

Among the other achievements of the 103rd Congress were several education initiatives, including renewal of elementary and secondary education aid and expansion of Head Start, the Goals 2000 reform to set achievement standards, a school-to-work transition program, and an overhaul of the college student loan program. Two separate banking laws passed, one the remove restrictions on bank branches across state lines and another to put money for economic development into distressed areas via community development banks. The new crime package means more police on the street, more prisons, and tougher punishment for federal crimes.

The reinventing government effort had some distinct successes; procurement reform to streamline government buying of goods and services and to allow more products to be purchased off the shelf, and buyouts to cut the federal payroll by almost 280,000 jobs over six years. Government reorganization advanced with the creation of a separate Social Security Administration and reorganization of the Agriculture Department. Congress renewed the independent counsel to investigate allegations against high ranking government officials. The most significant piece of environmental legislation passed was the California Desert Protection Act creating the largest wilderness area outside Alaska.

#### DISAPPOINTMENTS

A Congress, of course, is always measured against expectations. Looking just at what the 103rd Congress achieved, quite a lot was done. But looking at it against expectations and opportunities, it does not measure up very well. One standard by which Congress clearly failed was in gaining public confidence.

As I wrote earlier, this Congress was a reform Congress and we learned once again that those who seek reform and change run into many obstacles and risk failure.

I was disappointed that congressional reform, which included modest proposals for change made by the bi-partisan committee I co-chaired, died in both houses. These reform proposals will certainly be on the agenda for the 104th Congress.

The most significant failure of the Congress was on health care reform. It died when consensus failed to develop among supporters of various plans. Welfare reform did not get out of committee. A campaign finance reform plan with voluntary spending limits and curbs on special interest money was killed by filibuster, as was a bill to ban lawmakers from accepting any gifts from lobbyists.

I was disappointed that welfare reform was not enacted, but encouraged that in 1995 it will be high on the agenda of the 104th Congress. I was also disappointed that we could not strengthen the Clean Water Act and the Safe Drinking Water Act.

It is especially difficult to move on reform when public confidence in government is waning and suspicion of its every act is rising. The public sees Congress as a do-nothing assembly of quarrelsome partisans more attuned to the special interests than to the voters. The large number of filibusters in the Senate certainly slowed the agenda.

Many members of Congress believe the news media contributed to the very tough environment within which we do our work. The media tend to be more destructive than constructive, criticizing even those who are striving to make things better. One of my colleagues said that nothing about government is done as incompetently as the reporting of it. That may be an overstatement, but it is frustrating to see the failures of Congress celebrated while the very real successes are ignored.

#### CONCLUSION

Overall the 103rd Congress came out of the starting gate fast but it collapsed at the finish line. Some of the critics say that this was perhaps the worst Congress in 50 years. I simply do not agree. Those critics were too focused on the final days of the Congress and have not looked at the overall record. Certainly the final record could and should, have been better, but the 103rd Congress did manage to put together a list of significant accomplishments.

### INTRODUCTION OF CAPITAL GAINS TAX PROPOSAL

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 4, 1995*

Mr. NEAL of Massachusetts. Mr. Speaker, today I am introducing legislation, the Middle Class Income Tax Relief Act of 1995, which provides a capital gains tax cut for working class Americans. This legislation provides a lifetime capital gains bank of \$200,000. Any taxpayer throughout the person's lifetime would have a capital gains bank of \$200,000. Under this legislation, a taxpayer could exclude up to 50 percent of the gain on the sale of a capital asset, up to the limit in the maximum tax rate of 19.8 percent.

The benefit of lifetime capital gains tax bank would phase out as a taxpayer's income increases above \$200,000. Under this legislation individuals who sold stocks saved for retirement or a second home, or elderly individuals, who have a large gain in the sale of their principal residence, would benefit. The proposal includes a 3-year holding period for the capital asset. Short-term stock speculators would not be able to qualify for the benefit.

In addition, the bill allows taxpayers to index the cost of real estate for inflation. An inflation-induced gain is not a capital gain and should not be subject to tax.

Lately, there has been much said about the necessity and benefits of a capital gain tax cut. A capital gains tax cut is a valid measure, but a capital gains tax needs to be economically feasible and to benefit the middle-class. A capital gains tax cut needs to be responsible. I believe the Middle Income Tax Relief Act of 1995 is an appropriate capital gains tax cut.

Mr. Speaker, I insert a summary for the RECORD.

#### SUMMARY OF MIDDLE INCOME TAX RELIEF ACT OF 1995

Individuals would have a lifetime capital gains "bank".

Bank limit would be \$200,000 per person.

All individuals would be entitled to the \$200,000 bank: for example each spouse of a married couple would each have a separate limit.

Any individual who sold a qualified asset could exclude up to 50% of the gain on the sale, up to the \$200,000 limit.

Qualified assets would include all capital assets under the present law, except collectibles.

