

But to have to contend with a lot of the stuff that we saw, some people tried to sell the American people last campaign in order to create class warfare and generational, and that is what we are talking about, generational warfare here, turning grandparents against grandchildren. It does not work.

I think that was one of the lessons in the 1996 campaign. I think the White House learned it, we learned it, the folks on the other side of the aisle learned it, that when we stop that stuff and actually negotiate for the common good of the American people, we can make progress. That is what this budget agreement represents.

That is why I am happy to join with my good friend from Indiana today to talk about this. I am not going to use the term "historic," but I am going to use the term "important budget agreement," and I leave the last word to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Speaker, a lot of people have asked me the question, where do we go from here, what happens next? I would like to mention one thing that I think is critical in this, and that is, as we look at these tax cuts, and I have been a strong advocate of these tax cut provisions in the Contract With America from the very first day, they are not everything that we would want.

The gentleman from Maryland [Mr. EHRLICH] mentioned we would like to go to a zero capital gains tax on investment and savings. One other issue that I want to just mention because I think it is important, and I have gotten assurance from the Speaker and the gentleman from Texas [Mr. ARCHER], we will bring another tax bill forward in this Congress. One issue that I am going to really beg that we put on the table because I think it is so important for American families is the marriage penalty in our Tax Code.

One of our classmates, the gentleman from Illinois [Mr. WELLER] sits on the Committee on Ways and Means. He told me today he is going to make abolition of that marriage tax one of his top priorities on that committee. But I wanted to share with the gentleman a letter that I got, and I have talked on this floor before about this letter. It moved me and it is something that I will never forget in my career here in Congress. It is a letter from Sharon Mallory and Darryl Pierce.

"Dear Representative McIntosh, my boyfriend Darryl Pierce and I would very much like to get married." Sharon goes on to explain she works for about \$8 an hour at the Ford electronics plant in Connersville, IN, and then she says, "I can't tell you how disgusted we both are over this tax issue. If we get married, not only would I forfeit my \$900 refund check, we would be writing a check to the IRS for \$2,800 in taxes. This amount was figured for us by an accountant at the local H and R Block office in New Castle."

She then says, "Now there is nothing right about this. After we continually

hear the government preach to us about family values. I don't understand how the Government can ask such questions as single? Married? Dependents? Darryl and I would very much like to be married and I must say it broke our hearts when we found out we can't afford it. We hope someday the Government will allow us to get married by not penalizing us."

I wanted to share with folks today at home a picture of Sharon and Darryl, because they are the American people who will not benefit as much from this tax cut because they are not yet married, they do not have children.

□ 1815

So our next tax cut has to help them overcome that marriage penalty so that we can strengthen families in this country and they can have their fondest dream of once finally becoming a couple come true.

So our work is still ahead of us, but today is a day to celebrate because this is a very, very important tax bill for the American people, and I thank the gentleman from Maryland for allowing me to participate in this time with him. It is very important that we get this message out.

Mr. EHRLICH. The bottom line is, my friend, when you empower families, when you return money to people, when you stop the ability of government to always, always, always grow, you hardly ever go wrong, and that is the bottom line to this package. I thank my friend from Indiana, Mr. MCINTOSH.

HOUSE LEADERSHIP QUESTIONED IN CONGRESSIONAL ELECTION INVESTIGATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from New York [Ms. VELÁZQUEZ] is recognized for 60 minutes as the designee of the minority leader.

Ms. VELÁZQUEZ. Mr. Speaker, there is an unprecedented attack currently under way in this Congress. Right now Republicans are engaging in a war on women, on Hispanics and on the gentlewoman from California [Ms. SANCHEZ].

Last November the gentlewoman from California [Ms. SANCHEZ] was elected to the House of Representatives for the 46th District of California, fair and square. The loser, Bob Dornan and the Republicans, have refused to concede defeat. The story about how far they will go to defeat this woman, Hispanic Member of Congress, is shameful. After 9 months and after spending \$300,000 of the taxpayers money, they still have not given up. They have issued subpoenas at Bob Dornan's request, they have forced the gentlewoman from California [Ms. SANCHEZ] to prove that the people who voted for her had the right to vote.

Mr. Speaker, this is not only unprecedented, it is wrong. The burden of proof is on the loser. The Washington

Post agrees. Yesterday they said that the burden of proof falls on the plaintiff, in this case Bob Dornan. The Post takes it further. They said that there is no credible evidence to change the outcome of this race. The message is clear: admit defeat and give up.

That has not stopped the Republicans from harassing law abiding citizens though. They have subpoenaed INS records, and the result is that the INS offices has been spending all their time responding to the subpoenas and are unable to do their real work.

But that is not all. The Republicans have used this so-called investigation as a way of harassing their political enemies. They have harassed Catholic Charities, they have examined the records of 20,000 community college students, and they have admitted targeting unions that employed immigrant workers. This kind of behavior is just outrageous. The Republican leadership is using the Committee on House Oversight to try to throw out the election of a Member of Congress without being able to prove any wrongdoing.

Mr. Speaker, the gentlewoman from California [Ms. SANCHEZ] should be allowed to do what she does best, represent the people of the 46th district of California. Instead she has been forced to bear the burden of proof of her innocence. This is a total abuse of power by the Republicans.

This is not just a personal attack on the gentlewoman from California [Ms. SANCHEZ]. This is an attack on women, and it is a clear attack on Latinos. By using this opportunity to crosscheck voting records with records of the INS, the Republicans are trying to intimidate Hispanics and trying to keep them from voting.

