise its delegation, particularly the gentleman from Portland, the gentleman from Oregon [Mr. WYDEN], has been in the forefront of efforts to bring health reform to the Nation.

I think I am most anxious to hear more voices raised similar to yours in behalf of universal coverage. I think for many Americans the assumption is when we deal with health care reform here in Washington that is automatic, that is guaranteed. In fact, I think many people thought with the announcement of the President's plan

that we were well on our way to enacting the kinds of comprehensive health care plan that sure that all Americans were covered.

I guess I was struck by one of the news reports last night where a woman shown caring for her husband who had recently had a stroke was asking, in fact, are they going to blow it, are they somehow going to fail to bring us what we have been waiting for so long, what we have come to expect, and that is a health care plan that will cover all Americans at affordable rates, private insurance, important to point out, but insurance that still cannot be taken away, insurance that cannot have a cap that can be exceeded, insurance that will have the kind of internal reforms that are needed to make sure that people can move from job to job, and in fact can be employable.

But the issue of universal coverage, I think, has been sometimes misdescribed. I do not think it is simply that many of us who are anxious to see these reforms brought about feel it is appropriate, equitable, fair to cover everyone. I think that is a given. We understand that people who work hard every day and not people on welfare who have access to Medicaid, but people who work hard every day really do deserve to be able to bring home to their families the security that a health care plan provides.

But it is not just the question of equity and fairness. It is essential, if we are to get health care costs under control, that we have a comprehensive system that rewards the insurer, the provider for keeping people healthy. We have got to have a systematic approach to health care reform in this country.

For too many years we have had people falling through the cracks only to become the burden that government and the private insurance payers have to carry, sometimes because of their unfortunate circumstances, sometimes because of their own decision not to have coverage even when it might have been available or affordable which, of course, is not always the case. But as a result, we have a system that tends to, I think, drive costs higher, and all Americans benefit when a systematic approach is put together, when we finally have a health care system that includes everyone and provides the burden of responsibility for both the employer, as in the President's plan, and the individual, the beneficiary, who will be contributing to that plan so that it is affordable.

So often when people fail to have, for example, prenatal care, and there are some 5 million women who have health care policies without that benefit, but so often when people fail to have that kind of basic protection and they end up giving birth to low-birth-weight babies, all of us, insurance payers as well as taxpayers, many of us twofold, end up paying the additional cost of, say,

bringing a low-birth-weight baby to viability.

So for the lack of \$500 to \$1,500, we will end up spending \$500,000 because we are not simply going to let a low-birth-weight baby die. We are going to employ every possible avenue to save that child and make it viable, but it seems that we have, therefore, our priorities backward. We have our economies in the wrong place. We are being, in effect, penny-wise and pound-foolish.

There are many, many people who think, as young individuals, they want to maximize their income and perhaps avoid contributing anything to their own health care costs. It would be wrong to assume that they will not have health care costs, and when they become expensive, some would call them catastrophic, they certainly fall on all of us once again.

We have certainly begun to understand in this Congress cost-shifting, that is to say, when one level of Government reduces its expenditures say for reimbursement in Medicare, we find other levels of Government, the State perhaps, certainly local Governments that run county hospitals have to increase their spending, because there is no alternative to providing ultimate care to people in their most acute need.

What we have often failed to see as we cost-shift around between the public sector and private sector or between public sectors is that we really have not solved the problem of cost containment. We have simply aired our dirty linen. We have shifted the burden to some other element of our society, some other source of payment. That is one of the reasons why so many of our hospitals are struggling.

So what we have got to do with universal coverage is to bring people into a health care system that really does provide for the first time the sort of protection that everyone in our society needs from the every escalating costs of health care, and that, I think, is far more important than any number of individuals or families that may for any given period of time be without care, because we all understand that while it is important as a question of equity, it is even more perhaps important to the total health care bill that is running far in excess of inflation in most years, and certainly in far greater numbers as a percentage of our economy than the countries we compete with.

We have got a problem that needs to be resolved. And so I want to congratulate the gentleman's reference to universal coverage, to comprehensive benefits for people that are available to everybody, but I think you cannot underscore too many times the broader contribution this makes to all of those people who currently have a package of health benefits and a tax bill that they have to make payments on.

□ 1830

I was listening to the news this morning about workers who are about

to go on strike because in fact their health benefit package was being whittled back once again. This was in a defense contractor's situation, an industry that we all know has been under real stress.

People are willing to consider going out on a picket line over a decline in their benefit package, or perhaps an increase in what it would cost them to maintain their benefits.

So we see that even those people who in relatively well-paid industries, even those families that have had a very, very solid package of health care benefits, are coming under the stress of these costs that are rising, that are driving employers to take extraordinary measures to try to shift the burden that they are assuming to others. So no one is really immune. In the short run you may compare yourselves to others, your neighbors in the community, and feel well off and wonder what is in it for you. But in fact, all of us are showing signs of having a hard time bearing up under the costs of the health care system currently in place.

Of course it was this President who had the courage to lead us into this very, very complex political problem. I am convinced it is this Congress that will ultimately find our way to a solution, one that I think needs to cover all Americans at some point, hopefully sooner rather than later, because if we fail the working Americans, those people who are currently unable to get coverage any other way than through their work, if we fail to help those who are not getting health care today, to make it more affordable to the middle class, we will have another layer of cynicism added onto the American public. These are the people who are the ones, who are the people who pay the freight, who follow the rules, who are there every year to make their contribution to Government, and certainly when they go out into the marketplace to purchase insurance, they have to pay far more than many of their neighbors who work for corporations or for the government or some other employer that makes a major contribution. These are the people we cannot fail to take care of. If we neglect them, we are neglecting Americans in every district of this country, Republican and Democratic alike, middle-class people who deserve to have their problems attended to, who have, I think, been for too long the hidden victims of the health care system that we have in this country, which tends to ration care based on where you work and how much you make.

So once again I want to associate myself with the effort of the gentleman from Oregon [Mr. WYDEN], who has once more laid out the reasons for this very difficult, but very fundamental, change we are trying to make in the way the American health care system works.

Mr. WYDEN. I thank my colleague, the gentleman from California. Particularly I want to underscore the point he is making with respect to universal coverage.

Mr. Speaker, there is a myth, I think, afoot in some quarters that people who are uncovered, by and large, do not want to be covered; they are sort of sitting at home in their hammocks, having a soda or something like that.

What we have found is that the vast majority of uninsured citizens are working people, they are working in businesses, as the gentleman has stated, they play by the rules, and they are struggling to get ahead, and very often their businesses are dying to cover them but they have just not been able to afford it.

So I think the gentleman's point about the need for universal coverage is critical.

We also ought to know there has been some talk, for example, about just going forward with various kinds of reform in the marketplace and just leaving it at that. I think these marketplace reforms are very good, the insurance reforms, having uniform billing, changes in the deductibility laws so that sole employers get the same tax break that big employers do. Those are valuable benefits.

We absolutely ought to have them in any health care bill. But if we do, what will happen is that the system, particularly employers, will start wringing out some of the extra costs and then those who are uninsured will be in even worse shape because our employers, as the gentleman has noted, are already having to write off considerable costs.

So I think the gentleman has given us a very fitting way to close.

