

who are interested in what goes on in this Chamber, about a very important piece of legislation. It is called the Marriage Tax Elimination Act.

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This is something that will be of interest to all Americans. We have a situation in this country now where, believe it or not, among the many other facts that we see in our tax system and the way it is handled by the IRS, we see the extraordinary fact that there is a penalty, a tax penalty for marriage.

This is at a time when we realize the sanctity of marriage, how important it is to our family values, how important it is to the education of our youth, the well-being of our Nation in so many ways, and certainly just the quality of our life. We even talk here quite often about our family-friendly Congress and family values. So when we look at our Tax Code and we uncover the fact that there is a penalty for being married, we wonder why in the world that is.

The first thing you might want to say is, how much is this penalty? Is this really something that matters? The answer is yes.

I understand that the average penalty for marriage is \$1,400. That is a fair amount of money. It seems to me that would matter to most Americans, to have to pay \$1,400 more just because you were married. Then on top of that, if you say how many people does this really affect, clearly not everybody.

The answer is, when we take a look at statistics, it is about 21 million American couples which obviously means 42 million Americans. That is a huge amount of people to be impacted by a tax which we cannot quite figure out why we have got it.

So we now have a piece of legislation that we think is important to move forward and I am pleased to say that as a cosponsor, original cosponsor, that the Marriage Tax Elimination Act is going to see the light of day and we are going to, I believe, take action in this body to correct something that certainly needs to be corrected.

It is probably interesting to note for most Americans that the average family today pays more in taxes than for food, clothing and shelter combined. Many Members say that. But think about that, think about your hard-earned dollars, if you go out and go about your job, the sacrifices you make to work hard, the time away you have from your family, other pursuits you are interested in. You are giving away today in taxes more than you are paying for your food, your clothing and your shelter, which are of course the first areas of responsibility for those in the home. That is an amazing statistic and yet we just seem to sort of take it for granted.

We know now that we have got to completely overhaul our Tax Code and we are planning to do that. We are about to start a great debate across the Nation. Our colleagues, the gentleman from Texas [Mr. ARMEY], the gen-

tleman from Louisiana [Mr. TAUZIN], and perhaps others are going to go out and bring the tax debate to the people in a meaningful and understandable way in the next few weeks.

I am sure they will be saying the same responses as we hear in our offices and that we hear back in our districts when we go home, from people who say the present tax system is unfair, it is inequitable to Americans, it is not efficient, it is not a good way to collect revenues for the government, but most of all, it is absolutely incomprehensible. And we all know the story about putting all the experts in the room with the same set of facts and they will all come up with a different tax liability, a different tax conclusion after reading the reams and reams of documents that are supposed to guide us through how we pay our taxes and go about that responsibility.

So while we are talking about overhauling the Tax Code, while we are talking about reining in the abuses of the family-unfriendly and the consumer-unfriendly IRS, we are also talking about a very narrow specific slice of American life, and that is married people. I think it is very important that we send that message out, that for those people who are interested in fair treatment under the Tax Code and for those people who are interested in getting married and wanting to stay married, it seems to me they need to know that we are aware that there is a penalty. We think the penalty is wrong and unfair and we are going to do our best to remove that penalty.

The cloud on the horizon for us, sadly enough, is that we did this a few years ago in our Contract With America. Unfortunately President Clinton vetoed that. I hope if we give him a clearer picture of what is going on and how much this matters to Americans, that this time when we pass the legislation we will have his support to repeal the marriage tax rather than his veto.

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

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

#### H.R. 7, THE CITIZENSHIP REFORM ACT

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

Mr. BILBRAY. Mr. Speaker, I rise today to address an item that is being considered by this body, at least for markup, very soon. That is the Citizenship Reform Act of 1997, H.R. 7. For many of us, we may think that under the 14th amendment, the privilege of automatic citizenship is something that is automatic and applies to everyone born on U.S. soil.

H.R. 7 clarifies the fact that under the 14th amendment not every one born on U.S. soil gets automatic citizenship; that there is a conditioning clause in the 14th amendment that says you must be "subject to the jurisdiction thereof".

To clarify this fact, consider that the children of diplomats here in Washington, DC, or back in New York do not get automatic citizenship at this time because their parents are not "subject to the jurisdiction"; the same way that native Americans did not get automatic citizenship until the 1920's because Congress granted it, because basically Indians who were in the tribal environment were not subject to the jurisdiction of the United States, because they owed loyalty and obedience to their tribe before the United States.

H.R. 7 clarifies the fact that illegal aliens do not fall into the category of "subject to the jurisdiction" of the United States, because they first of all are not obedient to the immigration laws, and are committing by their presence on U.S. soil a violation of national sovereignty; and, No. 2, they do not owe allegiance or loyalty to the United States. I think everybody would agree that if an illegal alien was tried for treason and brought before a court for treason, that the most liberal to the most conservative American would be outraged at the fact that somebody who was illegally in the country was now being required to be loyal.

Mr. Speaker, the same argument goes to automatic citizenship. If the child is born of parents who do not owe loyalty to the United States, if that basic obligation is not being met by the parents, the child should not get the automatic citizenship.

This is a thing of fairness, too. Let me remind all of my colleagues, there are people waiting patiently to come into this country legally, and while they are waiting patiently they are, some of them, having children. Those children, whose parents are playing by the rules, do not get automatic citizenship, but right, today we are rewarding those parents who violate the law in coming to this country illegally.

Some people may say it is not that big a deal, why even talk about it? Mr. Speaker, I am here to tell you it is a big enough deal that 96,000 births in California alone were the children of illegal aliens. We are talking about 40 percent of the Medicaid births in the State of California are children of illegal aliens. We are talking about hundreds of millions of dollars a year that one State is spending with Federal funds.