Mr. Speaker, I have news for the Republicans. Hispanics are here to stay. They are a growing economic force, and, as the Republicans are finding out, they are a growing political force.

I will give the Republicans a bit of free advice: If they want to win elections, the best way to do it is to respond to the needs of the voters. Instead of trying to show that every Latino is an illegal and trying to deny them the right to vote, they should listen to what Latinos have to say. Instead of trying to intimidate women, they should listen to what they have to say.

Mr. Speaker, instead of learning their lesson when they lose an election, as most people do, the Republicans are using their power to distort the democratic process. Is that what the American people want? Is that what the democratic process is all about? I do not think so.

Now I will yield to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I am known here in the House as someone who is not a ranter and a raver, if I can use that phrase. I like to work whenever possible in a bipartisan manner to find common ground and to achieve

real progress for the American people. I think all of us were sent here to do this and to make a difference in that way.

But I find myself unable to remain silent any longer about the Sanchez race. You know, I am mindful that the investigation that has been going on has now consumed more time than the entire campaign and election did from filing to election date, and I think there is something wrong when an investigation that produces nothing continues throughout what looks to be a plan to consume the entire term of the person's office.

Now if there was any evidence of behavior that would affect the outcome, perhaps we could be more patient with this, but as the Washington Post has pointed out and as a matter of long-standing law as well as precedents of this House, the burden of proof is on the plaintiff in this case, and there is no credible evidence that has been brought forward that would lead any objective observer to the conclusion that the outcome of this election will be changed in any way through additional investigations.

As the gentlewoman from New York knows, I am a member of the House Committee on the Judiciary, and in that capacity I serve on the House Subcommittee on Immigration and Naturalization. I regret to report that the state of the records of the Immigration Service is so poor that the information being asked for frankly is not going to be able to be delivered in any kind of timely fashion. And by way of example, when the first request was made to the Immigration Service to match up names with INS records was delivered, 500,000 names came back, nearly, well, almost the entire population of a congressional district from all over the United States. Obviously this proves nothing. The numbers are now down to such a short percentage that there is no way the outcome could possibly be affected.

Now I have heard Members on the other side of the aisle stand here in this well and become highly enraged and distressed and upset at the concept that this investigation would be perceived as racist and would be perceived as sexist and would be perceived as partisan, and I believe that those individuals who spoke in that manner did so in good faith and honorably. But I am here to say that if you continue after today, you are warned that in fact it will be taken in that manner by people of good-faith, not only in California and Ms. SANCHEZ' district but throughout this country, because Sanchez is as American a name as Lofgren or Smith or Wong, and yet the only individuals being looked at are Americans with names like Velázquez and Sanchez.

And that is being taken very poorly in those sectors and, I think, rightfully so. We are not asking to see the naturalization papers of any Flahertys or Clintons, and I think that the voters and Americans in California have got it

about right as to the impact of this investigation.

I have come to know Congresswoman SANCHEZ as a very strong, forceful voice for ordinary working people in her district. I think it is important for the Republican Party to put this matter to one side to allow Congresswoman SANCHEZ to do her job, and we will have another election just next year. Candidates can run and voters can choose. That is the way to settle this at this point.

And I would just urge that Members in good faith, Members of this House who take their oath of office seriously, will step back, ditch the partisanship, let the gentlewoman from California [Ms. SANCHEZ] do her job.

Ms. VELÁZQUEZ. Does the gentlewoman know the demographics of LORETTA SANCHEZ' district?

Ms. LOFGREN. Yes, I do.

Ms. VELÁZQUEZ. And what type of message are we sending to the Hispanic community when the names that have been checked with the INS only are those of Hispanic Americans?

Ms. LOFGREN. Well, you know it reminds me, Congresswoman, of an incident that happened, and I have only been in this Congress now for 32 months, but I served in local government in California for a number of years, and several years ago the Republican Party in southern California hired guards and posted them around the polls but only in sections of town that were primarily Latino. And, in fact, the Republican Party was sued over that and the court found that it was discriminatory and the Republicans were fined.

Many people in California are likening this investigation to that more egregious, and, I would say, intentional, effort to try and discourage Americans who are of Hispanic descent from exercising their franchise, as every other American should do. It is certainly, I think, the wrong message for America, the wrong message for our children to see.

We are living in a country, fortunately, where what defines your Americanism is not where your parents or grandparents came from, it is not whether your name is Smith, Wong, or Sanchez, it is not the color of your skin. It is your belief in freedom, it is your belief in the ideals of this country that make you. It is your willingness to stand up for your country that make you an American in belief, and the separating out of Hispanic Americans I think is terribly wrong.

And I will make this prediction as well, that in the end Latino Americans in California have taken great offense at this, and I think are certainly registering to vote in much greater numbers than historically has been true, and I think what I am hearing from my constituents or Latinos is that they now understand in quite a different way which party is on their side, and I have recently heard that from other Americans whose parents immigrated

from places other than Europe, including friends in the Korean-American business community and others.

So I think in the end this will all be resolved, but for now I think it is important for us to step back. I have heard people say, well, in 1984 something happened that the Democrats did that was wrong. I was not here then. If the Democrats did something wrong, they should not have done it, but we should not do a bad thing. We should do what our oath of office requires us to do, what is right for America, what is right for this House and hold up our heads proudly.