What this debate is all about is making sure that we get all Americans under the tent, that all Americans have access to decent, affordable health services on a date certain. It seems to me we should not go into the next century without Americans having that kind of coverage. And I want to commend my friend and colleague for all the good work that he has done on this issue for these many years.

Mr. Speaker, if the gentleman desires any additional time, I would be happy to yield it to him.

Mr. FAZIO. I thank the gentleman. I just wanted to indicate that in my discussions with my constituents in the small business community, I see a great deal of concern about the affordability. The average small business today is paying 35 percent, on average, more than the large corporation to provide coverage for their workers. I found a real anxiety, an angst on the part of many of the people who run these businesses because they really would rather provide health coverage to their families and workers than the worker's compensation which most States require them to provide. In fact I think

there has been some misuse of worker's compensation because of the absence of health benefits for many, particularly low-income workers.

What these people are telling me is that they would much rather provide 24-hour care to people and let them have less money spent on the argument over whether it was a job-related illness or not, and put our resources into holding down costs and at the same time providing basic benefits to everyone, including the families of these workers.

But, of course, that would take us to the point of responsibility for trying to integrate worker's comp and the normal health care system. This is something I think this Congress needs to look at.

I have been told in my State of California that business could save \$1 billion a year with this sort of integration. Our insurance commissioner John Garanendi, talked about the 24-hour care and the fact that it probably could reduce the combined package of worker's comp and health care that is currently paid for by some average small business, by one-third. This, I think, is one of the areas we could go to help keep faith with the small business community that wants to provide coverage, that will help us without creating new bureaucracies, and move toward a comprehensive coverage for all Americans.

We have obviously talked about doing away with the inequitable 25-percent deductible for the sole proprietor the gentleman has mentioned. Everyone should have this health care deducted. I think we all understand that small businesses with low-income workers are to need some subsidy to get started. If we can only provide that subsidy and at the same time the advantage of the lower rates which I think we certainly would expect these pooling arrangements to provide, then I think we have come a long way toward meeting the legitimate concerns about small business, concerns that caused us to think twice because we do not want to put people out of work at the same time we provide comprehensive health benefits for everyone.

Mr. WYDEN. The point the gentleman makes with respect to small businesses is critically important. All of the bills that are moving through the pipeline employ the idea of a kind of voluntary alliance. Some of the defenders of the status quo, when there was debate about how to get purchasing power for the little guy—because that is what this is all about—you can call them alliances, co-ops, anything you want, but the idea is to get purchasing power for the little guy so he or she is in a position to bargain with doctors, with hospitals, with insurers.

To his credit, the President has been very flexible in terms of working with the committees—I sit on the Health

Committee, and the gentleman is on the Appropriations Committee—in terms of trying to look at this alliance approach to try to address those kinds of cost considerations.

I think now there is growing bipartisan support for some kind of effort to allow these small businesses to pool their bargaining power and be in a good package.

Mr. FAZIO. Regrettably, we have talked about individual access to health care. I say regrettably because it is a misnomer, I believe. Somebody said to me just the other day, "I have access to every restaurant in my home town, but I cannot order from the menus of many of them because of the prices." I think that is why I am a little bit concerned about people going down that blind alley in this debate. We are going to somehow conclude if we would all just take individual responsibility, we would have universal coverage.

□ 1840

We have a law in my State that requires everyone to have a certain amount of auto insurance, and yet I have not met anybody who has had an accident with anybody who is not an uninsured driver in a long time.

It simply does not get the job done, and yet at the same time, while access has not guaranteed that people get care when it is needed and at the most affordable cost, we have also concluded, it seems, that it is a bit of a misnomer to say that simply by mandating something actually accomplishes it.

We need to avoid creation of new bureaucracies; everyone understands that. So we need to build on the existing system which has provided health care for 9 out of 10 Americans and their families, and I hope that we have gotten beyond the rhetoric, beyond the quick 30-second spots and other things that attempt to describe what we are doing here, which is expand an existing system as some sort of socialized medicine.

And yet I am so astounded by people who tend to believe the worst about anything that is proposed by our Government. We, in fact, in Government have to act to reform the insurance system to figure out ways to contain costs, to do all the things that people really want to do. It takes an act of Congress and a signature of this President. It seems to me we are well on our way to making that kind of progress and accomplishing our goal.

But we have still got to fight through these rhetorical hurdles which are constantly thrown up that are really designed to divert people's attention, and to try to confuse them and create anxiety over the direction we are going. There will be more choice for many people in terms of where they can go for a doctor, for a health provider of any sort.

So, Mr. Speaker, I am hopeful that efforts like the gentleman's this evening are really going a long way in trying to inform the public about what the real choices are and, hopefully, to disabuse and end the confusion of those who have been carried away by other efforts that have been made to kind of stop this in its tracks and to prevent this sort of progress that most Americans truly want to make in this area.

Mr. WYDEN. I think that last point is particularly important because I think some of these well-funded interest groups that obviously have a financial stake in protecting the status quo have, in effect, climbed into our television sets over the last 6 to 8 months and said the Western civilization is going to end, and the Federal Government is going to come to town, tear up the sidewalks and take over the communities, and as the gentleman has correctly pointed out, what health reform is all about: It is building on what we have today, keeping in place the many positive aspects of health reform, filling in the gaps to make sure all our citizens are covered, dealing with the inequities of cost shifting, and I think the gentleman's point is particularly valuable, and I appreciate it.

Mr. FAZIO. One of the ironies of this whole debate is that within 2 years, looking backward, we had no consensus on the insurance reforms that today are said to be of consensus view on this floor. People are now coming forward saying, "Well, let's just fix the health insurance system. We have heard all the complaints, and we are ready to go. Let's find a consensus on that issue."

Well, first of all, Mr. Speaker, that is a consensus of very brief duration. The consensus with the insurance industry has occurred as a result of the very serious debate and desire to move forward that has occurred under the leadership of President Clinton and Mrs. Clinton.

But even more so, to simply add to all our costs, to fix the inequities in the health insurance system that condemn some families with a very sick child or parent to huge debts for as long as the eye can see is really not to solve the problem alone because cost containment, of course, is further away if we simply add to the costs of everyone to work out the inequities in the health insurance system.

We not only have to do that, but we have to hold out not just the promise, but the reality, of cost containment for people because it defies logic to say that we can bear up the costs of catastrophic health incidents that affect some families and not pay more to resolve those issues.

So, back to the original point: We need a system of health care. We need to reduce costs and burdens on middle class families or we will not have the wherewithal to solve the inequities in the existing health insurance system,

let alone find ways to cover people who are without insurance.

So the ultimate need here is not just to tinker with the existing system. We have been doing that. Maybe we have advanced the cause in a bipartisan sense on insurance reform. But we owe the public a lot more than simply doing that and leaving town, indicating that we think we really have accomplished the central purpose for which this whole debate has been focused.

Mr. WYDEN. I think also the point that the gentleman makes on the cost containment issue is so critically important for the 80 percent plus of America that is covered.

Mr. FAZIO. And happy with their health plan.

Mr. WYDEN. Happy with their coverage and, frankly, at this point kind of scared because of all of these commercials.

