the word about the dangers of consuming alcohol during pregnancy.

It's obvious that we have not yet found an effective way to prevent women from consuming alcohol during pregnancy. In fact, recent studies have shown that the number of those born with fetal alcohol syndrome is actually on the rise. We have been given a challenge to our Nation's public health and we have so far failed to meet it.

As we begin to earnestly debate how to reform our health care system, it only makes sense that we work to eliminate health care problems in our country that can be completely prevented.

We must face these challenges and meet them head on. Eliminating these completely preventable problems will not only go a long ways toward improving our health care system, but also the lives of our people.

MACBRIDE PRINCIPLES BILL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. GILMAN. Mr. Speaker, today I rise to introduce the Federal MacBride Principles bill. I am pleased once again to be joined by my distinguished colleague and Ad Hoc Committee for Irish Affairs co-chair, Mr. MANTON of New York, as an original cosponsor of this important bipartisan antidiscrimination measure dealing with employment practices in Northern Ireland.

Fair employment for Catholics in Northern Ireland is an issue that has for many years concerned me, as well as millions of Irish here in America, and all around the globe.

I was very pleased in the 104th Congress to not only hold congressional hearings on this subject matter, but to also lead the effort for the first ever congressional passage of the MacBride Fair Employment Principles as part of our United States taxpayer contribution to the International Fund for Ireland [IFI].

This bill, which we introduce today, incorporates all of the minor changes we made in the MacBride Principles, i.e., principles of economic justice as defined and passed by the last Congress as part of the U.S. contribution to the IFI in the foreign aid bill I referenced earlier. The MacBride Principles have not been changed in any substantive way.

We must treat equally those who would receive any United States foreign assistance, the very same as we do United States employers doing business in Northern Ireland. The changes made in the Federal MacBride bill I am introducing today governing these United States employers doing business there, will also serve to make our approach to both recipients of foreign aid and United States employers doing business in Northern Ireland, totally consistent, and identical, as well.

Our bill would prohibit all United States companies in Northern Ireland from exporting their products back to the United States, unless they are in compliance with these simply straightforward MacBride Principles intended to deal with, and help promote economic justice in the north of Ireland. These principles serve as a set of guidelines for fair employment by establishing a code of corporate conduct, which explicitly does not require quotas, or any form of reverse discrimination.

The MacBride Principles campaign has been the most effective and meaningful effort by Irish America, and their many allies around the world, against the systemic and longstanding anti-Catholic discrimination in employment practices in Northern Ireland. I have been pleased to work with the Irish National Caucus, and AOH, and other outstanding Irish-American groups, and the American labor movement, in this very important cause.

The MacBride effort has played a vital role in keeping the issue of anti-Catholic discrimination in Northern Ireland visible and in the public eye, including as part of any United States foreign assistance to Northern Ireland. The initial campaign was instrumental in bringing about the British Government's Fair Employment Act of 1989.

Much more still needs to be done to address a serious and continuing problem in Northern Ireland, where Catholics are still twice as likely to be unemployed as that of their Protestant counterparts. This is unfair and must change if lasting peace and justice are ever to take hold in Northern Ireland.

The bill we are introducing today will help bring about much needed additional change, at least as to employment practices of the many United States firms doing business in the north of Ireland today.

The MacBride Principles have the support of many in the Irish Government, the European Parliament, and both major political parties here in the United States we are also pleased to see this same support for MacBride included for the first time ever in both major political party platforms this past presidential election year here in the United States.

Mr. Clinton as a candidate pledged during the 1992 Presidential campaign that he would support the MacBride Principles. However, during the 104th Congress he forgot that pledge while his administration fought from the outset my efforts at inclusion of the MacBride Principles are part of the U.S. contribution to the IFI in the foreign aid bill.

The President says he continues to support the MacBride Principles. These principles have been passed into law in 16 States, including our own State of New York. Many American cities and towns have also passed laws or resolutions on the principles. Indeed, the U.S. Congress allowed the principles to become law for the District of Columbia on March 16, 1993; and we passed them last year as part of the foreign aid authorization bill, but regret some we were not able to overcome the President's veto of this bill, and make them law.

The President after his veto of the foreign aid bill during the 104th Congress, ordered his U.S. Agency for International Development Administrator Brian Atwood, and our U.S. observer to to the IFI to work to ensure that the IFI complied as least as to the U.S. contribution, with our provisions included as part of the foreign aid bill (H.R. 1561). His move represented some progress, but we must do more, and codify these principles into law. We would welcome the President's support for these efforts.