Ms. VELÁZQUEZ. Now I yield to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Speaker, I am glad to comment for a minute and then yield here for a colloquy with my friends because I think why we are here tonight is to stand on the floor of the House of Representatives in defense of this institution and criticizing essentially the attack that has been made upon this institution.

□ 1830

It has been an attack on this institution, because it is an attack on a particular Member, the gentlewoman from California, Ms. LORETTA SANCHEZ, who got elected to this House. She was declared the vote winner by the Secretary of State of the State of California, entered this House, took the oath of office. And now there is a witch hunt to say that because she had a close election, she won by 984 votes, that therefore, and because her name is SANCHEZ, and because she lives in southern California, and because many people in southern California have Latino names, that people voted in that election who should not have voted.

Mr. Speaker, I think there are probably people in most elections in America who voted who should not have voted. There are illegal votes cast in this country. But to say that they were all cast in one congressional district is ridiculous.

The reason that I am so upset about it, if indeed Members want to go after close elections, the election of the gentlewoman from California, Ms. LORETTA SANCHEZ, ranked fifth. Listen to the names ahead of her: The gentleman from Pennsylvania, Mr. JON FOX, the gentleman from Massachusetts, Mr. JOHN TIERNEY, the gentleman from Washington, Mr. ADAM SMITH, the gentlewoman from Washington, Mrs. LINDA SMITH. All of those people, Members of this House, won by lesser votes than she did.

So, essentially, the gentleman from Pennsylvania, Mr. JON FOX, won by 84 votes. Did anybody challenge that election and say there were illegal voters in his election, or in the election of the gentleman from Massachusetts, Mr. JOHN TIERNEY? Did the Canadians come in and illegally vote in the election of the gentleman from Massachusetts, Mr. JOHN TIERNEY, or the gentleman

from Washington, Mr. ADAM SMITH, and the gentlewoman from Washington, Mrs. LINDA SMITH? How many Canadians are they challenging?

No, they are picking out one race, one congressional district in all of the United States, one that came in fifth from the bottom, and going after that. Why? Because of a very controversial former Member of this Congress who has decided ad hocly not to give up his title, but to use his color of title to go after the person who won. So I engage my colleagues in a colloquy about this, and certainly would ask the gentlewoman from Connecticut (Ms. DELAURO), for a comment on it as well.

Ms. DELAURO. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I just want to say, I think my colleague is right. My colleagues who have spoken are right. I think there is an important point. First of all, the point the gentleman brought out was that there are several people who had more narrowly determined races on whom nothing is being challenged. No list of ethnic names are being addressed and none are being requested.

I think what is important to note, and the gentleman talked about it, the gentlewoman from California (Ms. LORETTA SANCHEZ), was certified the winner of this election. It was by a Republican registrar of voters, and a Republican secretary of State.

That was after, which is even a second piece of this, which is because we had some other races that in fact were more narrowly defined, but there was a recount of every single ballot, and the gentlewoman from California (Ms. LORETTA SANCHEZ), was determined and certified the winner by 979 votes. So I think that is what the point is.

When we look at this issue, what we need to wonder about is is this a politically motivated attempt to steal an election? Is it, by virtue of the requests that have been made from the Immigration and Naturalization Service about the thousands and thousands of Hispanic names to be reviewed, is it anti-Hispanic? And third, given what we know, again, about the certification and other races that were not looked into, that the nature of the hearings, are they not in fact a waste of taxpayers' dollars?

Ms. LOFGREN. Mr. Speaker, if the gentlewoman will yield, does the gentlewoman from Connecticut happen to know the amount of money that has been spent on this investigation by the House so far?

Ms. DELAURO. I will be happy to tell my colleagues. First, we have spent 9 months at this effort and over \$300,000 in taxpayers' funds investigating this election.

Ms. LOFGREN. Does that include the cost incurred by the Immigration Service to comply with all these many requests that have yielded nothing?

Ms. DELAURO. It does not. As a matter of fact, in our Committee on Appro-

priations process, the gentleman from Maryland (Mr. HOYER), asked that the INS be reimbursed the money that they have had to put out to do this, and the answer came back from the committee as a no, that we would not reimburse them for doing that. So out of the INS budget there is that money, in addition to the \$300,000 that has already been spent.

Ms. ROYBAL-ALLARD. Mr. Speaker, if the gentlewoman will yield further, I just wanted to make one more point. Although the contested election is about the result of the 46th Congressional District, in which 93,000 people voted, Mr. Dornan and his Republican allies sanctioned the INS to pry into the records of all of 1.3 million Orange County voters. This means that the Republican-led Committee on House Oversight ordered the INS to go through the records of hundreds of thousands of people not associated with the results of this contested election. Most of these people could not have cast a vote either for or against the gentlewoman from California, Ms. LORETTA SANCHEZ, or Bob Dornan because they were not even living in that district.

So it is definitely unfair, it is unethical, and an invasion of privacy for these registered voters to be subjected to the antics and the subpoenas of this private citizen, Dornan.

Ms. DELAURO. Mr. Speaker, I think it is important to set the record straight here. Bob Dornan, a former Member of the House of Representatives, no longer a Member of this body, a private citizen, if you will, he has been given the power to subpoena. That is unheard of. It is unprecedented. He has used this authority to truly harass his political enemies, forcing them to spend thousands and thousands of dollars. That is a terrific point. I think it is important for people to know he has no standing and no jurisdiction as a Member of this body.