Now to the extent we can have managed competition, standardized coverage, these plans having to compete for the business of our consumers and our patients on the basis of price, and service, and quality, that heightened competition can be of real benefit to the 80 percent who are covered.

I would also say that I think that we will be exploring some cost containment approaches that are not going to involve some kind of Federal micromanagement or run-from-Washington kind of approach.

One idea that has been presented to me of late is that plans, to the extent that they are required to stay within certain cost limits, if they did not stay within those limits, they simply would have their enrollment frozen. They would not be able to take additional people until their costs went down below any kind of reasonable cost containment.

That does not strike me as some kind of huge federal micromanagement approach, the cost. That is something, again in the private sector, it would take place in the local communities across the country. It would not be something that would be run from Washington, DC, and frankly some of these special interest groups that created this image, that the idea is that, as my colleagues knows, all the health care would be run by Washington, DC, and their doctors would wear a white coat that says "commissar" on it, and part of this would be part of just one Federal bureaucracy, and I think the gentleman really has, I think, hammered home the point that this is still going to be health care in the private sector. It is going to be built on the system we have today, and I appreciate it.

Mr. FAZIO. If the gentleman would yield, I think I am referring to the most recent Harry and Louise ads where I see the specter of rationing raised and, as the gentleman knows, the fear of somehow, with cost contain-

ment, or some other limitation on what can be spent on health care, that we are going to be rationing care. I find that really a misnomer and a real effort to divert people's attention from the real problems.

I was talking with Budget Director Panetta today about the irony of having some people here on the House floor voting to place caps on entitlements and at the same time their unwillingness, their inability, to support any efforts to contain health care costs, when in fact we know here at the Federal level 80 percent of our problem with entitlements in terms of future-year budget deficits is directly related to our cost of health care, the cost of Medicare and Medicaid, and other health activities which have been growing and impacting us just as they have the private sector businessman and individual payer.

So, Mr. Speaker, there is a little inconsistency here. On the one hand the same voices that say we have got to contain entitlements and we have got to hold down on Federal spending are saying essentially that when you try to do this with any sort of certainty or surety at all, we are ending up rationing care, creating fear among the public that somehow there will be an inadequate amount of money to go around to provide the kind of commitment to care that everyone thinks they have purchased with their health insurance. It is a little inconsistent. In fact some might say hypocritical. These are some of the same people who criticize for cutting Medicare too much when in fact in some cases they opposed its creation and now are foursquare for it.

□ 1850

Mr. WYDEN. What is interesting about that is some of the folks who are taking that approach on entitlement programs are the leading advocates for a very modest bill that would just have a handful of changes in insurance costs.

That kind of approach ironically will produce bigger bills for the folks who are covered today. Because if all we do is have some insurance changes and folks who are facing serious health problems are put into the pool with those who are healthy, absent any overall reform, the only thing that is really accomplished is the 80 percent who are relatively healthy get bigger bills.

Mr. FAZIO. That is right.

I do appreciate the gentleman's contribution this evening. I do hope that over the next several weeks, we will be able to assure that woman I saw on the news last night who was wondering whether once again we were going to blow it here in Washington and somehow overlook the tremendous desire the public has to solve these problems and move forward. It is so easy today in this atmosphere to frighten people

into neutrality or worse. It is very hard to galvanize a majority to move toward change. But I think we have the leadership in the White House that we need and I think there is a sufficient understanding in the Congress now of this issue that we will understand if we fall short and hopefully step up to the challenge.

It is individuals like the gentleman from Oregon who provided us that leadership within the House of Representatives, in our caucus, and I am happy to be associated with the gentleman's remarks this evening.

Mr. WYDEN. I thank my colleagues.

I would also note, the gentleman from California is well known for his political involvements in many areas, and I think it would be fair to say that the vast majority of what we have discussed on this floor over the last 30 minutes is part of an approach that can win strong bipartisan support. I have heard again and again, the public has said they want to see real health reform and not a lot of partisan sniping. I think as someone who also is very significant in political obligations, it is very constructive to hear the gentleman focus as he has this evening on the kinds of health reforms that can win a broad base of support in this Congress from Members on both sides of the aisle. I think it is an ideal way to sum up.

THE GROWING TRADE AND BUDGET DEFICITS

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

Mr. BROWN of Ohio. Mr. Speaker, the Commerce Department released monthly trade figures today. More bad news. In fact, a double dose of bad news. Exports are down, American goods sold abroad have gone down. Imports have gone up. America's trade imbalance with foreign countries is spiraling out of control. The trade deficit for April according to the Commerce Department is \$8.4 billion. The April trade deficit means the loss of some 160,000 jobs. We are losing good-paying jobs in northeast Ohio, we are losing good-paying jobs throughout the United States. A \$100 billion annual trade deficit means the loss of some 2 million jobs.

Mr. Speaker, \$60 billion of that trade deficit has been with Japan, \$25 billion of that trade deficit has been with China; 85 percent of our trade deficit are with those two countries in the Far East. For every \$1 billion in trade deficit, some 19,000 American jobs are lost.

Mr. Speaker, those are generally good-paying jobs. They are jobs in manufacturing where people make \$10 and \$12 and \$15 an hour. They typically are not service jobs, they are typically production jobs, some of the best jobs

that mean middle-class incomes and middle-class lifestyles and college degrees and purchases of homes for America's families.

We are also seeing a continued decline in the trade surplus with Mexico. During the debate on the North American Free-Trade Agreement, proponents of NAFTA, proponents of that trade agreement with Mexico and Canada would brag that Mexico's trade surplus of some \$6 billion and \$7 billion 2 and 3 years ago would grow and that that surplus we had with Mexico where we were selling more to Mexico than we were buying from Mexico would continue to grow and create American jobs.

Mr. Speaker, in fact what has happened is the exact opposite. Where last month, actually in April, the trade surplus with Mexico shrunk to only \$7 million and is moving in the wrong direction, so that there is a good chance we will, in fact, have a trade deficit with Mexico similar, maybe not to the same degree but similar to the trade deficits we have with China and Japan.

Mr. Speaker, what does all that mean to the American family? American families are realizing the potential threat posed by budget deficits and trade deficits. But when we have that double threat of trade deficits and budget deficits, America's families are faced with higher interest rates for the purchase of homes, are faced with the continued pressure on the dollar, and in ultimately rising unemployment. In the end we risk losing the economic recovery that the administration has fought for and that many of us in Congress have fought for.

The budget deficit, we have been generally successful, we are moving in the right direction. The budget deficit has come down, we have aggressively cut spending. We have ended programs. We have done a lot of the right things. Perhaps not quite far enough, but we have done a lot of positive things with the budget deficit. Unfortunately with the trade deficit we must do much, much more.

We need jobs in Lorain, OH; in Newton Falls, OH; in Brunswick, OH; in Elyria, OH, in areas all over this country. We need an aggressive trade policy. It means standing up to the Japanese when they violate trade laws. It means standing up to the Chinese when they engaged in illegal dumping. It means standing up to those countries when they are not playing fair, when the playing field is not level.

Mr. Speaker, we need fair trade, not free trade.

WE NEED HEALTH REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. McDERMOTT] is recognized for 30 minutes.

