

At this very time, the country needs legislation that has positive consequences with respect to the long-term health of our Republic.

In that regard, I would like to explain my bills. The first bill deals with the handling of ethical complaints filed against Federal judges. The complaint process currently works like this: The ethical complaint is made in writing to the circuit court clerk, and this complaint is accompanied by a brief statement of the facts behind the complaint. Alternatively, the chief justice of the circuit may also initiate a complaint if he is aware of a set of facts that warrant review.

The clerk gives the complaint to the chief judge of the circuit, and this chief judge reviews the complaint and enters a dismissal or refers it to a special committee of judges from within that same circuit. In other words, the complaint is completely adjudicated within the circuit of the judge subject to that particular complaint.

While most of the complaints filed against Federal judges are frivolous, the process itself, the procedure, should not give the appearance of a lack of impartiality or lack of fairness, or an appearance of possible bias, or at worst, a possible biased review. That is, these complaints against a judge are now reviewed by his close colleagues. They all serve together in the same circuit, some in the same district. They work together professionally, they meet at conferences, and interact on a personal and social basis.

Human nature leads to the likelihood of a less than dispassionate review in this type of situation. The situation at a minimum presents an appearance of partiality. Couple that appearance with the loss of public confidence in our Government institutions that we are seeing, and we have a crisis in the making.

The bill I am introducing will remedy this situation whereby judges within the same circuit review ethical complaints filed against one of their fellow judges. My intent is to introduce a greater degree of impartiality and fairness to this process. My legislation will have the clerk of the circuit in which a complaint originates automatically forward that complaint to another circuit for adjudication.

This legislation builds on the current complaint review process. It calls for the creation of a method by which complaints received against judges and magistrates within one circuit are sent to another circuit for review.

The second bill pertains to the amount paid to lawyers and lawyers' fees and expenses that a Federal judge may award in a capital case, a Federal death case, if you will. Currently title 18, United States Code allows compensation at a rate of \$60 per hour for court time and \$40 for out-of-court time to be paid to lawyers that are appointed to handle Federal criminal cases. These are standard fees. I note that title 18 provides a means for rais-

ing compensation levels to a higher limit than what I have just described. This process has not been used yet.

In capital cases, again death penalty cases, judges may go outside this range of \$40 to \$60 per hour and set even higher rates, at their complete discretion. Under our code, if it involves a death penalty case, the Federal judges can set this compensation to be whatever they deem is reasonably necessary. In other words, again complete discretion on the part of that judge.

Now I understand the need to pay people for their time rendered, for their services given, but these payments that are made in these situations are being made at taxpayer expense. In certain habeas cases, certain death penalty cases in my home State of Tennessee, I am aware of a Federal judge awarding the lawyer fees of up to \$250 an hour. Not many Tennessee lawyers command \$250 an hour, much less a court-appointed lawyer in a criminal case.

My bill would set lawyers' compensation rates under title 21 in the recommended range of \$75 to \$125 across the Nation, and thereby stop the judges from awarding huge amounts, far in excess of the going rate in that particular marketplace. Furthermore, my legislation would require that these amounts paid in attorneys' fees and expenses would be publicly disclosed for all of us to see.

I hope that my colleagues can support these two bills. I think it is time we move toward restoring the public's confidence in the judiciary. We can move in that direction by implementing impartiality in the review of complaints filed against Federal judges, and by having reasonable attorneys' fees that are responsible to the taxpayer, who ultimately gets the bill.

#### MICA EXPRESSES OUTRAGE AT OUT-OF-CONTROL EPA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I come before the House this afternoon really in a sense of outrage about our out-of-control Environmental Protection Agency. We have heard EPA talking about how the new majority and Members of Congress on both sides of the aisle were going to gut their budget and hurt the environment and do away with any regulations. That, Mr. Speaker, is all bunk.

We have seen EPA use public resources in the past to continue their mission of misinformation of untruths and distortions. Today I received a copy of EPA Watch dated January 31, 1996. This, Mr. Speaker, really takes the cake. It says, "EPA Enlists PTA To Battle Congress Over Budget Cuts."

This story tells how the EPA's Office of Enforcement and Compliance has a memo dated January 19 that states that their staff, from no fewer than 11

offices, are working in this mission of lies and distortion and now trying to drag the children, parents and teachers of this Nation into this campaign against much-needed reform.

First of all, let me tell the parents and teachers and my colleagues that EPA was a Republican idea. It started in 1972. It was an idea to do a better job in cleaning up the environment. It was a Republican proposal to set some national standards and we have done that. We have begun to clean up. We have had 20 some years of experience and we have seen where mistakes have been made and we need to draw on that.

When President Clinton came into office in 1993, in January, and I quote from the New York Times, it said, "in January, mayors from 114 cities and 49 States opened a campaign by sending the President a letter urging the White House to focus on how environmental policymaking had, in their view, gone awry."

That is what started the debate. The cities, the counties, the special districts, the Governors, the State associations came to us and said, "Some of what you're doing, some of what you're imposing makes no sense, it's a great cost on us, and we pass it on to the taxpayer in higher, unwarranted costs in many cases." So they gave us the responsibility of trying to make some sense out of this.

Mr. Speaker, I served on the committee that conducted oversight of EPA from 1992-94. What I saw was a horror story and the children and the parents and teachers should know, not just the misinformation that they are being fed by this compliance office to lobby Congress for more money but they should know what is really going on.

Let me cite, for example, a memo dated March 31, 1993, from the inspector general for audit of that agency. He is talking about the Environmental Research Laboratory, one of the operations of EPA. He said for over a period of up to 7 years the audit concluded that ERLA management had avoided or circumvented laws, regulations, and agency procedures in the award and funding of certain contracts and had misused or abused the use of contracts, and it goes on and on and on about the misuse.

