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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

April 9, 1997.

I hereby designate the Honorable GIL GUTKNECHT to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

PRAYER

The Reverend Dr. Jerry L. Spencer, Ridgecrest Baptist Church, Dothan, AL, offered the following prayer:

Our kind and all powerful God, Thou Who are art sovereign over Thine own created universe, we thank You for being available to us and to every person in the vast human family.

We greet You this morning with great anticipation for Thy brilliant presence. In humility and awe we come before You with confidence in Your love for us and Your never-ending desire to meet us at the point of our daily needs. We pray specifically for each Representative, their family, and their staff.

Great God, because we are always learning and becoming, would You please convict us when we fail ethically or morally or spiritually. Grant us repentance, and give us wisdom and discernment and courage.

We thank You for the challenges and the opportunities of this new day. We receive this day as a personal gift from You. You not only made this day for us but You made us for this day. This is the first day of the rest of our life. It could be the last day of our life. So, God, make it the best day of our life.

Hallelujah, the Lord God omnipotent reigneth. Let us rejoice and be glad as we assume our responsibilities and diligently discharge our duties.

Praise the Messiah, Thy beloved Son, the Lord Jesus Christ. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina [Mr. JONES] come forward and lead the House in the Pledge of Allegiance.

Mr. JONES 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

MESSAGE FROM THE SENATE

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

H.R. 412. An act to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

THE REVEREND DR. JERRY L. SPENCER

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

minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, I rise this morning to welcome to this body a good friend and distinguished clergyman from my congressional district. Dr. Jerry Spencer, pastor of Ridgecrest Baptist Church of Dothan, AL, is well known throughout the South for his dedication to God and for his active evangelism, which has taken him to such farflung places as Russia and India.

A native of Tennessee, a graduate of the University of Tennessee and the world's largest seminary, the Southwestern Baptist Theological Seminary in Fort Worth, TX, Dr. Spencer has pastored for the past 40 years while ministering in over 30 countries.

Dr. Spencer has recorded four albums, authored numerous books, and has penned articles appearing in many popular Christian periodicals. Furthermore, he is the past president of the National Conference of Southern Baptists and a current member of the executive board of the Southern Baptist Convention.

Since 1988, he has made Dothan, AL, his home, where he is a senior pastor of the nearly 3,000-member Ridgecrest Baptist Church, one of the South's fastest growing churches.

Mr. Speaker, it is my great honor to welcome my friend, Jerry Spencer, to the U.S. House of Representatives, and I join the entire House in thanking him for offering this morning's prayer for this esteemed body.

DO SOMETHING, CONGRESS

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

Mr. MCGOVERN. Mr. Speaker, at the beginning of this Congress we pledged to work together on issues that matter most to the American people. The Republican majority promised to work in

□ 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.



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a bipartisan way to improve the quality of life for working families everywhere.

Well, it is nearly 100 days later and what have the Republicans put forward? Have they tried to make college education more affordable? No, they have done nothing. Have they moved to guarantee health care for all children? No, they have done nothing. Have they tried to make pensions more portable and more secure? No, they have done nothing. Have they offered a plan for real campaign finance reform? No, Mr. Speaker, they have done nothing.

Democrats have a real agenda, and we have a message for the Republican leadership: Either lead, follow, or get out of the way.

Mr. Speaker, the 105th Congress does not have to be a do nothing Congress. Let us move forward on education and health care and pension security and real campaign finance reform. We can be the do something Congress, but we have got to start actually doing something, and we have got to start doing something today.

WE NEED A TAX SYSTEM WHICH IS FAIR AND SIMPLE

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

Mr. HEFLEY. Mr. Speaker, I have a problem, and my problem is I cannot decide which foolish, counterproductive, unfair tax I hate the most. I do not like the capital gains tax because it hurts economic growth and it kills job creation. I do not like the death tax because it takes one's life work, the fruit of a lifetime of labor and tells the grieving, "Pay up now, and if you can't afford to, I'm closing up the family business." I do not like business taxes because it takes the taxes twice, and like the capital gains tax, it means fewer jobs for the people who need them most.

But perhaps the most odious, offensive and outrageously unfair part of the Tax Code is the personal income tax. The burden is too heavy, the loopholes are too pervasive, and the complexity is simply overwhelming.