Mr. FARR of California. In the election next door, the gentleman from California, Mr. GEORGE BROWN, he won with 17 more votes than the gentlewoman from California, Ms. LORETTA SANCHEZ, 17 more votes; the same type of mix of ethnic populations. Is anyone going after the voters in his district and suggesting that that election was a fraud? No. This is absolutely the first time in the history of this country, in this House, when they have used the powers of the INS, the Immigration Service, to go back and question people how they became legal citizens.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the gentleman raised a very valid point. Let me just add my voice to my colleagues who are here tonight. I will be brief.

As a member of the Committee on the Judiciary, we have certainly been watching from a distance, because sub-

poenas are extremely sacred or a very special procedural tool for which one must document and provide safeguards. You cannot just randomly go out. It is amazing to us that we would have a subpoena process by a private citizen whom this House is allowing to proceed against a sitting Member of Congress, who is duly representing 550,000 citizens.

If we do nothing more than to ask this Republican Congress to cease and desist in allowing that sort of infraction of rights because we cannot find any basis, and as the gentlewoman from California said, utilizing the INS, I do not want to say in its innocence, but in its responsibility, misusing its responsibility.

I think it is appalling, I think it is outrageous, and I do think today as we stand here, on July 29, it is time now to say, end it forever and forever, to allow the gentlewoman from California, Ms. LORETTA SANCHEZ, who has been ably serving, to serve her constituents and not to be operating under a false cloud of taintedness that has been represented by someone who has simply lost their election.

Mr. MINGE. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Minnesota.

Mr. MINGE. Mr. Speaker, I represent an area in Minnesota that is quickly seeing the ethnic composition of the population change. It has been dramatic. I know that quite often there is a suspicion that if we have a new family in town, maybe it is not documented, maybe it has come into our country illegally, or an individual. There is also a suspicion as people move in and out of apartments, large numbers of people may be living under one roof or at the same address, and do we have illegal residents.

One thing that really struck me about this case in California was the fact that it went beyond just worrying about this, but apparently there are accusations that have been made that if people live at the same address, they must be registering fraudulently to vote.

I have learned that many of these people are, say, residents at a senior housing project; or in one case, it was nuns that were part of an order, a Catholic order, and it was suspected that the nuns were illegal residents; or that military personnel, somebody at the same address, because they were at an Air Force base or a naval base, were registered illegally.

I think it borders on paranoia, and I think it is unfortunate that a colleague of ours, whether it is a Republican or a Democrat, were to have to spend vast sums of money to answer allegations which really appear to be baseless and participate in a fishing expedition.

I really think it would behoove our body if there would be some way that this investigation could be promptly brought to an end, honorably, so really

the divisive characteristic of this investigation can be put behind us. Because we certainly have, as this week indicates, some very large issues to struggle through. The budget agreement that was negotiated last spring and the legislation which is now being drafted is where we ought to be focusing our attention. I think all of us should spend most of our time on this. This is just sort of a brief interlude where we have taken deep concern in one of our colleagues' situations.

Ms. LOFGREN. Mr. Speaker, I know the gentleman represents an area more in the interior of the country, but the gentleman and I are members of a very small group here in the House, the Scandinavian Caucus. As I think back in listening to the gentleman speak about his district, I am reminded of my own grandfather who was an immigrant, and he had his naturalization certificate and he hung it on the wall, he was so proud of it.

As the gentleman is talking about newcomers coming in, I do not recall ever a time when people of Scandinavian descent were hunted down to see if there was proof of their citizenship. Yet he was an immigrant, much more than many of the Latinos in California whose families have lived in California for generations, long before my family arrived.

I wonder whether in the gentleman's experience there has ever been these issues raised about what are the Scandihoovians doing there, and are they legit?

Mr. MINGE. Mr. Speaker, I think each wave of immigration has brought with it a certain resentment on the part of the folks who are already there against the newcomers. I think even Scandinavians, unfortunately, face some of that.

But I look back in reading Minnesota history with some interest to learn that ballot instructions in my State were once printed in nine languages, including three Scandinavian languages, as well as Spanish. This was at the turn of the century, about 100 years ago. So I think when we did have these large waves of immigration from Europe, we tried to somehow fit our voting and our citizenship process to be as inclusive as possible.

I think here we see sometimes what borders on xenophobia, and it is very unfortunate. Certainly none of us want to encourage illegal immigration, but I think folks who are in our country, who are legal residents of our country, they have gone through the steps of naturalization and become citizens, they are valued members of our community. We ought to treat them with respect and we ought to welcome them into the political process and make sure they are full participants, because we need, as all of us know, as broad a participation as possible in the political process. We are constantly trying to encourage people to join with us, whether they be on our side of the aisle or not, just to be a part of the debate.

Mr. DAVIS of Illinois. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Illinois.

Mr. DAVIS of Illinois. I think the gentleman makes a very valid point, Mr. Speaker, given the fact that we really ought to be trying to find ways to bring people into the process; that is, to encourage people to participate.

We always talk about the greatness of this democracy of ours, and that people should be involved. Here we are in a situation that is actually doing just the opposite, trying to intimidate people, suggesting to them that they ought not participate.

□ 1845

I think it is horrendous. It is unbelievable. That is why I am so pleased that I decided to come over this evening and join with all of my colleagues as they all say that enough is enough. When are we going to quit it? When are we going to cut it out?

I have looked at at least 15 or 20 newspaper clippings, all indicating that the investigations are turning up absolutely nothing.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentlewoman will continue to yield, I know how hard the gentleman has worked in an era of civil rights, not because of age but because of commitment. Is it not interesting that we are talking about civil rights for now a new immigrant group, Hispanics, when in the Deep South and many other places there was a chilling effect for African-Americans to vote, 1950's and 1940's and 1960's. There was the poll tax and intimidation.