We must be all we can to help address and bring focus to hear on the twin problems of unemployment and discrimination, especially in the Catholic community in Northern Ireland. The U.S. can help pay a important role in the chances for lasting peace and justice in Northern Ireland by working to ensure that Northern Ireland had shared economic development and provides for economic justice among both traditions.

Only then can peace and justice take firm and lasting hold in Northern Ireland. The Macbride Principles provide a vital tool to help ensure that the United States neither accepts nor in any way helps maintain the totally unacceptable status quo of twice the level of Catholic unemployment as that of the other tradition which still exists in Northern Ireland today.

Accordingly, I urge all my colleagues concerned about lasting peace and justice in Northern Ireland to support this bill we are introducing today.

INTRODUCTION OF INDEPENDENT COUNSEL LAW REFORM

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. CONYERS. Mr. Speaker, today I am introducing a new bill that will amend the independent counsel law to reform many of the current law's clear blemishes.

Although this bill is not intended to embarrass or target the Whitewater independent counsel Ken Starr, the need for serious revisions to the independent counsel law has become clear to me after observing the abuses taking place in the Whitewater case. Whatever your view of Whitewater, you may be surprised to learn that the investigation of Whitewater has already cost more money and involved more FBI agents than the investigation of the World Trade Center bombing.

No matter how serious you think Whitewater may be, there is absolutely no comparison between a land deal that occurred over 17 years ago and a terrorist conspiracy to blow up a major American landmark and office building, killing many people, injuring scores of others, reeking havoc and mayhem on the entire city of New York, and causing millions of dollars in damages.

The office of the independent counsel has run amok. It is time that we stopped allowing independent counsels to run off on their own with no accountability to run up bills running into the millions of dollars with little to no benefit for the American people.

The prosecution of Whitewater has also brought up many ethical matters—beginning with the initial appointment process. My bill will require all ex parte communications relating to the appointment of an independent counsel by the judges who appoint the counsel to be memorialized.

The appointment of Ken Star has also flagged several other ethical issues that should be considered before the appointment of any future counsels.

Are lawyers who have previously represented people with interests adverse to the target of the investigation truly able to be independent? Ken Starr represented Paula Jones, the woman who is suing the President for sexual harassment, and the Bradley Foundation, a conservative organization known for its vitriolic coverage of Whitewater. Such prior representation raises, to my mind, at the very least, the appearance of a conflict.

In addition, while pursuing the Whitewater matter, Judge Starr has remained affiliated

with the law firm of Kirkland & Ellis where he pulls down over a million dollars a year. Do we want an independent counsel who will investigate the matter and do his or her job as quickly as possible without distractions or do we want someone who fits the investigation in around other commitments so as not to diminish his high salary?

Mr. Starr's continued affiliation with his firm raises other troubling ethical questions—should an independent counsel be in the position of questioning individuals who are in turn questioning his own law firm about their prior activities—in this case the Resolution Trust Corporation?

It seems to me that the special court should at least consider such conflicts when appointing an independent counsel and my bill will require the court to consider such issues.

As important as these ethical questions are, an even greater problem is that these questions distract us from the main issue—the Whitewater investigation itself. In recent months you have not been able to read a single article about Whitewater before bumping into a discussion of Ken Starr's ethical jungle. Because the office of the independent counsel is so important and so high profile, those appointed to the position should not have even the appearance of conflicts.

My bill would require a court appointing an independent counsel to look at the potential counsel's past and present conflicts and to consider whether the counsel should work on the investigation full time.

I also want to note my grave disappointment over the politicization of efforts to revise the independent counsel law.

Last February, the Crime Subcommittee held a hearing on this matter and there appeared to be widespread bipartisan agreement that the statute is in need of revisions.

I hope that Chairman HYDE will consider this bill, and in the spirit of bipartisanship that was exhibited during the independent counsel hearing, schedule a markup as quickly as possible.

CONYERS' INDEPENDENT COUNSEL LAW—SECTION BY SECTION

SECTION 1. SHORT TITLE.

The title of the bill is the ''Independent Counsel Accountability and Reform Act of 1997.''

SEC. 2. EXTENSION.

This section reauthorizes the Independent Counsel Act.

SEC. 3. APPOINTMENT AUTHORITY.

This section requires at least one member of the division of the court appointing an independent counsel to have been named to the Federal bench by a President of a different political party than the other two members of the court.

This section gives the District Court for the District of Columbia jurisdiction over the special division.

This section provides that the members of the special division shall be bound by the Judicial Code of Conduct. It authorizes the judges appointing an independent counsel to seek comments about potential nominees, but requires them to memorialize, not the substance, but the fact of those communications.