When we look at the set of volumes that compromise the Federal Tax Code, 36,000 pages at last count, we cannot help but think who designed this thing? It is time to get a grip, junk the Tax Code, start all over, cut tax rates and pass a tax system which is both simple and fair.

HOW DUMB CAN WE BE?

(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, America's building a new war machine that promises to be the mother of all mayhem, an awesome air force and navy and the greatest land army ever in world history. And America is

bankrolling this Goliath in China. That is right, in China, despite the fact that China is a brutal dictatorship that has already threatened to nuke their neighbors.

Now, Mr. Speaker, I say to the Congress, "If that's not enough to freeze dry your stir fry, check this out."

While China now sells Barbie and GI Joe to our kids, General Cho is stocking our assets.

Beam me up, Mr. Speaker. Hard-earned dollars by American workers building the next national security threat to the United States of America; how dumb can we be? How dumb?

The bottom line: Chinese toys today, but maybe just maybe a Chinese missile tomorrow. Think about it.

SUPPORT H.R. 15, THE MEDICARE PREVENTIVE BENEFITS IMPROVEMENT ACT

(Mr. BILIRAKIS asked and was given permission to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to urge my colleagues to support H.R. 15, the Medicare Preventive Benefits Improvement Act. This legislation will ensure that important, sometimes even lifesaving, preventive benefits will be covered by the Medicare program.

The debate over the future of health care is one of the most critical issues we face as we approach the next century. H.R. 15 helps to address this important matter by providing preventive health benefits to seniors. It guarantees Medicare coverage for some of the most critical preventive screening tests available. These tests include mammographies for women 50 and over, pap smears, colon cancer screening, prostate screening and diabetes self-management supplies.

As we move forward with budget negotiations we need to realize that there are issues that have bipartisan support. Many are included in H.R. 15, which currently has 79 cosponsors both Democrat and Republican.

Mr. Speaker, we must act now and pass this preventive health bill. It is good legislative policy and, most importantly, it will save lives.

CONGRESS IN PERMANENT STALL

(Ms. HOOLEY of Oregon asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY of Oregon. Mr. Speaker, we are very frustrated by the slow start of this Congress. Even though we are about to pass the 100-day marker, this Congress is still stuck at the starting gate. To date we have only taken 60 votes compared to 2 years ago where we took 302 votes.

I would like to think that this Congress is sort of like an old car that is just taking a little while to get warmed up, but the troubling thing about this session is we seem to be in a permanent stall. We are not working

on issues that matter to American families now, and there is no plan to work on them in the future.

The real tragedy is that these are issues both Democrats, Republicans and the Americans would like to work on, issues like reforming campaign finance, balancing our budget and improving our schools. We are not just working on them now, but they are not scheduled for the future.

Mr. Speaker, it is time for this Congress to abandon the "who cares" legislative agenda that has dominated the first 100 days of this Congress and get to work on the issues that really matter to the American people.

JUDGES ABUSING THEIR POWER

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, there has been a lot of talk lately about Federal judges abusing their power. Federal judges have been ignoring the will of the people by overturning elections and legislating from the bench.

Judge Thelton Henderson did just that last year when he disregarded the will of 5 million California voters. He issued an injunction prohibiting the enactment of California's Proposition 209, which passed with 54 percent of the vote in November of 1994. Yesterday a 3-judge appeals panel voted 3-0 to overturn Henderson's ruling and allow the enactment of Proposition 209.

The panel said, and I quote, "A system which permits one judge to block with the stroke of a pen what over four million State residents voted to enact as law tests the integrity of our constitutional democracy."

I agree and applaud an all-America panel, 3-judge panel, for having the integrity to remind colleagues that they are there to interpret the law and not create it.

WHERE IS THE LEADERSHIP?

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

Mr. LEWIS of Georgia. Mr. Speaker, 4 years ago the Democrats were doing the heavy lifting to help hard-working families. The Family and Medical Leave Act, to help working parents, was law by February. The Motor-Voter Act, to bring more Americans into the democratic process, was law by May.

But now what are we doing? Nothing. We are not meeting, we are not working, we are not voting.

There is no excuse. There is work to be done. Too many of our young people cannot afford a college education. Too many children are dropping out of school. Ten million kids have no health insurance. In fact, while this Congress has done nothing, more than 300,000 children lost their health insurance.