It is an issue that needs to be addressed, and it is first and foremost an issue of fairness. Why should we require the children of people who are legally waiting to immigrate, to go through the naturalization process and ask for permission from the United States to become U.S. citizens? When at the same time, we will reward the parents who have broken the law and

give their children automatic citizenship with no processing at all? It just is not rational. It is not fair.

Mr. Speaker, I think that we must also recognize that the Supreme Court has never ruled on the issue of automatic citizenship for the children of illegal aliens. In fact, in the one case that is pointed out so often, the Wong Kim Ark case back in the late 1880's, the court ruled specifically that his parents were legal residents and that legal residents owe allegiance and owe loyalty and must obey the law. And by their legally immigrating, they showed that they were obedient to the Federal Government and the Government of the United States, and that they were "subject to the jurisdiction" by getting permission to enter this country legally.

That definition does not fall on those who have broken our laws and immigrated illegally. In fact, the case that we are referred to again and again is a 1608 case in England, the Calvin case, that says that people who have obligational loyalties get citizenship; those who do not do not get automatic citizenship. In the words of the English, in their flowery way of saying it, they say it is the loyalty and the obedience, not the soil and not the climate that render citizenship.

I think in all fairness we have got to understand that those who are obedient and play by our laws should be rewarded. But, Mr. Speaker, those who have broken our laws, violated our national sovereignty and refused to recognize that they must be "subject to the jurisdiction" of the United States should not today have the right of automatic citizenship.

This Congress should finally tackle this issue, address this issue and send a very clear message, not just to our own citizens, that we believe in fair and equitable treatment but that we will no longer reward illegal immigration with automatic citizenship. I ask everyone to contact their Member of Congress to address this issue and support H.R. 7.

#### DOMESTIC VIOLENCE

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

Mr. STRICKLAND. Mr. Speaker, I stand today to speak about a silent crime that victimizes 1.8 million individuals annually, most often in the place where they should be the most safe and secure, in their homes. This criminal act is multifaceted and non-discriminatory in choosing its victims. It knows no boundaries of age, race, social class, income level or education. Its predominant traits are those of emotional and physical abuse. I am speaking of domestic violence.

In recent years an increasing number of new stories involving public figures both as victims and as perpetrators of domestic violence have raised our awareness of this problem. Through

media coverage we are slowly beginning to realize the massive extent of this crime which is most often committed in secret. Although these stories are difficult to comprehend and painful to hear, we all need to be aware that this tragedy is more prevalent than we think and more horrible than we can even imagine.

Sometimes the evidence of this abuse is obvious. At other times it goes undetected and leaves its victims suffering in silence. Unfortunately, this problem still seems to be very distant to most of us until someone we know becomes a victim.

A few years ago in Hillsboro, Ohio I met a young woman who was in the process of rebuilding her life after the end of a very violent marriage. She returned to school, received her high school diploma and found a combination of jobs to support herself and her young child.

I was impressed that this self-assured woman had shown such incredible strength by removing herself and her child from a dangerous, intolerable situation. But only a few weeks after I met her, I learned that she had been killed by her estranged husband as she approached the Highland County Courthouse. She was on her way to seek legal protection from the man she had married, who on that awful night became her killer.

This incident impressed upon me the heartbreaking circumstances that many victims, usually women and children, are subjected to every day all over this country. Unfortunately, many victims feel that they do not have the resources and the support available to remove themselves from such threatening and dangerous situations, and all too often, even if they can escape the immediate circumstances, they remain potential victims.

Thankfully, domestic violence is being driven from the shadows and exposed for the heinous crime that it is. Many individuals and groups now focus their energies on seeking ways to prevent domestic violence and to reach out to the victims and their families.

In my district a community-wide domestic violence protocol is being developed. This will help outline how agencies can handle the incidents of domestic violence in a cooperative way. Our hope is that we can establish a stronger effort to break this cycle of violence. I am proud of the fact that in one of the counties in my district, Highland County, Ohio, men and women have joined together to help those in need.

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They are committed to reassuring victims of domestic violence that they are not alone and that hope is available.

At the Federal level, the Department of Justice has developed programs that train law enforcement officers, emergency room attendants and family phy-

sicians on how to recognize a domestic violence situation and how to appropriately assist victims who have suffered from this crime. All of these local, State and Federal efforts are working to reach victims like the young mother who recently and unnecessarily lost her life.

Preventing domestic violence is a task to which all of us should be absolutely committed. I applaud all individuals and groups, especially my constituents in Hillsboro, Ohio, who are working to combat this despicable crime.

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

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

#### ORDER OF BUSINESS

Mr. FOX of Pennsylvania. Mr. Speaker, I ask unanimous consent to use the time of the gentleman from Michigan [Mr. SMITH] out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### LEGISLATION REGARDING BREAST CANCER

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

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to speak on behalf of legislation that is in the House and the Senate which will do much to help the women of the United States affected by the terrible physical tragedy of breast cancer.

I am speaking of legislation that will prevent the drive-through mastectomies, where women who are being treated for breast cancer have been called to leave the hospital before 24 hours, sometimes the same day as the surgery.

Our legislation was put forth through the leadership of the gentlewoman from New York [Mrs. KELLY], the gentleman from New Jersey [Mr. FRANK LOBIONDO], Senator FEINSTEIN of California and Senator D'AMATO of New York, and earlier today they held a press conference to announce the importance of this legislation which would require a minimum of 48 hours for a stay in the hospital following a mastectomy.

We also have in that legislation a requirement for a second opinion from a doctor with regard to the length of stay and the treatment. And, finally, the legislation calls for reconstructive surgery for each woman that may be affected by the dreaded disease of breast cancer.

Much has been done and much more needs to be done in the way of treatment, detection and prevention of