Mr. McDERMOTT. Mr. Speaker, the question that has been raised very frequently over the last few months has been the question, why do we need health care reform?

There has certainly been those in this House who have said we do not need health care reform, that everything is just fine, that if one has health care insurance now, do not worry, they are taken care of, there is nothing to worry about.

Mr. Speaker, I want to take this time to talk to the Members about an issue that affects me very much personally because I know the people involved. This is not some theoretical story, this is an actual human beings story who have what is called good health insurance. Many times people say, "Are you in the Congress going to give us the same kind of health care that you have?"

I would suggest to people who say that that they want better than we have in the U.S. Congress.

All the Members of the U.S. Congress belong to the Federal Employees Health Benefit Program. All other Federal employees are in that same program. I want to talk about what that program really does and how it affects individuals.

Many times as people talk about the whole area of health insurance, they say that the problem is the patients. The patients, they are using the system too much, it is costing too much because the patients are the ones at fault in the health care system. The theory, then, is that we ought to have managed care, we ought to force everybody into managed care and give people a bunch of booklets to look through so that they can shop smart, like buying health insurance was like buying a new automobile, or was like buying a new refrigerator.

If you are going to buy a new refrigerator, you know exactly the size of your kitchen, you know the space it is going to go, you know whether you want a de-icer or what kind of attachments you might want on it.

If you are buying an automobile, you know whether you are going to be driving long distances or short distances or over rough terrain or what kind of use you will put that vehicle to.

The problem with health care for all Americans is none of us know what we will need tomorrow. We hope that we will never have to use our health insurance. There is not anybody out there sort of slathering after using their health insurance. People have health insurance policies, hopeful that when the time comes and a problem comes to them, that health insurance will cover them for the things that they need.

Mr. Speaker, I was a physician in the State Department living in Zaire a long time ago, in 1987, and as a member of the State Department, I got to know the director of medical affairs of the

U.S. Department of State. He has allowed me to use his name and I am going to tell his story and his wife's story because I think it is instructive about what all Americans face no matter who you are or in what level you are why we need health reform in this country.

□ 1900

Dr. Goff is an oncologist. That is somebody whose primary specialty is in the treatment of cancer. So if there is anybody in this society who ought to know how to buy a smart insurance policy related to cancer, it should be Dr. Goff. But here is what happened to the Goff family.

Mrs. Goff, who is 53 years old, got cancer of the uterus, and she had the diagnosis made at a fairly late stage. She has had now two operations and several sets of chemotherapy, and they recently did what they call an operation to look back and see if the cancer has cleared up.

There is a reoccurrence, and the recommendation made by the Hutchinson Cancer Center in Seattle and the doctors in Bellingham, WA, where she lives, is she ought to have high dose chemotherapy plus a bone marrow transplant to support that high dose chemotherapy.

They went to their Federal Employees Health Benefit Plan and they looked in it and they said, well, it says it covers bone marrow transplants. We will go and get the assurance of the Federal plan that we are covered by.

Now, the Federal plan is administered by Blue Cross of Washington, DC., here in the city of Washington, in the capital city. Even though they live out in Washington State, their insurance plan is administered by Blue Cross of Washington, DC.

Blue Cross of Washington, DC., said our plan does not cover your treatment, the high dose chemotherapy or the bone marrow transplant.

So here is a family, Dr. Goff is now retired from the State Department, he has been in the Government for 25 years, paid into a plan that he every year thought would cover whatever is necessary for his family's well-being, and suddenly he finds that he has a plan that does not cover his particular problems.

Now, he began to do some research because he is an oncologist, and he went through the literature and found that things that are covered by that plan, there is no more basis for their being covered than for the procedures that his wife was trying to get payment for, and, in fact, in many instances the things that are covered have less scientific basis than what they produce.

He talked to people at the Washington State Blue Cross. Blue Cross of Washington and Alaska is in Seattle. He talked to the medical director there

and I talked to him. The doctor said yes, the Federal plan does not cover this kind of treatment. But if you happen to be in Blue Cross of Washington State, if you are covered by the Washington State Blue Cross, this treatment would be covered.

Now, I ask you, and I ask any Member of Congress, how we can possibly in this body put out the belief to people that we are going to make it possible for them to shop smart? You cannot shop smart when you do not know what is going to happen to you, when you cannot read your Blue Cross plan, when you do not know what the scientific changes are across the medical field. And yet, here we are hurdling toward going after, presenting to the American people, a plan which gives more power to insurance companies.

What is happening to Dr. Goff and what is happening to lots of Americans is that their health care is being rationed. Right now all the rationing that is going on in this country is being done by insurance companies. It is being decided by actuaries, it is being decided by accountants, people who decide well, this only gives somebody 10 percent greater chance. We are not going to worry about it. We will not give that kind of treatment. We will only give treatment to somebody, maybe 50 percent or 60 percent or whatever.

The decisions that are being made in health care today are being made by insurance companies. And for the Congress to say that we want to get everybody into managed care, and therefore we will be able to save money, is simply handing control of the health care of all our constituents into the hands of about six or eight large insurance companies in this country.

Now, Dr. Goff has a fall-back position. Since his insurance does not pay for it, if you want to get a bone marrow transplant, I don't care what center it is in the United States, they will either take you, if your insurance plan covers it, or if you can take out of your pocket \$60 or \$80 or \$100 thousand and put it on the table before you come in.

Now, this is a doctor, he has got a practice, he is making a decent living. He has a pension and so forth. But they will not accept from him oh, just come in and have the treatment and pay us when you get the money. They wanted the money up front. This is in the Hutchinson Cancer Center in Seattle and every other cancer center. They do not do bone marrow transplants without advance payment or assurance of it from an insurance plan.

Now, Dr. Goff is lucky. He may be able to take a loan out on his house, take the equity out of his house, for \$60,000 or \$80,000, and put that money down and get that kind of treatment for his wife. He is lucky.

Not everybody in this country is lucky enough to be able to come up

with \$80,000 at the exact time that their loved one, whether it is a wife or a child or whomever, needs that kind of treatment. And what the President has said is that we need health care that can never be taken away, and that covers the things that Americans are worried about.

Everyone who has insurance right now says, why should I be worried? Well, let me tell you, the reason why every American, including Members of Congress, should be worried, is that none of us know whether the policy we have been paying on will cover the kinds of things that may face us. And there is no way we can ever be that knowledgeable.

I am a physician. I could not be that knowledgeable. Nobody can. And it is nonsense to say that the American people suddenly, we are going to hand them booklets and they are going to then be knowledgeable to buy health insurance.

Anytime anybody comes on the floor of this House and says that we will hand around a bunch of booklets and people will know how to buy good health care simply is talking nonsense. If Dr. Goff did not know how to do it, it is sure that JIM McDERMOTT will not know how to do it, and every Member of Congress and all the American people are going to be in the same bind.

Now, I support the single payer system because I think it is the best way to give every one the opportunity to see the physician of their choice, to have the biggest benefit package, to have it paid for in the most efficient way. We can save \$100 billion a year. The Congressional Budget Office has said by eliminating insurance companies from the process and letting the doctor and the patient make this decision about what ought to be done, we can save \$100 billion a year, which will cover all the benefits which our society presently does not have.

