

So, Mr. Speaker, I believe that we can work together to make government more efficient, more accountable and less intrusive, that working together we can make the problems of victory our greatest opportunity.

□ 1347

MILITARY WIDOWS MISLED AND MISTREATED

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

Mr. FILNER. Mr. Speaker, the widows of our Nation's veterans are being misled and mistreated, misled and mistreated by our own Government.

Although I introduced legislation 2 years ago to terminate the confusing system that discriminates against surviving military spouses when they reach the age of 62, no action was taken on the bill, and the problem continues. I know you find it hard to believe, Mr. Speaker, that our Government condones a system that penalizes aging widows. I know I was shocked when the situation was first described to me.

Let me share with the Members a sad story that is typical of the thousands of these cases. When a resident of my congressional district retired after many years of honorable military service, he elected to have a portion of his monthly retirement pay set aside under the military survivors benefits plan, so-called SBP, so that when he died his wife would have an income she could count on. He knew the enormous sacrifices she had made in order to maintain a home for their family during his military career, often in parts of the world not nearly as lovely as my town of San Diego. He understood and appreciated that his wife had served their country as surely as he had.

He did not, however, understand that following his too early untimely death, the SBP would provide his wife with the financial cushion she needed, but only until her 62d birthday. On the day she became 62 her SBP benefit, which had been 55 percent of her husband's retired pay, was automatically, automatically reduced to 35 percent of the retirement income. She received no warning that her check would be slashed on her 62d birthday. She received no explanation.

When she was finally able to locate someone who could tell her why she was facing this crisis, she was given the following explanation: Your survivor benefits have been reduced because when you became 62, you also became eligible to receive Social Security. Puzzled, she pointed out that her Social Security payment, such as it was, was based on her own work. It had nothing to do with the survivor benefit plan her husband had paid into. Too bad, she was told. That is the law.

Well, we have to change the law. The SBP plan is very complicated. The ben-

efit for one group of survivors is reduced by the amount of the military retiree's Social Security when the widow reaches age 62, regardless of when she actually begins to draw Social Security benefits. Under the newer SBP plan which covers the widow in my congressional district, the benefit is automatically reduced at age 62 from 55 percent to 35 percent of the military retiree's retired pay. Even people with substantial incomes would have a tough time with a reduction of more than one-third of their retirement benefit.

Mr. Speaker, it is time to change this misleading and unfair law. Too often it causes enormous financial hardship for the affected survivors. We Americans do not treat our aging citizens, some of the most vulnerable members of our American family, with such disdain.

Two days ago, on the first day of the 105th Congress, I introduced H.R. 165, the Military Survivors Equity Act of 1997. This bill would fix the problem by simply eliminating the callous and absurd reduction in benefits that now burdens our military widows. Instead, they would get what they and their deceased spouses thought they would get: 55 percent of the military retiree pay. To put it simply, no offset; a simple solution to a difficult problem, an equitable solution to a mean-spirited practice.

I hope I do not have to raise this issue with my colleagues a year from now, and say again that our Government is still misleading and mistreating military survivors. Let us correct this disgraceful situation and enact H.R. 165 in 1997.

MEMBERS OF CONGRESS PUT IN THE POSITION OF ALICE IN WONDERLAND

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

Mr. MILLER of California. Mr. Speaker, earlier this week this Congress and the Nation watched as the Republican leadership and the Speaker of this House bargained with, negotiated with, and twisted the arms of the members of the Republican caucus to support the Speaker to be reelected as Speaker of this House for the 105th Congress. That was done because the effort was made to be sure that we would vote on the Speaker of the House of Representatives before the Ethics Committee had completed its work.

That was unconscionable, Mr. Speaker, that we would in fact do that. But now this morning we learn that the Ethics Committee is continuing in that path, because we see now that the schedule of the Ethics Committee that has been set forth by the chairperson of that committee requires that the House will vote on whatever recommended punishment the committee will make to the House, that the House will vote on that prior to the issuance

of the final report of the Ethics Committee.

What does this mean? It means that both the Members of the House of Representatives and our constituents will be denied the access to the information necessary on which to make an informed judgment, very similar to the situation that those who supported the candidacy of Speaker GINGRICH earlier this week were put in, in having to vote for him for Speaker before they knew whether or not he was ethically fit to be the Speaker of the House of Representatives.

What is becoming very clear is that the continued orchestration of the Ethics Committee by the Republican leadership to try and dampen the flow of information to the Members of Congress and to the members of the public continues. This committee should be allowed to function independently, and this committee should be allowed to function without a debt to the leadership of this House.

We have hired a special counsel to seek that independence. That special counsel should be allowed to do his work. That special counsel should be allowed to present the evidence, and that special counsel should be allowed to write the final report of this committee prior to the Congress voting, voting on any recommended punishment brought forth by the committee.

But it is also very clear that it is now the intent, it is now the intent of the Ethics Committee to keep that from happening. So once again, we are put in the position of Alice in Wonderland, where once again we will render a verdict first and later we will look at the facts and we will look at the evidence.

