with sanctions, just Japan alone, if they did not open up their markets. Now, every President in our recent history threatened Japan, and evidently, every time Japan responded with a promise, they broke it. They broke it.

Now, what is this policy? It is like putting a kid in a candy store and telling him, you cannot touch, you cannot smell and certainly you cannot eat anything here, but we want you to run free in this candy store and take a look at all of the goodies here, folks.

I have submitted a bill I think is right to the point. They say it has no shot, but I know the Trade Representative is negotiating with it right now. And what they are saying is, and I can almost give my colleagues the words: Do we want such a dramatic action? Shape up, or the House may even ban illegal dumping. And it is not an outright ban, it is a 90-day ban, and it is the only thing that will stop this hemorrhaging. If the wound is open and one is hemorrhaging, one must stop the hemorrhaging. That is the bottom line.

This administration and no administration in the last 25 years will support import quotas. So what will it be? Voluntary restraint agreements? Side-bar agreements? Unbelievable to me.

One other aspect of this thing that really bothers me, and it should bother my good friend, the gentleman from Massachusetts (Mr. FRANK), whose voice is needed on this issue, and that is the White House wants to give some tax relief to American steel companies. Now, I think that is great, and I would like to see some relief for our industry. But quite frankly, I have to oppose this, because that tax relief will be coming from American taxpayers, many of them laid off and fired steelworkers, downsized, whose taxes are going to go to help American industry that is being ripped off by foreign ingrates. Beam me up here. Is there any balsam left? We give foreign aid to Brazil and Russia. We give open markets to South Korea and Japan, and they kick us right in the crotch, and that is the bottom line.

I am hoping this House schedules for debate a 90-day temporary ban, and quite frankly, Scarlet, I do not give a damn what the final agreement is that is worked out after that ban. Because I guarantee my colleagues this: As soon as the shock waves come from that ban, they will all be sitting at the table and they will be machinating those pencils and within 7 days this problem will be worked out. I am absolutely convinced of that.

Mr. Speaker, before I close, it is not only the steel industry. Farmers are getting as low as 7 cents a pound live weight for hogs in America. We are exporting 40,000 and importing a half a million hogs. Agriculture, steel, huge trade imbalances. A paper tiger stock market. No one is listening, no one is looking, and we are going to ask for more promises. I say it is time to stop the promises and promulgate some plan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that they should refrain from using profanity in the House Chamber.

BIENNIAL BUDGET AND CONCEALED WEAPONS RECIPROCITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to announce the introduction of what I consider to be two significant bills for the American people regarding the budget process here in Congress, and allowing law abiding citizens to carry concealed weapons outside of their home States.

The first bill I will be introducing is a companion bill to what has already been introduced by Senator DOMENICI to establish a biennial budget happening every two years and a biennial appropriation process. The Biennial Budgeting and Appropriations Act would fundamentally change how Washington and the Congress operates. It would be a change for the better in dealing with the Nation's fiscal matters. This bill would establish a two-year budget process and appropriations process for Congress.

The fundamental importance of this bill is that it removes politics from the budget process. The first session of Congress would be dedicated to passing a budget and the 13 appropriations bills. Establishing this method would free the Congress from the nastiest budget and appropriations fights during national election years.

I was greatly dismayed last year watching the outcome of the budget negotiations between the congressional leadership and the White House, where both sides agreed to spend as much of the budget surplus as they could. The administration was able to use, once again, the threat of a government shutdown in order to extract billions of dollars in extra spending for political gain. The American taxpayer deserves to be better treated than last year's cop-out on sticking to our budget priorities. I voted against that monster budget last year.

The second congressional session could then be dedicated for authorizing bills which are greatly needed and which are greatly bypassed, in our day and age, for general government oversight and for other important legislative priorities.

In addition, the second session would be used for any true, necessary emergency spending bills which would have to be dealt with in the appropriate spring months of an election year to avoid political manipulation. Since 1950, Congress has only twice met the fiscal year deadline for completion of all 13 individual appropriations bills. In the 22-year history of the Budget Act, Congress has met the statutory deadline to complete a budget resolution just three times.