All of us hope, all of us hope, desperately hope, that we will never use our health insurance. We do not want to use it. It is not something people lie around at night saying, gee, I wonder how I can get some benefits out of my insurance policy. That would be like saying you would want to have some benefits out of your fire insurance policy. Maybe if we had a fire in the house, we could finally get some benefits out of that.

Nobody want that. And the fact is that the single payer system is the only way you can guarantee to the American people that you provide a benefit package that covers the things that people need with an affordable cost. And I hope that this Congress will consider the case of Dr. Goff and all the other people.

He is not alone. There was a case in California of a woman who had breast cancer, and the doctors recommended a bone marrow transplant for her. And,

she did not have the money. So she had to go around and try and raise the money. Finally she got it, but too late. She died.

But the case was settled in the California courts for \$84 million, very simply because the contract that she had from the managed care operation said they did bone marrow transplants. What it didn't say was we don't do bone marrow transplants if you have breast cancer.

□ 1910

So she thought she was covered. And in fact, that same case was settled really in large measure because they found a provision in the internal memos of the company which said to the doctors, "If you don't make referrals for bone marrow transplants, you will get paid more." That is what managed competition is all about. That is what managed care under insurance companies is all about. It is not directed at what is in the best interest of the patient. It is directed at what is in the best interest of the stockholders.

You have to remember that managed care from insurance companies simply is designed in a corporation to take in as much money as possible, spend as little on benefits as possible so at the end of the quarter you can give the biggest dividends to the stockholders. And a health insurance plan run by insurance companies with managed care by insurance companies is not going to be good for the American people.

That is why I support the American Health Security Act, which is the single-payer plan, H.R. 1200. I hope every Member of this Congress will read that bill and consider it the best for all their constituents.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. LLOYD (at the request of Mr. GEPHARDT), for today and tomorrow, on account of medical reasons.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT), for today and tomorrow, on account of official business.

Mr. MINETA (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. SOLOMON (at the request of Mr. MICHEL), for today and the balance of the week, on account of minor surgery.

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 Mrs. FOWLER) to revise and extend their remarks and include extraneous material:)

Mrs. FOWLER, for 5 minutes, today.

Mr. KIM, for 5 minutes, today.

Mr. MICHEL, for 5 minutes each day, on June 22, 23, and 24.

Mr. COX, for 5 minutes, today.

Mr. DORNAN, for 5 minutes each day, on June 22 and 23.

(The following Member (at the request of Mr. FILNER) to revise and extend his remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

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

Mr. BROWN of Ohio, for 5 minutes, today.

EXTENSION OF REMARKS

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

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

- Mr. MICHEL.
- Mr. PACKARD.
- Mr. GINGRICH.
- Mr. CUNNINGHAM.
- Mr. SAXTON.
- Mr. HUNTER.

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

- Mr. LEVIN.
- Mr. MAZZOLI in two instances.
- Mr. FOGLIETTA.
- Mr. LAFALCE.
- Mr. ANDREWS of New Jersey in two instances.
- Mr. SKELTON.
- Mr. KILDEE.
- Mr. REED in two instances.
- Mr. ENGEL.
- Mr. STARK.

- Mr. STUPAK.
- Mr. BACCHUS of Florida.
- Mr. BERMAN.
- Mr. EDWARDS of California.
- Mr. LANTOS.
- Mr. WILLIAMS.
- Ms. NORTON.
- Mr. KANJORSKI.
- Mr. SANDERS.
- Mr. COYNE.

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

- Mr. STENHOLM.
- Ms. MARGOLIES-MEZVINSKY.
- Mr. HALL of Texas.
- Mr. GILLMOR.
- Mr. JOHNSTON of Florida.
- Mr. MANTON.
- Mr. FAWELL.
- Mr. MFUME.
- Mrs. UNSOELD.
- Mr. PALLONE.
- Mr. EMERSON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 150. An act to provide for assistance in the preservation of Talliesin in the State of Wisconsin, and for other purposes; to the Committee on Natural Resources;

S. 316. An act to establish the Saguaro National Park in the State of Arizona, and for other purposes; to the Committee on Natural Resources;

S. 472. An act to improve the administration and management of public lands, National Forests, units of the National Park System, and related areas by improving the availability of adequate, appropriate, affordable, and cost effective housing for employees needed to effectively manage the public

lands; to the Committee on Natural Resources; and

S. 1980. An act to establish the Cane River Creole National Historical Park and the Cane River National Heritage Area in the State of Louisiana, and for other purposes; to the Committee on Natural Resources.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1904. An act to amend title 38, United States Code, to improve the organization and procedures of the Board of Veterans' Appeals.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 3676. An act to amend the District of Columbia Spouse Equity Act of 1988 to provide for coverage of the former spouses of judges of the District of Columbia courts; and

H.R. 4205. An act to amend title 11, D.C. Code, to clarify that blind individuals are eligible to serve as jurors in the Superior Court of the District of Columbia.

ADJOURNMENT

Mr. McDERMOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p.m.), the House adjourned until Wednesday, June 22, 1994, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the first quarter of 1994, in connection with official foreign travel; an amendment to the consolidated Speaker's report of foreign currencies and U.S. dollars utilized in connection with official foreign travel authorized by the Speaker in the first quarter of 1994, pursuant to Public Law 95-384; and, an amendment to the 1993 report of a miscellaneous group, U.S. House of Representatives, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1994

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency ²
John B. Chesson	9/29	10/5	Belgium		1,590.00						1,590.00
Commercial air fare	10/5	10/14	England		1,908.00						1,908.00
Thomas G. Montgomery	9/28	10/5	Belgium		1,590.00						1,590.00
Commercial air fare	10/5	10/14	England		1,908.00						1,908.00
David Finnegan	1/15	1/18	Germany		849.00						849.00
Commercial air fare	1/19	1/21	France		534.00						534.00
Lisa Kountoupes	1/12	1/15	Poland		440.00						440.00
Commercial air fare	1/15	1/18	Germany		655.00						655.00
Catherine Van Way	1/11	1/12	Sweden		184.00						184.00
Commercial air fare	1/12	1/15	Poland		440.00						440.00
Commercial air fare	1/15	1/18	Germany		655.00						655.00
David Finnegan	2/13	2/17	Switzerland		955.00						955.00
Commercial air fare											2,035.65
Catherine Van Way	2/13	2/20	Switzerland		955.00						955.00
Commercial air fare											1,478.95
Sue Sheridan	2/7	2/12	Switzerland		1,146.00						1,146.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1994—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial air fare											
Gregory Wetstone	2/14	2/19	Switzerland		955.00						1,442.95
Commercial air fare											955.00
Committee total					14,764.00						22,828.85