Under the bill, the maximum tax rate on capital gains income would be 19.8% (i.e. 1/2 of the maximum 39.6% rate).

The full benefit would be available in any year that a taxpayer had adjusted gross income in excess of \$200,000.

In the case of a sale or exchange of real property, taxpayers would be able to index

their basis in the asset to the rate of inflation. Thus, no tax on inflation-induced gains.

Example: taxpayer buys a house for \$100,000 and sells it 9 years later for \$200,000. Inflation was 5% per year over the 9-year period. Basis for measuring gain is \$145,000 so gain is \$55,000.

A 3-year holding period would apply so that the deduction would not be available to any taxpayer who held the asset for less than 3 years.

### INTRODUCTION OF THE ANAKTUVUK PASS LAND EXCHANGE AND WILDERNESS REDESIGNATION ACT OF 1994

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 4, 1995*

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased today to introduce the Anaktuvuk Pass Land Exchange and Wilderness Redesignation Act of 1994. When enacted, this legislation will ratify an agreement to settle a long-standing and difficult dispute between the National Park Service and Alaska Native landowners over the use of all-terrain vehicles—or ATV's for access for subsistence purposes in Gates of the Arctic National Park and Preserve.

The residents of Anaktuvuk Pass and the National Park Service have had a long-standing dispute over the use by village residents, of certain ATV's for subsistence purposes on national park and wilderness lands adjacent to the village. In an effort to resolve this conflict, Arctic Slope Regional Corp.—the regional corporation established by the Inupiat Eskimo people of Alaska's North Slope under the provisions of the Alaska Native Claims Settlement Act [ANCSA], Nunamut Corp.—the Anaktuvuk Pass ANCSA Village Corp.—the city of Anaktuvuk Pass and the National Park Service have entered into an innovative agreement both guaranteeing dispersed ATV access on specific tracts of park land and limiting development of Native land in the area. The agreement will limit the types of ATV's allowed and will also lead to enhanced recreational opportunities by improving public access across Native lands.

The village of Anaktuvuk Pass is located on the North Slope of Alaska in the remote Brooks Mountain Range, completely within the boundary of and surrounded by the Gates of the Arctic National Park and Preserve. Village residents have long relied upon the use of ATV's for summer access to subsistence resources, primarily caribou, on certain of these nearby park, and park wilderness lands. As there are no rivers near the community for motorboat access to park lands, ATV's provide the primary means by which to reach and transport game in the summer. The only alternative to ATV use is to walk which is not feasible in these remote areas. Snowmobiles are the primary mode of transportation for subsistence activities in the winter.

With the passage of the Alaska National Interest Lands Conservation Act [ANILCA] in 1980, Congress expressly reserved the rights of rural Alaska residents to continued, reasonable access to subsistence resources on public lands, by providing in section 811(a) of that act, "rural residents engaged in subsistence

uses shall have reasonable access to subsistence resources on public lands." Section 811(b) of ANILCA provides further that "the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation." The National Park Service and the Native landowners disagree about whether ATV's are other means of surface transportation traditionally employed for subsistence purposes in Gates of the Arctic National Park and Preserve. But there is no dispute that ATV's are necessary for the summertime subsistence activities of the residents of Anaktuvuk Pass.

Following several years of discussions, the Native landowners and the National Park Service have reached an agreement which will finally resolve the ATV controversy on the public lands surrounding Anaktuvuk Pass. In April 1992, the Park Service issued a final legislative environmental impact statement embracing the proposed agreement, and in November 1992, the Secretary of the Interior endorsed the agreement in a Record of Decision. The parties executed the agreement on December 17, 1992.

The parties have since executed two technical amendments to the original agreement.

The agreement involves an exchange of land and interests in lands between the Native landowners and the Park Service. Specifically, the Federal Government will convey in fee approximately 30,642 acres of park land to Arctic Slope Regional Corp. and Nunamuit Corp. On the Federal land conveyed to the Native corporations, the National Park Service will reserve surface and subsurface access and development rights as well as broad public access easements. In addition, certain non-wilderness areas of federally owned park land will be opened to dispersed ATV use. In return, the Native landowners will convey to the Federal Government approximately 38,840 acres in fee for inclusion in both the national park and national wilderness systems. Native landowners will also convey to the Park Service additional surface and subsurface development rights on 86,307 acres as well as a series of conservation, scenic, and public access easements on other Native-owned lands within the boundaries of Gates of the Arctic National Park and Preserve. Finally, the city of Anaktuvuk Pass will convey a city lot to the National Park Service for administrative purposes.

Congressional ratification of this agreement will be required in order to remove 73,993 acres of Federal land from the National Wilderness Preservation System, as well as to designate approximately 56,825 acres of other park and presently Native-owned lands as new national wilderness. If ratified by Congress, the agreement will expressly authorize dispersed ATV use on certain lands within the park boundary. Without congressional approval, the agreement will become null and void, and none of the conveyances or creation of easements proposed by the agreement will occur.