Why are we in 1997 carrying on sort of the same traditions of intimidating people from voting by using INS officers coming to your door investigating nuns? It looks like this country would recognize that with Scandinavians, with new immigrants, with Asians, with Hispanics, African-Americans, I come from an immigrant background, that everyone deserves a chance to participate. It looks like that is what the gentlewoman from California [Ms. SANCHEZ] stands for.

Mr. DAVIS of Illinois. Mr. Speaker, I agree with that, because if it is Hispanics today, Latinos, then it is African-Americans, Scandinavians, Greeks, it is somebody else tomorrow. We all stand with the gentlewoman from California [Ms. SANCHEZ] and want to make sure that she does not have to keep going through this unnecessary hassle.

Mr. TIERNEY. Mr. Speaker, if the gentlewoman will continue to yield, I came in a little bit late but I, like yourself, came down here when I saw that this was the topic this evening. I have been watching this scenario unfold for some period of time.

Let me not go away permanently from the issue of civil rights, which I think is important. I come from the Irish minority, which is not much of a minority around here, but we had our history and we had our difficult times

getting into the electoral process. I am proud of the fact that we are very much engaged in it now and that we contribute so much.

Let me take it to a political level. I think that is something that we have to be mindful of here. This is not only a recount that is going on out in California. I was the subject of a recount in my district. I know from past experience, working on other people's recounts over the years, that when those votes are counted, one by one, you have got a real definite idea of how the vote resulted.

At the end of that recount, Ms. Sanchez was declared the winner by almost 1,000 votes. That is a significant margin of victory in a recount situation.

Now I think we take it to the political level. This is not about just civil rights. It is about politics. This is about how can the Republican Party get behind a candidate who will not let go, a person who lost and now knows he lost, if he has any touch with reality, will not let go of the situation? And they come on and they get behind it and let this situation keep unfolding so that we have a Member of Congress, who represents almost 600,000 people, that has to come here and do the business for those people and represent those people on some very significant and important issues and at the same time, because the party chooses not to let it go, because they, I think, perhaps would like to see a Democrat in that position, allow that situation to unfold so that not only does LORETTA SANCHEZ have to do the business here; she has to be mindful of what is going on back at home.

As my colleague from Chicago just said, back home it is clear in the papers there is nothing going on of any substance there except for this obsession with the lack of reality that goes on and on.

Let me just say that I think the voters back in Orange County should be significantly proud of the work LORETTA SANCHEZ does in spite of what has been going on back there and the way it must be some sort of distraction, but you would never know it for the fine work she is doing here.

Mr. FARR of California. Mr. Speaker, the gentleman had a closer election than LORETTA SANCHEZ?

Mr. TIERNEY. It was a 360 vote margin. At the end of the election we had a recount and I won by 371 votes, which in that case was significant enough that a recount could not change that. Yet LORETTA SANCHEZ' was so much larger than that.

Mr. FARR of California. She won by 900 votes. So you have a very close election, and yet they are not going after you and doing a witch hunt in your district in Massachusetts. After all, you are close to Canada, you could have had some Canadians sneak over and vote for you.

Mr. TIERNEY. We counted every vote, and there was a reality in my district. The voters knew the first time. They certainly knew after the recount.

Mr. FARR of California. The point is here is an election that is closer than the one that you were talking about in Orange County, a lot closer. There is no purge or going through and suggesting that the people in that election were all voting illegally because they were not properly registered. I think that this is obviously a witch hunt. There is 21 races that you say were close, that won by 6,000 votes or less, 21 in the 435 Members of Congress. And of these top 21, there is only one that they are going after, and there is only one in that whole group of 21 that has a Hispanic name, SANCHEZ.

I think that this is a witch hunt. It is embarrassing to this institution and ought to be called off. And it would not have been done had she not beaten Representative Bob Dornan, who everybody knows is a bulldog of every stripe and was here dominating this time usually in the evening on special orders about these issues.

Ms. ROYBAL-ALLARD. Mr. Speaker, I have a question for the gentleman. During your recount or during any recount that you may know of, has there ever been a case such as this one where, in addition to the votes in your particular district, thousands and thousands of votes and thousands of voters' records were subpoenaed and looked into that had nothing to do with your particular election like in this case approximately 1.3 million Orange County voters had the INS go and look at their records?

Mr. TIERNEY. No, certainly not. I suspect that this is what the American public has to hear. This is not about a recount to see if they are going to turn the seat over. I think everybody with both feet on the ground or both oars in the water knows that this election is over, that LORETTA SANCHEZ has won. Never in my experience, either as an attorney representing people, my own recounts and other recounts, has anybody found the need to go outside. Most State officials would not let it happen.

Certainly most Federal officials would not pursue it to go on. I think there should be some shame on the Members in this institution for allowing it to go on. To the extent they are participating in it, egging on and absolutely doing away with the rights of an individual, no longer do they make the person who is making the challenge prove the case. In this situation they would like LORETTA SANCHEZ to prove a negative.

Ms. VELÁZQUEZ. On the question of the gentlewoman from California, the fact of the people who were, their files were requested to be with the INS, those surnames were Latino surnames. What kind of message are we sending to our Latino community? And yesterday on this floor there was the debate on the legislative branch where some of

the Republicans were accusing us, the Democrats, of playing the race card. But how could you explain that, of all those who vote in California, the only names, the only voters that were requested to be proved by the INS were of Latino surnames?