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1994

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Robert A. Borski	1/10	1/14	Chile		944.00		3,442.95				4,386.95
David Smullen	1/10	1/14	Chile		944.00		3,442.95				4,386.95
Hon. Lucien Blackwell	1/11	1/16	Philippines		843.00						843.00
	1/16	1/18	Japan		786.00						786.00
	1/18	1/21	China		591.00		3,621.95				4,212.95
Hon. Stephen Horn	1/12	1/16	Greece		808.00						808.00
	1/16	1/18	Israel		642.00						642.00
	1/18	1/19	Jordan		191.00						191.00
	1/19	1/21	Syria		512.00						512.00
	1/21	1/23	Morocco		423.75		(³)				423.75
Hon. Tim Hutchinson	1/13	1/15	Netherlands				(³)				
	1/15	1/16	Germany				(³)				
Hon. William D. Lipinski	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Hon. Jerry Costello	3/25	3/27	Ireland		436.00						436.00
	3/25	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Hon. Glenn Poshard	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Hon. George Sangmeister	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Hon. Tim Valentine	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Donna McLean	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
James R. Miller	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Roger Nober	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Mary Walsh	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Judy Windham	3/25	3/27	Ireland		436.00						436.00
	3/27	3/30	England		786.00						786.00
	3/30	4/3	France		1,040.00		(³)				1,040.00
Committee total					29,304.75		10,507.85				39,812.60

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

NORMAN Y. MINETA, Chairman, Apr. 30, 1994.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO INDONESIA, THAILAND, CHINA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1994

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Majority Leader D. Gephardt		1/4	Indonesia		462.00		(³)		5,361.42		10,905.42
Hon. Pete Stark		1/4	Indonesia		462.00						462.00
Hon. George Miller		1/4	Indonesia		462.00						462.00
Hon. Norman Dicks		1/4	Indonesia		462.00						462.00
Hon. Mike Synar		1/4	Indonesia		462.00						462.00
Hon. Rosa DeLauro		1/4	Indonesia		462.00						462.00
Hon. Chet Edwards		1/4	Indonesia		462.00						462.00
Mr. Thomas O'Donnell		1/4	Indonesia		462.00						462.00
Mr. Michael Wessel		1/4	Indonesia		462.00						462.00
Ms. Margaret Sullivan		1/4	Indonesia		462.00						462.00
Mr. Eli Attie		1/4	Indonesia		462.00						462.00
Mr. John Lawrence		1/4	Indonesia		462.00						462.00
Majority Leader D. Gephardt		1/4	1/11 Thailand		852.00		(³)		5,279.29		15,503.29
Hon. Pete Stark		1/4	1/11 Thailand		852.00						852.00
Hon. George Miller		1/4	1/11 Thailand		852.00						852.00
Hon. Norman Dicks		1/4	1/11 Thailand		852.00						852.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO INDONESIA, THAILAND, CHINA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1994

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mike Synar	1/6	1/11	Thailand		852.00						
Hon. Rosa DeLauro	1/6	1/11	Thailand		852.00						
Hon. Chet Edwards	1/6	1/11	Thailand		852.00						
Mr. Thomas O'Donnell	1/6	1/11	Thailand		852.00						
Mr. Michael Wessel	1/6	1/11	Thailand		852.00						
Ms. Margaret Sullivan	1/6	1/11	Thailand		852.00						
Mr. Eli Attie	1/6	1/11	Thailand		852.00						
Mr. John Lawrence	1/6	1/11	Thailand		852.00						
Majority Leader D. Gephardt	1/12	1/16	China		800.00			(3)	2,584.81		11,790.81
Hon. Pete Stark	1/12	1/16	China		406.00						
Hon. George Miller	1/12	1/16	China		800.00						
Hon. Norman Dicks	1/12	1/16	China		800.00						
Hon. Mike Synar	1/12	1/16	China		800.00						
Hon. Rosa DeLauro	1/12	1/16	China		800.00						
Hon. Chet Edwards	1/12	1/16	China		800.00						
Mr. Thomas O'Donnell	1/12	1/16	China		800.00						
Mr. Michael Wessel	1/12	1/16	China		800.00						
Ms. Margaret Sullivan	1/12	1/16	China		800.00						
Mr. Eli Attie	1/12	1/16	China		800.00						
Mr. John Lawrence	1/12	1/16	China		800.00						
Committee total					24,974.00				13,225.52		38,199.52

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

RICHARD A. GEPHARDT, Majority Leader, May 31, 1994.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MEXICO—U.S. INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1993

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Delegation expenses: ³											
Pre-conference meeting										295.69	
Committee total										295.69	295.69

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ The 33d annual meeting, originally scheduled for 1992, was postponed until 1994.

E de la GARZA, May 19, 1994.

EXECUTIVE COMMUNICATIONS, ETC.-

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3399: A letter from the Assistant Secretary, Department of the Air Force, transmitting notification that the installation commander at Luke Air Force Base, AZ, has conducted a cost comparison study to reduce the cost of operating the range operations and maintenance function at Gila Bend Air Force Airfield and Goldwater Range, pursuant to 10 U.S.C. 2304 note; to the Committee on Armed Services.

3400: A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's report on directives to further fair housing objectives under certificate and voucher programs, pursuant to Public Law 102-550, section 153(5) (106 Stat. 3718); to the Committee on Banking, Finance and Urban Affairs.

3401: A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Denmark (transmittal No. DTC-13-94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3402: A letter from the Assistant Legal Adviser for Treaty Affairs, Department of

State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3403: A letter from the Secretary, Department of Agriculture, transmitting the Secretary's management report for the 6-month period ending March 31, 1994, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3404: A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report of activities of the inspector general covering the period October 1, 1993, through March 31, 1994, and management report for the same period, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3405: A letter from the Director, Office of Personnel Management, transmitting the semiannual report on activities of the inspector general for the period of October 1, 1993, through March 31, 1994, and management report for the same period, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3406: A letter from the Assistant Secretary of Defense, transmitting the Department's report entitled, the "Metric Transition Program," pursuant to Public Law 100-418, section 5164(c) (102 Stat. 1452); to the Committee on Science, Space, and Technology.

3407: A communication from the President of the United States, transmitting notification of the designations of Peter S. Watson as Chair and Janet A. Nuzum as Vice Chair to the U.S. International Trade Commission, effective June 17, 1994, pursuant to 19 U.S.C. 1330(c)(1); to the Committee on Ways and Means.

3408: A letter from the Assistant Secretary for Legislative Affairs, Department of State; transmitting a copy of Presidential Determination No. 94-28: Assistance Program for the New Independent States of the Former Soviet Union, pursuant to 22 U.S.C. 5858; jointly, to the Committees on Appropriations and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOLLOHAN: Committee on Appropriations. H.R. 4603. A bill making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept.

103-552). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Iowa: Committee on Appropriations. H.R. 4606. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-553). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Rules, House Resolution 458. Resolution waiving certain points of order against the bill (H.R. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-554). Referred to the House Calendar.

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. SPRATT:

H.R. 4604. A bill to establish direct spending targets, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. GIBBONS (for himself, Mr. FORD of Michigan, Mr. FORD of Tennessee, Mr. MARTINEZ, Mr. GEPHARDT, Mr. CARDIN, Mr. ACKERMAN, and Mr. CRAMER):

H.R. 4605. A bill to amend the Social Security Act, the Food Stamp Act, and other relevant statutes to redesign the program of aid to families with dependent children to establish a program that provides time-limited, transitional assistance, prepares individuals for and requires employment, prevents dependency, overhauls the child support enforcement mechanism at both State and Federal levels, and for other purposes; jointly, to the Committees on Ways and Means, Agriculture, and Education and Labor.