I think it is very, very improper that the Members of the House of Representatives be put in this position by the Ethics Committee. I believe, as the House turned down the bipartisan recommendation of the ethics investigative subcommittee and of the special counsel in not allowing them additional time to prepare their work product, it was for the first time, I believe, in the history of the Congress where we turned down a recommendation of a special counsel, a person that is supposed to bring independence to this, on their recommendation that they needed additional time to complete their work product in a proper fashion for a presentation to the committee and to the Congress.

So we now see a series of votes being forced upon the House of Representatives, the sole purpose of which is to deny access to information by the very people that will have to vote on the recommendations of the Ethics Committee. The Members of the House, on a bipartisan basis, should reject that notion. We should not go forward with a vote prior to the issuance of the final report of the special counsel.

Then the Members can go home and say to their constituents, however they decided to vote, that they in fact had a full opportunity to examine the entire

record and to take counsel with themselves and their sense of propriety about the actions and the ethics of the Speaker of the House of Representatives, and then they cast their vote, rather than to be able to say to their constituents, well, I voted, and then I was able to read the report.

There is nobody in America that believes that that is the way that we should conduct the public's business. The public's business should be conducted openly and it should be conducted in a forthright fashion. What we are witnessing over the past several days is an effort to shut down both the ability of the press, the ability of the public, and the ability of the Members of Congress to have access to that information to make an informed judgment on behalf of the Congress and on behalf of our constituents.

THE ETHICS CASE PENDING AGAINST SPEAKER GINGRICH

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

Mr. BOEHNER. Mr. Speaker, the gentleman from California just finished talking about the ethics case that is currently pending against the Speaker of the House.

Over a week ago, in a bipartisan fashion, the members of the Ethics Committee, five Democrats and five Republicans, came to an agreement that this case would be completed on or before January 21st of this year and that the case would be brought to the floor of the House before then. That was an agreement made by the 10 members of the Ethics Committee. I think what happened earlier this week when the House reorganized itself is that we confirmed that agreement.

Subsequent to then, members of half of the committee, the Democrat side, have decided that they need more time. We believe that that agreement should in fact be kept. Further, the committee agreed yesterday that for the first time in the history of the Congress, that there would be an open hearing on an ethics case, primarily because the Speaker of the House, the gentleman from Georgia [Mr. GINGRICH], agreed to do that. So next week there will be up to 5 days of open hearings for the American people to watch on C-Span, other media outlets, to see the facts.

The Ethics Committee here in the Congress, in the process that they follow, is really bifurcated. Over the last 6 months there has been a subcommittee of the Ethics Committee look at the Gingrich case, two Democrats and two Republicans. The Speaker has voluntarily turned over over 50,000 pages of information to the committee. This subcommittee has done its work in a bipartisan fashion. It is the subcommittee that is going to now report to the full committee its findings. They have issued a preliminary report outlining their findings to the Mem-

bers and to the full Ethics Committee. So next week there will be ample opportunity for all of the Members and the American people to understand the facts about the case if they need to know any more than what they have already heard.

I think that by January 21 the House will be in a position to make a decision on how to proceed from there.

PUBLICATION OF THE RULES OF THE COMMITTEE ON RULES 105TH CONGRESS

The SPEAKER pro tempore (Mr. LIVINGSTON). Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, pursuant to clause 2(a)(3) of rule XI of the rules of the House, and rule 1(d) of the rules of the Committee on Rules, the following are the rules of the Committee on Rules for the 105th Congress, adopted at its organizational meeting on January 8, 1997:

RULES OF THE COMMITTEE ON RULES, U.S. HOUSE OF REPRESENTATIVES, 105TH CONGRESS

RULE 1.—GENERAL PROVISIONS

(a) The rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable motions of high privilege in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

(d) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE 2.—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

Regular meetings

(a)(1) The Committee shall regularly meet at 10:30 a.m. on Tuesday of each week when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereinafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair.

Notice for regular meetings

(b) The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least 48 hours before the time of the meeting and shall provide to each member of the Committee, at least 24 hours before the time of each regular meeting.

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of

(A) the bill or resolution,

(B) any committee reports thereon, and
(C) any letter requesting a rule of the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda a copy of—

(A) the bill, resolution, report, or materials relating to the other matter in question;

and

(B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

Emergency meeting

(c)(1) The Chair may call an emergency meeting of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the ranking minority member, or, in such member's absence, the next ranking minority party members of the Committee.

(2) As soon as possible after calling an emergency meeting of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting was a regular meeting.

Special meetings

(d) Special meetings shall be called and convened as provided in clause 2(c)(2) of rule XI of the Rules of the House.

RULE 3.—MEETING AND HEARING PROCEDURES

In general

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 3 of the House rule XI (which are incorporated by reference as part of these rules).

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

Quorum

(b)(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of taking testimony and receiving evidence on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)), or of taking any other action.

Voting

(c)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the members of