A biennial budget would at least reduce the rushed atmosphere of budgeting and appropriating during an election process. In addition, Senator DOMENICI asked 50 Federal agencies about a biennial budget. Thirty-seven agencies supported the idea, and not one Federal agency opposed it. These agencies responded that this process would actually save the Federal Government money, because it would reduce the burden on their operations of having to annually seek budget authority and appropriations.

Senator DOMENICI introduced a similar bipartisan bill in the last Congress and enjoyed cosponsorship of 36 U.S. Senators, including Minority Leader DASCHLE, Senators FEINGOLD, MOYNIHAN, BREAUX and other Republican Senators, including MCCAIN, NICKLES, and ROTH. The current bill already has 26 Senate cosponsors, and it appears that it will sail through the Senate. Therefore, I urge my colleagues that have interest in this matter to work together and to consider this proposal and to be a cosponsor.

The second bill, Mr. Speaker, I will be introducing is my concealed weapons reciprocity bill that I had introduced in the 105th Congress, which was cosponsored by 75 Members of the House. My bill would allow the citizens of every State the right to carry a concealed weapon across State lines into any State or Territory of our Nation. My bill creates a national standard for the carrying of certain concealed firearms by nonresidents of those States.

Every citizen, in order to carry a concealed firearm across State lines, would have to be properly licensed for carrying a concealed weapon in their home State and would have to obey the concealed weapons laws of the State they are entering. If the State they are entering does not have a concealed weapons law, the national standard provisions in this legislation would dictate the rules in which a concealed weapon would have to be maintained. For instance, the national standard disallows the carrying of a concealed weapon in a school, police station or a bar serving alcoholic beverages.

Mr. Speaker, in addition, my legislation exempts qualified former and current law enforcement officers from State laws prohibiting the carrying of concealed handguns.

Mr. Speaker, again, these two pieces of legislation are very important. If Members of the House are interested in cosponsoring either of these bills, I urge that they contact my office.

KEN STARR'S MEDDLING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Massachusetts (Mr. FRANK) is recognized during morning hour debates for 3 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, even those of us who have come to be of low expectations regarding Kenneth Starr's behavior were astonished on Sunday when he, through his aides, interjected himself into the current proceedings on impeachment by announcing that he thinks he has the right to indict the President. Mr. Starr has a very unusual way of operating. He sets for himself a very low standard and then consistently falls short of it.

The New York Times has been a major critic of President Clinton, but they have been forced by Mr. Starr's abhorrent behavior to become more critical of him, given their dedication to the rule of law. The New York Times editorial entitled ''Ken Starr's Meddling'' in which they note, and I quote, ''Mr. Starr is already regarded by his critics as an obsessive personality. Now he seems determined to write himself into the history books as a narcissistic legal crank.''

''The news article highlighted an underlying problem. Mr. Starr keeps flapping around, with deliberations over indictments and by meddling in the House managers' contacts with Monica Lewinsky, in ways that complicate Senate work that is more important than he is. . . . should rebuke Mr. Starr and appeal to the Federal judges who supervise him to restrain him from further disturbance of the constitutional process.''

Now, The Times understandably brushes off the fact that this was leaked illegally from Mr. Starr's office uncontestably, because they were the beneficiaries of the leak. But Mr. Starr has been guilty of this, and he has been guilty in sworn testimony before the House of misleading and perhaps lying about his role in this.

Mr. Speaker, when he testified before us on November 18 and I asked him about leaks, he said he could not respond because ''I am operating under a sealed proceeding.'' I then said, ''Sealed at your request, correct?'' And here is his answer. ''No, Mr. Frank. It is sealed by the Chief Judge.''

Mr. Speaker, I insert those portions of the editorial absent such references to the President and the Senate as are prohibited by House rules, and the following excerpt of hearing testimony of Mr. Starr for the RECORD and urge Members to read the whole editorial.

Mr. FRANK. Let me ask you again, did anybody on your staff, to your knowledge, do the things which Judge Johnson has included in her list of the 24 items? Understanding that you may think that if they did, they weren't violations, but did anybody on your staff give out that information on any of those 24 instances?