This section requires the special division to consider whether: (1) a potential independent counsel has any conflicts of interest; (2) will devote him or her self to the investigation full time; and (3) the potential counsel has prosecutorial experience.

SEC. 4. BASIS FOR PRELIMINARY INVESTIGATION.

This section requires the Attorney General to conduct a preliminary investigation whenever she has received specific information from a credible source that an individual subject to the Independent Counsel Law has committed any federal felony or any federal misdemeanor for which there is an established pattern of prosecution.

SEC. 5. SUBPOENA POWER.

This section gives the Attorney General the power to issue subpoenas duces tecum when conducting a preliminary investigation.

SEC. 6. LEVEL OF EVIDENCE.

This section allows the Attorney General to determine that there is no basis for an investigation to continue if, by a preponderance of the evidence, she determines that the subject of the investigation lacked the requisite state of mind.

SEC. 7. PROSECUTORIAL JURISDICTION OF INDEPENDENT COUNSEL.

This section limits the scope of the independent counsel's investigation to those matters for which the Attorney General has requested the appointment of the counsel and matters directly related to such criminal violations, including perjury, obstruction of justice, destruction of the evidence, and intimidation of witnesses.

SEC. 8. CONSULTATION WITH THE DEPARTMENT OF JUSTICE.

This section allows an independent counsel to consult with the Department of Justice regarding the policies and practices of the Department is such consultation would not compromise the counsel's independence.

SEC. 9. AUTHORITIES AND DUTIES OF INDEPENDENT COUNSEL.

This section requires the independent counsel to comply with the Department of Justice's policies for handling the release of information relating to criminal proceedings.

This section requires the independent counsel to petition the court, after 2 years, for funding to continue the investigation. This section also requires the periodic reports filed by the independent counsel to include information justifying the office's expenditures.

SEC. 10. REMOVAL, TERMINATION AND PERIODIC REAPPOINTMENT OF INDEPENDENT COUNSEL.

This section adds the subject of the investigation to the list of those who can seek the termination of the independent counsel on the ground that the investigation has been completed or that it would be appropriate for the Department of Justice to complete the investigation or conduct any prosecution.

This section requires the independent counsel to petition the court for reappointment every 2 years and allows the court to appoint a new counsel if the court finds that appointed counsel is no longer the appropriate person to carry out the investigation.

SEC. 11. JOB PROTECTIONS FOR INDIVIDUALS UNDER INVESTIGATION.

This section protects individuals whose positions are not excepted from the competitive service on the basis of confidential, policy-determining, policymaking, or policy advocating character from being terminated for the sole reason that the person is the subject of an independent counsel investigation.

PROTECT CALIFORNIA'S COASTLINE WITH A MORATORIUM ON OIL AND GAS DEVELOPMENT

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce legislation to extend the moratorium on oil and gas development in the Outer Continental Shelf [OCS] off the coast of California. This legislation is similar to H.R. 219 from the 104th Congress.

Californians strongly favor continuing this moratorium. The State of California has enacted a permanent ban on all new offshore oil development in State coastal waters. In addition, California Gov. Pete Wilson and State and local community leaders up and down California's coast have endorsed the continuation of this moratorium.

I believe that the environmental sensitivities along the entire California coastline make the region an inappropriate place to drill for oil using current technology. A 1989 National Academy of Sciences [NAS] study confirmed that new exploration and drilling on existing leases and on undeveloped leases in the same area would be detrimental to the environment. Cultivation of oil and gas off the coast of California could have a negative impact on California's $27 billion-a-year tourism and fishing industries.

This legislation focuses on the entire State of California, and would prohibit the sale of new offshore leases in the southern California, central California, and northern California planning areas through the year 2007. New exploration and drilling on existing active leases and on undeveloped leases in the same areas would be prohibited until the environmental concerns raised by the 1989 National Academy of Sciences study are addressed, resolved, and approved by an independent peer review. This measure ensures that there will be no drilling or exploration along the California coast unless the most knowledgeable scientists inform us that it is absolutely safe to do so.

I am proud to be working to protect the beaches, tourism, and the will of the people of California. I ask my colleagues to join me in cosponsoring this legislation.

A BEACON-OF-HOPE FOR ALL AMERICANS: EDENA C. GILL

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. OWENS. Mr. Speaker, with the 1996 election behind us, this nation has completed another cycle for the ongoing democratic process which makes America great. The electoral process and the public officials selected through this process are invaluable assets in our quest to promote the general welfare and to guarantee the right of life, liberty and the pursuit of happiness. It is important, however, Mr. Speaker, that we also give due recognition to the equally valuable contribution of nonelected leaders throughout our nation. The fabric of our society in generally enhanced