Mr. Speaker, this is how taxpayer dollars are being expanded. When I served on the committee, we looked at Superfund, a multibillion-dollar project that was to clean up the hazardous waste sites. What we found in this report from GAO in 1994 said although one of EPA's key policy objectives is to address the worst sites first, relative risk plays little role in the agency's determination of priorities.

This study by GAO finds in fact that they choose cleanup sites on the basis of political pressure, not the risk to children and safety. That is something our American children, our teachers, and the Congress should know.

What about polluters? Do polluters pay? Not with EPA. They let them off

the hook. Look at this headline, "EPA Lets Polluters Off the Hook," \$4.8 billion in noncollected funds.

Mr. Speaker, I have just about had it with EPA. I am calling on the Speaker, and I am calling on Chairman MCINTOSH of the oversight committee to conduct an investigation of what they are doing. Rather than going out and enforcing environmental laws, they are using taxpayer funds to start a campaign against Congress, and this action must stop.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. FUNDERBURK] is recognized for 5 minutes.

[Mr. FUNDERBURK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. HUNTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

[Mr. FOX of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### ECONOMIC SECURITY IS A BIPARTISAN ISSUE

THE SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, many of us have had an opportunity to visit more extensively over the last 2 or 3 weeks with our constituents at home. It is interesting, I rose just earlier this week to indicate really what has captured the minds and the emotions of many Americans as we have watched the Republican primary proceed before our very eyes. It is not that the debate is unique, it is that maybe it is being raised when all of us happen to be focused in that direction, for the questions dealing with economic security, the well-being of this country, have been troubling many of our constituents for a number of years.

And it is not a partisan issue. It is in fact a bipartisan issue, and it calls to question the quality of life that we expect as Americans. What it does is, it should pit us toward each other and not against each other. It involves the assessment of affirmative action as a valuable tool in which we can extend, to those who have not had an opportunity, an even playing field.

It calls into question the attack on the earned income tax credit which re-

wards working people, working people who in essence are poor, to continue to work and not to seek welfare and dependence for them and their children. The earned income tax credit that is under assault by this Congress and by this budget process in fact enhances opportunities and does not take away from opportunities in both urban and rural America.

It helps the more than blue collar worker, the hourly worker who has not had an opportunity to salt away dollars. By them working, they then get a credit back from the Federal Government which gives them a continuing incentive to continue to work. Why should we undermine that incentive for the working poor?

Then there has been a big debate on those who would want to raise the minimum wage and those who would not, merely over a dollar at this point that is being proposed, all of the rancor, that this would destroy small businesses or that this would eliminate jobs. Do we really understand who is working in some of these places where we used to think teenagers worked? Fast food places? They are individuals who are attempting to support their family, some of them with four and five children.

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I was told by a Member that he had a family in his district, many families, in fact, four members of the family, four children, excuse me, making a living on \$15,000. Now, you wonder how those people make it. I applaud them. I applaud them for working, for keeping their family together, for striking out on their own.

But if we are to uphold the quality of life for all America, then we must fight for the economic security of our citizens. We must go to corporate America and address the question that everything is not profit and dividend, although I respect those who have had the privileges of life and have invested. I want you to be successful. But we must also reinvest in the creation of jobs.

We have been told that the telecommunications bill that has just been passed will create 6 million jobs. Some of those jobs, most of them, will be very technical positions. We must ensure that the least Americans who have tried their best with the education that they have will, in fact, seek the appropriate opportunities for work. Corporate America must reinvest back into work. It is not that jobs are leaving this country. It is that we must take a stand to create jobs and create viable work that has us making items again as we built ships, as we built items in World War II. We must be manufacturers again, and we must create opportunities for those individuals who want to hold their families together.

As I stand before you, as well as I think of economic security and opportunity, I am challenged because this

month, March, is the month that we celebrate women, the historic contributions of women, when Susan B. Anthony began to talk about taking advantage of the political process and voting and standing up for what you believe in.

Well, this has not been a very good year for women, for we have found that women have become unequal both in the workplace but as well as far as constitutional and privilege and rights of privacy. For example, whatever your position is, how can you be equal with Medicare for women as opposed to men? So that women in the military would not be allowed to have abortions of their choice if paid for, so that the House banned coverage of most abortions by Federal employees health coverage, again intruding on the privacy right of women.

The House and Senate voted to prohibit the use of Federal funds to pay for abortions for Peace Corps volunteers, and so we go on and on with the onslaught and the attack on women in this Congress.

We also saw fit to provide bonus grants to States that reduce the number of abortions, not among children, and we are not talking about that question, but we are talking about adults, adult women who have the opportunity to make a choice.

One of the most egregious pieces of legislation is when a tragedy comes upon a family who desires a child and they are required to abort because of the threat of that mother. Partial abortion now has become illegal both on the physician and as well would challenge the mother to get proper medical care.

Mr. Speaker, I would say to you we need economic security for all Americans, and in respecting women, in saluting women, we need fairness for women in this legislative agenda.

#### OUT OF SIGHT BUT NOT FORGOTTEN

The SPEAKER pro tempore (Mr. LATOURETTE.) Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

Mr. MCINTOSH. Mr. Speaker, out of sight, out of mind.

There is a human tendency to forget those things or people that are not immediate to us. The media feeds this tendency—where stories of heroism or tragedy receive 30 seconds of air time on the evening news—and then they are forgotten.

Mr. Speaker, I rise to give my report from Indiana.

Today I commend the brave men and women serving the cause of peace in Bosnia—they may be out of sight, but they are not forgotten.

They are in Ruthie's and my prayers and in the daily prayers of the good people of Indiana's Second District, especially the school children.

Last December, right before Christmas Ruthie and I were fortunate