Mr. STARR. There are a couple of issues or instances in which we issued a press release where we do have—you know, we clearly issued a press release with respect to certain matters. But may I say this. I am operating under a sealed litigation proceeding, and what I am trying to suggest is, I am happy to answer as fully as I can, except——

Mr. FRANK. To the extent that you can't answer under this particular proceeding, it is sealed at your request to the extent that it is sealed at all. That is, Judge Johnson granted a motion for an open procedure. You appealed to the circuit court, and they closed it up, so if you didn't object, nobody else will. If you didn't do anything, why not just tell us if it is wrong factually. On the other hand, you are going to say well, you successfully got the circuit court to seal it, so I suppose I can't do much, but I don't understand why you don't just tell us.

Mr. STARR. Let me make very briefly these points. We believe that we have completely complied with our obligations.

Mr. FRANK. That wasn't my questions.

Mr. STARR. Under 6(e).

Mr. FRANK. My question is, Judge Johnson set it forward, and they did this. They could differ as to the law. I am not debating the law, I am trying to elicit a factual response.

Mr. STARR. The second point that I was trying to make is that I am operating under a sealed proceeding.

Mr. FRANK. Sealed at your request, correct?

Mr. STARR. No, Mr. Frank. It is sealed by the Chief Judge based upon her determination of——

Mr. FRANK. She granted a much more open proceeding and you appealed that and got a circuit court to severely restrict the procedure on the grounds that hers was too open. Isn't that true?

Mr. STARR. Congressman Frank, what she did was to provide for a procedure that didn't provide quote, ''openness,'' it provided for an adversarial process, and this is all in the public domain. But from this point forward, no, she is the custodian and the guide with respect——

Mr. FRANK. Would you ask her to release that? I think this is severe for public interest in dealing with this leak question. It does to the credibility of a lot of what you have done. Would you then join, maybe everybody would join, maybe the White House would join, and others, in asking Judge Johnson to relax that so we could get the answers publicly, because I think there is a lot of public interest, legitimate interest in this.

Mr. STARR. I am happy to consider that, but I am not going to make, with all respect, a legal judgment right on the spot with respect to appropriateness——

[From the New York Times]

KEN STARR'S MEDDLING

The most surprising aspect of the Senate impeachment trial is the persistent challenges to the senators' constitutional right to run it. First came the House managers' attempt to call a parade of unnecessary witnesses. Now we have an apparent effort from the office of Kenneth Starr, the independent counsel, to spark a debate over criminal prosecution of the President at a time when the Senate deserves a calm decision-making atmosphere and an open field for negotiation.

Mr. Starr is already regarded by his critics as an obsessive personality. Now he seems determined to write himself into the history books as a narcissistic legal crank. Once the Senate started the second Presidential impeachment trial in American history, that was Mr. Starr's cue not only to shut up but to stop any activity by his office that would direct attention away from the Senate or reduce its bargaining room. The issue of who leaked news of Mr. Starr's indictment research to the New York Times is a phony one. What is needed here is not an investigation of journalistic sources, but attention to the substance of Mr. Starr's legal mischief. It seems designed to disrupt these solemn deliberations into Presidential misconduct of a serious if undeniably sordid kind.

The news article highlighted an underlying problem. Mr. Starr keeps flapping around—with deliberations over indictments and by meddling in the House managers' contacts with Monica Lewinsky—in ways that complicate Senate work that is more important than he is. . . . rebuke Mr. Starr and also appeal to the Federal judges who supervise him to restrain him from further disturbance of the constitutional process.

This incident is more serious than Mr. Starr's customary blundering. The Constitution clearly allows the indictment and prosecution of officials who have been impeached by the House and removed from office by the Senate. But whether such a trial should go forward in this case is a complex constitutional and civic question that needs to be shaped by the wisdom . . . rather than by Mr. Starr's personal inclinations and his idea of prosecutorial duty. If the three witnesses being deposed this week do not dramatically change the evidence, then the Senate is clearly the right place to make the final disposition of President Clinton's case.

For Mr. Starr's office to be talking about a trial inhibits the Senate's freedom to draft a censure resolution that might include some kind of Presidential admission. Indeed, virtually everyone in the capital except Mr. Starr seems to know that censure-plus-admission, speedily arrived at, would be a far better outcome for the country than a trial for either a sitting or former President.