By Mrs. UNSOELD:

H.R. 4607. A bill to establish the Vancouver National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. HUGHES (for himself and Mr. MOORHEAD):

H.R. 4608. A bill to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1995, and for other purposes; to the Committee on the Judiciary.

By Mr. FAZIO (for himself and Mr. MILLER of California):

H.R. 4609. A bill to establish a Commission on Integration of Workers' Compensation Medical Benefits to study and develop a detailed plan for implementing the transfer of financial responsibility for workers' compensation medical benefits to health insurers, and to provide for the implementation of the plan; jointly, to the Committees on Education and Labor, Energy and Commerce, Ways and Means, Armed Services, Post Office and Civil Service, Natural Resources, and Veterans' Affairs.

By Mr. LAFALCE:

H.R. 4610. A bill to amend Title XVIII of the Social Security Act to provide for coverage of self-administered Betaseron treatments for Multiple Sclerosis under the Medicare Program, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. HOCHBRUECKNER:

H.R. 4611. A bill to direct the Secretary of Transportation to convey to the Montauk

Historical Society Light Station Montauk Point, located at Montauk, NY; to the Committee on Merchant Marine and Fisheries.

By Mr. JOHNSTON of Florida (for himself, Mrs. THURMAN, Mr. WILSON, Mr. FALCOMA, Mr. CANADY, Mr. ROYCE, and Mr. LIPINSKI):

H.R. 4612. A bill to amend the Internal Revenue Code of 1986 to exempt gain from the sale of a principal residence from tax; to the Committee on Ways and Means.

By Mr. JOHNSTON of Florida (for himself and Mr. GOSS):

H.R. 4613. A bill to protect the ecologically fragile coastal resources of south Florida by prohibiting offshore oil and gas activities and by cancelling Federal leases in the area of the outer Continental Shelf adjacent to the south Florida coast; jointly, to the Committees on Natural Resources and Merchant Marine and Fisheries.

By Mr. OLVER (for himself and Mr. NEAL of Massachusetts):

H.R. 4614. A bill to amend the Federal Water Pollution Control Act to provide grants for projects that demonstrate technologies and methods for reducing discharges from combined sewer overflows into navigable waters of interstate significance; to the Committee on Public Works and Transportation.

By Mr. ORTON (for himself and Ms. SHEPHERD):

H.R. 4615. A bill to make the provisions of the act commonly known as the "Warren Act" to the Central Utah Project, UT, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE:

H.R. 4616. A bill to amend the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 to improve natural gas and hazardous liquid pipeline safety, in response to the natural gas pipeline accident in Edison, NJ, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. PENNY:

H.R. 4617. A bill to amend the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 to repeal the restriction on assistance to Azerbaijan; to the Committee on Foreign Affairs.

By Mr. SANDERS (for himself, Mr. ANDREWS of Maine, Ms. COLLINS of Michigan, Mr. DEFAZIO, Mr. DELUMS, Mr. ENGEL, Mr. FOGLIETTA, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HINCHEY, Mr. JOHNSTON of Florida, Mrs. KENNELLY, Mrs. MINK of Hawaii, Mr. MORAN, Mr. NADLER, Mr. OBERSTAR, Mr. OBEY, Mr. OWENS, Mrs. UNSOELD, Mrs. SCHROEDER, Mr. SHAYS, Ms. VELAZQUEZ, Mr. VENTO, Mr. WASHINGTON, and Mr. YATES):

H.R. 4618. A bill to authorize the Secretary of Agriculture to impose labeling requirements for milk and milk products produced from cows which have been treated with synthetic bovine growth hormone, to amend the Agriculture Act of 1949 to require the Secretary of Agriculture to reduce the price received by producers for milk that is produced by cows injected with synthetic bovine growth hormone, to direct the Secretary of Health and Human Services to develop a synthetic BGH residue test, and for other purposes; to the Committee on Agriculture.

By Mr. SCHUMER:

H.R. 4619. A bill to amend title 18, United States Code, to provide an official duty defense to certain section 32 and related offenses; to the Committee on the Judiciary.

By Mr. STENHOLM (for himself and Mr. SMITH of Texas):

H.R. 4620. A bill to provide that the costs relating to repairs correcting seepage problems at Twin Buttes Dam, TX, are non-reimbursable; to the Committee on Natural Resources.

By Mr. TRAFICANT:

H.R. 4621. A bill to establish a National Academy of Space, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. ANDREWS of New Jersey:

H.J. Res. 381. Joint resolution to designate May 1995 "Multiple Sclerosis Association of America Month"; to the Committee on Post Office and Civil Service.

By Ms. SNOWE:

H. Res. 459. Resolution providing for the consideration of the bill (H.R. 3266) to provide for automatic downward adjustments in the discretionary spending limits for fiscal year 1994 set forth in the Congressional Budget Act of 1974 equal to the amount of rescissions contained in this act; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

430. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to memorializing the President and Congress to take action to help ease the burden that increased lumber prices have placed on homebuilders and homebuyers; to the Committee on Agriculture.

431. Also, memorial of the House of Representatives of the State of Louisiana, relative to memorializing the U.S. Congress to take such actions as are necessary to authorize the use of the U.S. flag to drape the coffins of former members of the Civilian Conservation Corps; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mrs. MORELLA.
 H.R. 301: Mr. SHAYS.
 H.R. 911: Mr. FIELDS of Texas.
 H.R. 1103: Mr. WILLIAMS.
 H.R. 1417: Mr. FRANK of Massachusetts, Mr. STUPAK, and Mr. DEUTSCH.
 H.R. 1442: Mr. OXLEY.
 H.R. 1500: Mr. RAVENEL and Mr. BERMAN.
 H.R. 1607: Mr. SHAYS.
 H.R. 1671: Mr. CLEMENT, Mr. RANGEL, Mr. CANADY, Mr. WILSON, Mr. EMERSON, and Mr. BONIOR.
 H.R. 1801: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1843: Mrs. THURMAN and Mr. HERGER.
 H.R. 2064: Mr. RICHARDSON.
 H.R. 2147: Mr. MORAN.
 H.R. 2326: Mr. SMITH of Texas, Mr. OBERSTAR, Mr. RICHARDSON, Mr. NUSSLE, Mr. SHARP, and Mr. JOHNSON of South Dakota.
 H.R. 2758: Mr. GINGRICH.
 H.R. 2866: Mr. FORD of Tennessee.
 H.R. 2886: Mr. GREENWOOD, Mr. KIM, Mr. BILBRY, Mr. POMEROY, and Mr. WISE.
 H.R. 2969: Mr. MCNULTY.
 H.R. 3005: Mr. SMITH of Michigan, Mr. AL-LARD, and Mr. MANZULLO.
 H.R. 3031: Mrs. FOWLER.