Mr. TIERNEY. I think that is a good point here. What we ought to be focusing on is why are we not having some explanation from the Members that are Members of this House that are driving this situation as to why this continues on. Why is there not some prospect here that a responsible leadership in this House would call on those Members to get down here and say why is it that this committee and this House would allow the kind of subpoena power to go on that has been going on when constitutional authorities have questioned it? Why would they allow this situation to go on when it has this overtone in terms of race? Why would they do that without coming down and explaining? If they say that is not the way it is, if they say there is some valid reason for this process to continue, I think the American people have to a right to hear about it.

More specifically, I think the people in that particular district have a reason to know why they are inundated with this sort of nonsense day in and day out, article after article indicating this is nothing but a witch hunt, has no basis in reality, and there ought to be an answer given. I would suspect that there ought to be Members on this floor standing up explaining themselves.

Ms. VELÁZQUEZ. I would like to add that this is the first time where I see that the burden of proof is not on the loser. They are forcing LORETTA SANCHEZ to prove that the people who voted for her had, in fact, the right to vote. That is not only wrong, it is shameful.

Mr. CAPPS. Mr. Speaker, if the gentlewoman will continue to yield, I had a point very much in keeping with what we have been saying here, pertaining to the spirit of this place at this very time. Right now, as we are talking about this situation, many of our colleagues are demonstrating the spirit of bipartisanship by having a baseball game. And that sends all kinds of signals out to the American people.

On a more substantive matter, this week the House will probably overwhelmingly pass a bipartisan budget, tax relief bills that will in my judgment be of enormous benefit to Americans all over this great land. But in the midst of all this, in the midst of this spirit of bipartisanship, we must rise this evening to protest these wrongs that are being brought upon my friend and fellow Californian LORETTA SANCHEZ. Others have focused on the bipartisan nature of this investigation. I want to talk about another aspect of it.

First of all, I want to express my support of the gentlewoman from California [Ms. SANCHEZ] but also to say that

the real losers in this debate are the hundreds of thousands of Orange County residents whom she represents.

I know from experience that being a freshman, a new Member, especially in a district previously in the hands of the majority, is a very difficult job. It is difficult to concentrate on legislative issues, constituent service, communities projects, without facing the constant drumbeat of electoral charges that have been rained down upon a very able Representative, the gentlewoman from California [Ms. SANCHEZ].

My colleague has been forced to expend so much of her time, her energy and her resources on what I would call a misguided inquisition, and it is to her credit that she has managed to become an effective Representative in this kind of working context. So it is certainly time for the investigation to end. It is time to bring the same civility, the same spirit of civility that characterizes our current legislative breakthroughs to this issue. It is time to give the people of Orange County the same constitutional right to full-time representation as all Americans deserve. I want to say that I stand with LORETTA SANCHEZ in tonight's very important special order.

Ms. VELÁZQUEZ. Mr. Speaker, I yield to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I just wanted to add, sometimes people think that we stand here and on some of these issues that it is our view, it is our opinion. I said earlier today that the gentleman who lost this race, Bob Dornan, who is an ordinary citizen today, has been given tremendous power by being able to subpoena people. It is just not hearsay on my part about what he is willing to do, quite frankly, what kind of inaccuracies that he is engaged in. I think it is important that it be part of the record to note that his claims are proven time and time again to be baseless and to be without merit.

In April, the Los Angeles Times wrote, and I quote, that a close review of Dornan's contentions shows them to be overstated and riddled with inaccuracies.

So you have someone who is out there being bestowed with this tremendous power who is saying and doing, quite frankly, whatever he wants to do; and in trying to contravene what the people, the people of the 46th District of California said and they stated. And LORETTA SANCHEZ is trying to represent them in this body and is doing a good job of representing them every single day with having to concern herself first and foremost with the job that she was elected to do.

People put their trust and their faith in us when we come to this body. She is trying to carry out their wishes, what their interests are for themselves and for their families, as I said, doing a good job of that effort; and at the same time having to struggle with a whole lot of potentially and, as it is

listed here in the Los Angeles Times and others, some baseless statements of fact and being forced to have to raise hundreds of thousands of dollars to be able to counteract legal fees.

The fact of the matter is, it is enough. In Italian there is a saying which is "basta," enough. We have looked at this. There has been a certification. Let us allow the gentlewoman from the 46th District to continue to do the work on behalf of her constituents.

Ms. ROYBAL-ALLARD. Mr. Speaker, I just want to add and emphasize something that I feel is extremely important. Not only was the subpoena power given to an ordinary citizen, but the power that was given to subpoena far beyond the district election that was being contested so that the constitutional rights of thousands of other Orange County voters who had nothing to do with this particular election, their records were also subpoenaed. So it is extremely frightening, the fact that, No. 1, this leadership would give subpoena power to an everyday citizen and, second, that that power is extended far beyond the contest in question.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to add by asking the gentleman from Massachusetts, based on his case where there was a recount, who had to prove that the voters who voted had the right to vote on his case?

Mr. TIERNEY. The challenger. The challenger has the obligation and burden to overcome the results that are there and that are certified. In this instance, it is an even additional burden on that because there they are certified. The recount has been done. Again, I do not mean to contradict my colleagues here, but I like to keep bringing the focus back to this institution and this leadership that is allowing this to continue.