It is intended that this agreement will resolve the longstanding dispute over subsistence use of ATV's only on public lands in and around Anaktuvuk Pass. It is important to note that neither this agreement nor the accompanying Federal legislation will diminish, or

otherwise affect in any way, anyone's rights and privileges to access public lands in Alaska for subsistence purposes. This agreement does not conform or deny that ATV access to public lands for subsistence use is a statutorily protected traditional access right under ANILCA, and consequently, this agreement does not purport to resolve this issue.

As discussed previously, this legislation would remove 73,993 acres of wilderness from the park and designate 56,825 acres of new wilderness. Consistent with agreements reached during the 103d session, 13,168 acres of wilderness will be designated along the Nigu River, adjacent to the park, hence, a no-net-loss, no-net-gain of wilderness in the area.

#### BALANCED BUDGET AMENDMENT AND LINE-ITEM VETO

#### HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 4, 1995*

Mr. EMERSON. Mr. Speaker, I am introducing two bills today to amend the Constitution to provide some budgetary common sense—one will require a balanced Federal budget; the other will provide line-item veto power for the President.

I have long been a staunch supporter of a balanced budget amendment to the Constitution. I have cosponsored the balanced budget amendment since I came to Congress, but until recently, the amendment was blocked by its opponents.

In 1992, the balanced budget amendment fell just nine votes short of the two-thirds majority needed for passage. In the 103d Congress, I was disappointed to see that both the House and the Senate rejected the balanced budget amendment. Some Members of the Congress continue to oppose the balanced budget amendment, claiming that Congress needs fiscal discipline now instead of in the future. I agree with part of that statement wholeheartedly: Congress does need fiscal discipline now. It should be obvious to all, however, that with deficits for 30 of the last 31 years, Congress simply has not had that discipline.

I will continue to push for passage of the balanced budget amendment. A constitutional amendment is no substitute for direct action on the part of Congress. However, we have seen time and time again that Congress does not have the ability to provide that action, and we need this enforcement mechanism. While I share individuals' concerns about social security and other vital programs, I believe Congress needs this fiscal tool to ensure budget discipline. It is time to just say no—and mean it—to the tax-and-spend policies that have gotten the Federal Government into this mess to begin with.

My rationale for introducing a line-item veto resolution is similar. As long as Congress continues to send the President jam-packed, all-encompassing spending bills, the President must often choose between signing unnecessary spending into law on one hand and shutting down the Federal Government on the other. A General Accounting Office [GAO] report estimated that if the President had line-item veto authority from 1984 through 1989,

the savings would have ranged anywhere from \$7 billion to \$17 billion per year.

In the 103d Congress, the House passed an expedited rescission bill which would force an up-or-down vote on a presidential rescissions package. I voted for this bill—it's a far cry from the true line-item veto, but it is a step in the right direction. We need to encourage fiscal responsibility in the Congress.

I urge support and passage of both of these important fiscal accountability bills early in the 104th Congress. The time is right for this legislation to finally come to fruition.

#### LIMIT CONGRESSIONAL TERMS

#### HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 4, 1995*

Mr. STUMP. Mr. Speaker, last November, citizens across the country sent a strong message to the Congress that they will no longer tolerate business-as-usual on Capitol Hill. This resulted in a new Congress that has already begun to demonstrate that it will deliver the reforms Americans have asked for and justly deserve. I am proud to be a part of this new, reform-minded body.

One of the reforms that is foremost on the minds of Americans is congressional term limits. They are tired, and rightly so, of career politicians who are more concerned with their reelection campaigns than advancing a legislative agenda that is in the Nation's best interests.

Under the current system of unlimited 2-year terms, no sooner are lawmakers elected to office before they are gearing up for the next campaign. This is no way to promote good government, and only contributes to the malfunctioning legislative process. Moreover, it is fiscally unsound. There is compelling evidence that the longer Congressmen stay in Washington, the more likely they are to support big spending programs, regardless of the public desire for budget cuts.

In an effort to reverse this damaging trend, I am today introducing a resolution proposing that our Constitution be amended to limit Members of Congress to three 4-year terms. Under the system of limited terms I am offering, we would have a body of noncareer legislators who know that their stay in Washington is temporary. They would not be constantly dogged by reelection concerns and would be able to devote more time and attention to their legislative responsibilities and make the tough budget-cutting decisions that are desperately needed. This would go a long way toward restoring integrity and fiscal responsibility to the Congress.

Mr. Speaker, when the Constitution was drafted, the Framers did not contemplate people making a career of politics, and history shows that they anticipated a good deal of turnover in Congress. I, therefore, urge my colleagues to join me in this effort to return the House to the body of citizen legislators that our Founding Fathers envisioned.