To be sure, if the changes were of greater criminal magnitude or threatened orderly government, such a trial could be fitting and constitutional once a President was removed. While removal is not appropriate in this case, the Senate is clearly the appropriate venue for condemning and finding a proportional punishment to offenses like those committed by Mr. Clinton.

Recently, after this testimony, the Chief Judge released the papers in the case relevant to that investigation of the leaks, and in this we have the following finding and the following pleading from Mr. Starr: ''The Office of the Independent Counsel urges the Court to keep the Order under seal until the conclusion of the investigation.'' And he ends once again by saying, ''The Order should remain under seal.''

I asked him, in other words, if the order was sealed at his request. He denied that. He said no. Now we have the paper that says he simply did not tell us the truth. But as The Times points out, the even more important issue is his apparent inability to restrain himself; his wholly inappropriate interjection of himself into the impeachment proceeding.

[In the United States District Court for the District of Columbia]

In re Grand Jury Proceedings

[Misc. Action Nos. 98–55, 98–177, and 98–228 (NHJ) (consolidated)]

RESPONSE OF THE UNITED STATES TO THE COURT'S SEPTEMBER 25, 1998 ORDER TO SHOW CAUSE

The United States of America, by Kenneth W. Starr, Independent Counsel, respectfully submits its response to the Court's request for proposed redactions to the Order to Show Cause of September 25, 1998. The Office of the Independent Counsel (''OIC'') urges the Court to keep the Order under seal until the conclusion of the investigation by the Special Master and findings by this Court. We believe that postponing the release of the Order will help preserve the integrity of the ongoing grand jury investigation, further the

interests of Rule 6(e), and allow the Special Master to undertake his task without outside interference. If the Court determines to unseal the Order, the OIC proposes that the identity of the Special Master be redacted so that, to the maximum extent possible, he is able to conduct his work outside the intense glare of the inevitable media spotlight.

In its August 3, 1998 opinion in this matter, the Court of Appeals cautioned against procedures that might cause ''undue interference with either the work of the grand jury or that of the district court itself.'' *In re Sealed Case No. 98–3077*, 151 F.3d 1059, 1073 (D.C. Cir. 1998). Here, the work of the Special Master also is protected from undue interference. Indeed, pursuant to the Court of Appeals' opinion, this proceeding is being conducted *ex parte* and *in camera* precisely to minimize the risk of interfering with or impeding the grand jury investigation. *See id.* at 1075.

Unsealing the Order before the Special Master concludes his work, and subjecting this proceeding to the unprecedented media frenzy that has surrounded the underlying grand jury investigation, needlessly increases that risk. Divulging the subject matter and scope of the proceeding at this time will provide a roadmap for prying and intrusion into it, and necessarily into grand jury matters in an ongoing investigation. These dangers can be avoided simply by delaying release of the Order until the Special Master conclude his investigation and the Court issues its findings.

Furthermore, as both this Court and the Court of Appeals have recognized, the threshold standard for establishing a *prima facie* case is minimal and is not conclusive of a violation of Rule 6(e). As the Court of Appeals noted, the OIC will have the opportunity in its rebuttal to ''negate at least one of the two prongs of a *prima facie* case—by showing either that the information disclosed in the media reports did not constitute 'matters occurring before the grand jury' or that the source of the information was not the government.'' *Id.* The unsealing of findings pinioned on the mere *prima facie* standard could be exploited by the criminal defense bar in an effort to undermine the integrity of the OIC's investigation. This is especially true in the political climate existing as a result of the OIC's §595(c) referral to Congress. The integrity of the investigation is an important interest that Rule 6(e) and the *ex parte* and *in camera* nature of the proceeding at this stage is intended to protect. That interest should not be compromised by unsealing the Order now.

Maintaining the Order under seal also will allow the Special Master to conduct his work without interference and interruption. If the existence and identity of the Special Master become public, he undoubtedly will become the focal point of worldwide press attention, his efforts the subject of media inquiry, investigation, and speculation. These distractions will only serve to impede a process that the Court, and the OIC, wants to see concluded expeditiously. Should the Court nevertheless determine to release the Order, the OIC proposes the redaction of all references to the identity of the Special Master in order to afford him as much anonymity as possible. (Copies of the OIC's proposed redactions on pages 20–22 of the Order are attached hereto).