H.R. 3293: Mr. SCHIFF.
 H.R. 3348: Ms. MOLINARI.
 H.R. 3421: Mr. SMITH of Michigan and Mr. SAXTON.
 H.R. 3488: Mr. LIVINGSTON, Mr. WILSON, and Mr. POMBO.
 H.R. 3497: Ms. SLAUGHTER, Mrs. FOWLER, and Mr. KING.
 H.R. 3596: Mr. EVANS and Mr. HUGHES.
 H.R. 3717: Mr. SHAYS.
 H.R. 3986: Mr. MINGE.
 H.R. 3987: Ms. FURSE.
 H.R. 3992: Mr. ROHRABACHER.
 H.R. 4042: Mr. LANTOS.
 H.R. 4050: Mrs. CLAYTON and Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 4091: Mr. GONZALEZ, Mr. MARTINEZ, Mr. EVANS, Mr. MURPHY, and Mr. ACKERMAN.
 H.R. 4100: Mr. OWENS.
 H.R. 4150: Mr. DUNCAN.
 H.R. 4163: Mr. ABERCROMBIE, Mr. GLICKMAN, Mr. ROMERO-BARCÉLO, Mr. HINCHEY, and Mr. EVANS.
 H.R. 4178: Mr. ROYCE and Mr. MANZULLO.
 H.R. 4223: Mr. BOEHNER.
 H.R. 4251: Mr. RIDGE and Mr. UPTON.
 H.R. 4258: Mr. HILLIARD and Mr. MURPHY.
 H.R. 4259: Mrs. MEYERS of Kansas and Mr. CLINGER.
 H.R. 4269: Mr. FROST.
 H.R. 4358: Mr. DORNAN.
 H.R. 4365: Mr. CASTLE.
 H.R. 4386: Mr. KLEIN, Mr. GREENWOOD, Mr. BARCA of Wisconsin, Mr. WHITTEN, Mr. SCHIFF, Mr. BARCIA of Michigan, Mr. DOOLEY, Mr. ROSE, Mr. PALLONE, Mr. DEFAZIO, Mr. BACCHUS of Florida, Mr. DE LA GARZA, Mrs. MORELLA, Mr. CLAY, Mr. OBERSTAR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DURBIN, Mr. DE LUGO, Mr. MICHEL, Mr. QUILLEN, Mr. HANSEN, Mr. MILLER of California, Mr. BAKER of Louisiana, and Mr. BONILLA.
 H.R. 4404: Mrs. JOHNSON of Connecticut, Mr. FRANKS of Connecticut, Mr. VENTO, Mr. FARR, and Mr. MOORHEAD.

H.R. 4433: Mr. ZIMMER, Mr. EHLERS, Mr. BAKER of Louisiana, and Mr. ROYCE.
 H.R. 4441: Mr. GILLMOR.
 H.R. 4452: Mr. STOKES, Mrs. MEEK of Florida, Mrs. CLAYTON, Mr. LIPINSKI, Mr. PAYNE of New Jersey, Mr. BACCHUS of Florida, Mr. WATT, Mrs. UNSOELD, Mr. HILLIARD, Mr. EDWARDS of California, Mr. MONTGOMERY, Mr. FROST, Mr. PARKER, Mr. DEFAZIO, and Mr. CLYBURN.
 H.R. 4507: Mr. PARKER and Mr. HOCHBRUECKNER.
 H.R. 4528: Mr. COBLE, Mr. HUGHES, and Mrs. THURMAN.
 H.R. 4535: Mrs. COLLINS of Illinois and Mr. MOORHEAD.
 H.R. 4582: Mr. SWIFT.
 H.J. Res. 44: Mr. KYL.
 H.J. Res. 90: Mr. REGULA, Mr. JACOBS, Mr. LEVIN, Mr. LEWIS of California, and Mr. LAFALCE.
 H.J. Res. 145: Mr. HOEKSTRA, Mr. GOSS, Mr. RAMSTAD, Mr. SMITH of Texas, Mr. KIM, and Mr. HUTCHINSON.
 H.J. Res. 321: Mr. ROYCE.
 H.J. Res. 326: Mr. PARKER, Mr. SABO, Mr. HASTINGS, Ms. MCKINNEY, Mr. SANDERS, Mrs. VUCANOVICH, Mr. FIELDS of Louisiana, Mr. GLICKMAN, Mr. FLAKE, Mr. RAVENEL, Mrs. BENTLEY, Mr. MURTHA, Mr. WASHINGTON, Mr. LEWIS of Georgia, Mr. MYERS of Indiana, Mr. SANGMEISTER, Mr. LANTOS, Mr. SCHUMER, Mr. RICHARDSON, Mr. APPELGATE, Mr. DIAZ-BALART, Mr. HOUGHTON, Mr. BORSKI, Mr. HEFLEY, Mr. PACKARD, Mr. FRANKS of Connecticut, Mr. KASICH, Mr. KANJORSKI, Mr. ACKERMAN, Mr. WHITTEN, Mr. JACOBS, Mr. TAUZIN, Mr. ROGERS, Mr. VALENTINE, Mr. WATT, and Ms. MOLINARI.
 H.J. Res. 356: Mr. FISH and Mr. TRAFICANT.
 H.J. Res. 359: Mr. THOMPSON and Mr. FINGERHUT.
 H.J. Res. 373: Mr. ROHRABACHER.
 H.J. Res. 378: Mr. FRANK of Massachusetts, Mr. MORAN, Mr. MCDADE, Mr. MAZZOLI, Mr.

GONZALEZ, Mr. HEFNER, Mr. STUDDS, Mr. ORTON, Mr. PARKER, Mr. MOAKLEY, Mr. PICKETT, Mr. FARR, Mr. ACKERMAN, and Mr. WAXMAN.
 H. Con. Res. 148: Mr. DEUTSCH and Mr. LIVINGSTON.
 H. Con. Res. 199: Mr. HASTINGS.
 H. Con. Res. 202: Mr. PARKER.
 H. Con. Res. 219: Mr. HILLIARD, Mr. OWENS, Mr. BEILSON, Mr. KYL, Ms. MOLINARI, Mr. WILSON, Mr. GREENWOOD, Ms. WOOLSEY, Ms. HARMAN, Mr. TORKILDSEN, Ms. SCHENK, Mr. HUGHES, Mr. JOHNSON of South Dakota, Mr. PORTER, Mr. KLECZKA, Mr. BARRETT of Wisconsin, Ms. FURSE, Mr. KOPETSKI, Ms. SLAUGHTER, Mr. HINCHEY, Mr. ZELIFF, and Mr. MEEHAN.
 H. Con. Res. 243: Mr. EVANS, Mr. STUPAK, Mrs. MEEK of Florida, and Mr. OWENS.
 H. Con. Res. 246: Mr. DURBIN, Mr. OWENS, Mr. FOGLIETTA, Mr. THOMPSON, Mr. MANN, Mr. GUNDERSON, Mr. KLUG, Mr. DEFAZIO, and Mr. FROST.
 H. Res. 372: Mr. ANDREWS of New Jersey, Mr. FISH, and Mr. STUPAK.
 H. Res. 446: Mr. DREIER, Mr. KOLBE, Mr. MCINNIS, Mr. KASICH, Mr. BROWDER, Mr. CRAMER, Mr. EVANS, Mr. McNULTY, Mr. GOODLING, and Mrs. ROUKEMA.

PETITIONS, ETC.

Under clause 1 of rule XXII.

99. The SPEAKER presented a petition of the Arkansas Legislative Counsel, Arkansas, relative to requesting that the U.S. Congress include its members and employees in any health care legislation it adopts in 1994 or thereafter; which was referred to the Committee on House Administration.