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We can talk about a private individual having too much authority, a private individual getting subpoena power that no other private individual has, but we have to come back to this institution and wonder why our colleagues on the other side of the aisle, that have elected that leadership to this body, are allowing them to do to a Member of this body what has never been done before, and ought not to have been done in the first place, and ought not to be done, period, in this body, because it is a blight on this entire situation, it is a blight on the membership of this organization.

We have an institution here that has to be protected, we have Members that have rights, and we have to go back to the voters and explain to them why it is that this body and this leadership is disregarding the Constitution, disregarding the rights of a Member, disregarding the rights of people living in that district and of the American public in general, and making a mockery of the electoral process.

I think there should be some explanation for that. Because no matter how much we want to blame the individual who does not seem to be willing to let go, I think we have to blame the people in this institution who are driving this as a partisan matter.

I know everybody likes bipartisan and everybody likes to talk about how well we can get along down here. I do not necessarily subscribe to that. I think a good healthy dose of partisanship is what this place needs, but the right kind of partisanship.

It is healthy for us to stand up and to debate our differences. It is healthy for us to set forth what our policies are and our principles, debate them, have a deliberative process, argue them, and come out and have a vote on them in this body. That is the kind of partisanship that the public has a right to expect and probably desires. What they do not need is petty bickering and petty partisanship where a majority in this body, through its leadership, would actually allow this kind of atrocity to go on.

This type of a situation, where no one in their right mind believes it is allowable or acceptable to continue on, to harass a Member and to particularly make their life miserable, with no prospects of ever winning, and to take on an entire class of people that have done nothing wrong except go to the ballot box and exercise their right to a constitutional privilege to vote. And that is who we should have down in this body now, is that leadership, that group of people that are allowing this to continue. They should have to answer to the American public. They should have to answer to the people in the district of the gentlewoman from California, Ms. LORETTA SANCHEZ.

Ms. ROYBAL-ALLARD. Mr. Speaker, I certainly agree with my colleague, and again I wish to point out that all of this has been at a tremendous cost to taxpayers. Over \$300,000 has been spent on an election that has been duly certified by the Republican Orange County registrar and the Republican Secretary of State.

So this is money that has been thrown away, and in spite of all the money and time and the violations and things that we have talked about on this floor, Dornan is no more closer to getting the election than he was on November 5. It has been a total waste of money, of taxpayers' money, and it really is a black mark on the leadership for allowing this to happen.

Ms. DELAURO. If the gentlewoman would yield, I would say, look, it is difficult to lose. Anyone who has run for public office understands that it is hard to lose. But when you have lost, and when there has been a recount of every single vote and there has been a certification of the election, quite frankly, after months and months of deliberation, 9 months, \$300,000 in cost, there is a point in time where you have to say, "I have lost this election. I don't feel good about it, maybe I can

come back again as part of the process, but I have lost this election."

It really is a part of the leadership of this institution to take in hand their friend, Bob Dornan, and say enough is enough. This is concluded. We have checked it, we have rechecked it, we have asked our questions, and we too are sorry that you lost, and we will have to pick up another day and maybe go out and try to win that district back again, but we have lost for the time being. Let us get on and let the gentlewoman from California, Ms. LORETTA SANCHEZ, get on with her work.

Mr. TIERNEY. That is, of course, if we are assuming that this is all about friendship and all about trying to do the right thing by their friend. I think we all know it is something else.

I think this thing smells to high heaven and that people understand there is another motive and another goal here for people, and they ought, and again, I am going to close because I have to leave, but they ought to be on this floor explaining to the gentlewoman from California, Ms. LORETTA SANCHEZ, her constituents, the State of California, and the people of America as well as every Member of this body why they are allowing this to continue.

Ms. VELÁZQUEZ. Mr. Speaker, I would just like to say not only have we spent \$300,000 of taxpayers' money, but also the INS has spent over \$50,000, and just one office only is dedicated to dealing with this issue.

Mr. TIERNEY. If I can interrupt, this is the same group of individuals who fought us on spending money to insure children. These are the people that could not find the money to insure as many people as we wanted to insure, young people in this country, who can find \$300,000 to argue a cause that is long lost.

Again, I think this just goes to the point there is another motive here, another avenue that is strictly political partisan bickering, and they should get beyond it.

Ms. DELAURO. If the gentleman would yield, and to be specific, a program that a number of us came down here to support and through actually shaming the other side we added money to the WIC program, Women, Infants and Children. We are talking about cereal, formula and healthy food for women, infants and children, and we were told that there was not enough money to do this.

In fact, what we have done with the INS is to say they have to do this; they have to spend the money for this, in addition to \$300,000 as a cost, when there are so many needs. My colleague, the gentleman from California [Mr. CAPPS], said we spent a long time coming to a conclusion on a balanced budget agreement and trying to look at how we can be fiscally responsible.

So in fact we do have other motivation which underlies this issue, and quite frankly, I think when this sees the light of day, the American public, the way they saw what we ought to be

doing was the right thing with the Women, Infants and children program, will understand what is going on with this program. And I think that we ought to continue the debate and the dialogue so that, in fact, the public knows all about this.

Mr. CAPPS. If the gentlewoman would yield, she makes a very good point that it is not easy to lose, and when people lose there is a natural reaction.

But there is another fact here that we should consider, and that is, how many people have had the privilege of serving in this House since the beginning? There have been about 11,500, maybe 11,800 people who have served in the House from the beginning of this people's House.

It is more difficult to get in here if one is of a certain characteristic. That is, how many women have served in this House? I think 165 out of the 11,800?