Finally, the OIC intends to file a motion for partial reconsideration of the Order. We believe that this motion is well justified under the facts and law at issue in this proceeding, especially since the OIC has not had the opportunity to address whether several of the media reports establish a *prima facie* case. It would be premature for the Court to unseal the Order while the motion is pending, and before the Court has given thoughtful consideration to our views. At the very least, the Court's preliminary rulings in this matter, with which we respectfully disagree, ought not be made public until the motion for partial reconsideration is decided.

For the reasons set forth above, the Order should remain under seal until the Special Master completes his investigation and the Court issues its final findings.

Respectfully submitted,

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Of Counsel,
KENNETH W. STARR,
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Washington, DC.

Dated: October 1, 1998.

Mr. Starr has already done enormous damage to the institution of the Independent Counsel. It is time for him to somehow find an ability to show a restraint that has previously eluded him and let this proceeding conclude without him having to make himself, in a distracting way, the center of attention.

□ 1315

INJECTING REALITY INTO THE DEBATE ON THE BUDGET SURPLUS

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. FOLEY) is recognized during morning hour debates for 5 minutes.

Mr. FOLEY. Mr. Speaker, I rise today because I want to inject a little bit of reality, I hope, into the ongoing budget debate on the surplus that we continually hear around this Capitol.

I know my home State has Disney World, and I know we have Universal Theme Park, and I know a lot of those expectations in those things are about not reality but about enjoying yourself.

It seems with this apparent flush of revenues for years to come, fiscal responsibility in Washington, D.C. has become a thing of the past. Indeed, the Administration's fiscal year 2000 budget seems to promise a new government program for just about anybody you can think of.

To be fair to the President, he does not propose using future surplus dollars for these new programs, but the assumption seems to be that with a healthy U.S. economy and a balanced budget in the black for the first time in decades, the government, the Federal Government, can afford to grow again.

We take out of account any potential downfalls in the economy. In fact, everybody in this Capitol is now so rosy and so full of optimistic projections they do not assume that there is going to be a hiccup in the road at any time.

I have to challenge this assumption. I have to bring some clarity to the debate. First, the fact that the U.S. economy is the envy of the world is due in large part to the fact that U.S. consumers are, indeed, confident, and armed with that confidence, they are spending in record numbers. That simply cannot last forever.

The other thing we have to look at is why and how are they spending money: dead instruments, credit cards, second mortgages, refinanced first mortgages, or a gain in stock values in the sale of equities yielding capital gains to themselves.

Today's editorial in the USA Today makes something very clear. I will include the entire editorial for consumption by those who would read the Journal.

Mr. Speaker, the problem is, Americans are not saving enough to support their spending. Household saving rates last year were the lowest since the Great Depression, and Americans are relying on the stock market to maintain their living standards. Many analysts, including Federal Reserve Chairman Alan Greenspan, maintained that stock values may be too high, and the bubble can burst at any time in the near future.

What happens then? Consumer spending will take a nosedive. We all know what will happen after that. The U.S. economy will go into a recession, government revenues will dry up, and all of a sudden, that rosy picture of the healthy economy and multiyear budget surpluses vanish. It vanishes. Again, that is where fantasy ends and reality picks up.

We have to understand that this is not a static economy; that things change. If we look at Asia, look at Brazil, look at Latin America, look at Mexico, look at Canada, look at the economies of all our major trading partners, we see deficiencies growing, problems with currencies growing. So the United States cannot be the savior of the entire world.

My point is this. While President Clinton may be able to make a case that the Federal Government can afford all of his new initiatives in the fiscal year 2000 budget, and I am skeptical of that, he certainly cannot guarantee that the U.S. taxpayers can afford them in the future.

We need to act responsibly in the good times to ensure that they last for future generations. We need to save social security now so we can afford to boost the national savings rate to maintain our strong economy. If we do the right thing we can do both at the same time, and the projected surpluses will in fact materialize.

There are two approaches that can accomplish this goal. I would personally prefer that all future surpluses be dedicated to retiring the debt to shore up social security. In the surplus years we should guarantee social security recipients their full benefits, and at the same time we should create personal retirement accounts for future generations. These accounts will not only offset the long-term costs of social security, but they will also provide much-