I do not have all the math down with precision, but I think one-third of the women who have ever served here in the long history of our country, one-third of all these women are here now.

How many African-Americans have served in this House? Less than 100. Less than 100 out of the close to 12,000 people that have been here. How many Members of the Latino community have served in this House? Very, very few. Proportionately very few. And I would think that the majority of those from the Latino community who have served in the House are here at the present time.

What does this say? Clearly, if the Congresswoman's name was not SANCHEZ, this would not be going on. This would not be going on. We need to call that to the attention of the American people because that is wrong. That is immoral. And we are not going to have full democracy in this House when it is so difficult for certain segments of the population to be elected. I think we should call it what it is.

Ms. DELAURO. I think the gentleman is right. I think that the more one takes a look at this, the more one hears about what names are being requested and how many and in what volume.

And I think my colleague, the gentlewoman from California, Ms. LUCILLE ROYBAL-ALLARD, has said they have gone well beyond the 46th District. This is Orange County, and people who in no way are engaged or involved in this particular election, and that it speaks volumes, I think, about what the nature and what the tendencies are. And that is wrong. It really is. It is wrong and it is divisive in this country.

We have a difficult enough time with people coming together and wanting people to be together. We have a bona fide, certified election in the 46th District of California, and we ought to acknowledge that and not put people's ethnicity at the center of what our electoral process is all about. That

really is wrong. It takes us back years and years and years. That is not forward looking, it is backward looking in this country.

Ms. VELÁZQUEZ. At some point, the chairman of the Committee on House Oversight, months ago, announced that not only would they be going after the district of the gentlewoman from California, Ms. LORETTA SANCHEZ, but he mentioned three more districts, all of them represented by Latinos.

They get upset when we bring this issue onto the floor and they say we are playing the race card, but I was elected and I was sworn in and no one contested my race. Why did he have to mention the 12th Congressional District? Why did he have to mention three other districts represented by Latinos who were not contested by any opposition from their own districts?

Mr. EHLERS. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Michigan.

Mr. EHLERS. I thank the gentlewoman for yielding, and I did not come here to rain on her parade. I understand what my colleagues are doing. But I do have to simply rise and voice some concern about the language and the words which were used. And, frankly, I take them personally, to the point almost of wishing to raise a point of personal privilege.

The term "witch hunt" was used to describe this. I am the chairman of the task force attempting to resolve the issue of the contested election in the 46th District. I have tried my very, very best to keep this fair and honorable. We did not initiate it, Mr. Dornan initiated it. We have a responsibility to pursue it.

The issue was raised by the gentleman from California [Mr. CAPPS] that if the name of the gentlewoman from California was not SANCHEZ, this would not have happened. I do not happen to believe that is true, but at any rate that is immaterial to the discussion.

Ms. VELÁZQUEZ. Mr. Speaker, I take back the balance of my time.

On that point, I would say, then, how could the gentleman address the fact that subpoena powers have been given to a private citizen? How does the gentleman explain the fact that the chairman of the Committee on House Oversight in a press conference said that he would go after three other districts that have been duly elected, where Latino representatives were elected? How would the gentleman explain that?

Ms. DELAURO. The gentlewoman is absolutely right, there is no explanation for the direction that this investigation has taken. I have a high regard for the gentleman, but the fact of the matter is that we are 9 months into an investigation. We have spent \$300,000, \$150,000 of the INS's money, going well beyond the 46th District, calling into question hundreds of thousands of Latino, Hispanic names, done

nowhere else in this country. Unprecedented. And providing powers to an ordinary average citizen who lost an election.

People win and lose elections every single year, and when we lose, it is tough, but what we have to do is to get over it. And there is a responsibility on the part of the leadership, whether they chair a subcommittee, whether they serve as Speaker, majority leader, or whatever position they serve in this body, to look at these events and say enough is enough.

We had an election process. We have a certified number, after a recount, bipartisan officials who, quite frankly, those officials have done their job. They took a look at this, they counted every ballot, and they said the gentlewoman from California, Ms. LORETTA SANCHEZ, represents the 46th District. And this body, in response to a former member who says that he lost for some reason, has given him subpoena powers, and that is truly outrageous that this has happened. Again, unprecedented in the history of this institution.

This is a noble institution. My colleague, the gentleman from California [Mr. CAPPS] said only 11,500 people have served in this body. These elections are sacred.

□ 1915

The people's vote is sacred.

Mr. EHLERS. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Michigan.

Mr. EHLERS. I will not take any more of the gentlewoman's time. I just want to say that I will continue this in the next special order. But I do invite all of my colleagues to remain for that. And I will be happy to explain and answer for my colleagues and give the facts of the situation.

Ms. ROYBAL-ALLARD. Mr. Speaker, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from California.

Ms. ROYBAL-ALLARD. If, in fact, we are going to be hearing the facts, I would also like to ask the question that, if we are talking about 93,000 voters in the 46th district that cast votes for the Sanchez-Dornan election, then why were 1.3 million Orange County voters' records subpoenaed and why were they all Latino names?

Ms. VELÁZQUEZ. Mr. Speaker, I want to thank all of my colleagues for coming here and debating this issue and raising the awareness of the American people in this country. I know that the Republican leadership will have a public relations battle ahead of them. They are going to lose this one, the same way they lost the WIC battle and they lost the disaster relief package debate.

A GREAT DAY IN WASHINGTON, DC

The SPEAKER pro tempore (Mr. HOBSON). Under the Speaker's announced policy of January 7, 1997, the