

hearings and the opportunity to deliberate and add amendments to the bill so we can put forward to the American people important and vital and serious and valuable legislation.

Mr. Speaker, I think that the American people are not expecting us to be the "do-nothing" Congress. They, frankly, want us to do our jobs.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. PORTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### WIND FOR ELECTRICITY

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

Mr. FILNER. Mr. Speaker, I represent San Diego, California, which is undergoing a tremendous crisis in terms of the price that we pay for electricity. In the last 3 months, prices have doubled and tripled. And while we have a short-term cap on those prices, we are looking to Congress to bring down the wholesale price of electricity and bring down the rates to consumers and small businesses.

Tonight, I want to speak about the long-range issue of energy and how that affects San Diego and the rest of our Nation. We all know that oil, natural gas, and home heating fuel prices are at a 10-year high. American consumers are facing record increases in domestic energy costs. This past summer households have been hit by soaring electricity rates in California, and motorists have faced astronomical gasoline price hikes. Now, in the coming winter months, high energy prices will affect households throughout the country.

The economic consequences are all too evident to individual consumers

both at home and overseas. In Europe we see gasoline shortages, panic buying, and massive protests over rising prices. Furthermore, the impact does not stop with the individual consumer; the whole Nation bears the consequences. A surge in the price of energy can derail the economic expansion that we have worked so hard to achieve and maintain.

I think we know that energy supplies and prices are indeed cyclical. We have been lulled into inaction by the long downside half of that cycle. Oil and gas have been in adequate supply and the moderate energy prices have made us forget the upside of that cycle. The energy crises of the 1970s and 1980s are forgotten history. Consequently, we have failed to implement policies to increase our energy supplies and to promote stable prices. We have steadily grown more dependent on conventional and imported energy. Congress has done very little to protect the Nation from the inevitable upswing in that cycle.

In particular, we have failed to support the development of alternative energy resources. In terms of domestic resource potential, wind energy is the most overlooked fuel source in this Nation. This resource is available in almost every State and can be utilized for electric generation more quickly than any other energy resource. Although California has been a leader, other States, such as Wyoming, Wisconsin, Vermont, Texas, Pennsylvania, Oregon, New York, Minnesota and Iowa, are beginning to utilize their wind energy resources. The use of wind power for electric generation is slowly growing.

Compared with the tax incentives for conventional nuclear energy, Federal tax support for renewable energy resources, such as wind, is relatively small. Aside from accelerated depreciation, which is shared by other fast-evolving technologies, wind facilities now qualify only for a temporary Federal production tax credit. This credit helps provide a price floor, but if the price of wind-generated electricity rises above a certain benchmark, the tax credit phases out and this credit took effect in 1994.

It was originally decided to sunset this credit in June of 1999. But several years after the credit was enacted, Congress considered repealing it when energy prices were at an all-time low. Fortunately, Congress retained the credit and later extended it until 2002. Despite wavering congressional policy, the credit has promoted use of domestic wind energy resources and has promoted technological development.

An uncertain credit and a temporary extension, however, does not support long-term planning, development and construction of electric generation projects. The experience with another credit program proves my point. Between 1986 and 1992, when the section 48 solar and geothermal credit was finally made permanent, Congress extended

this credit in 1-, 2-, and 3-year increments. Sizable projects could not be undertaken because of the short eligibility period; and small short-term projects that were attempted had to be rushed to completion at great cost to meet the qualification deadline. For both policy and practical reasons, the wind production credit should be made permanent, like the credit for solar and geothermal resources.

Our long-time reliance on conventional fuels has created a mindset which ignores alternatives. Mr. Speaker, the resulting institutional practices resist the use of nonconventional energy resources. Power management, transmission, and pricing practices need to adjust to the requirement of utilizing a new alternative resource. With the threat of another energy crisis looming in the future, Congress needs to reassess and redirect our national energy programs.

To spur that analysis and redirection, I have introduced today the Wind for Electricity Act to specifically promote the development of wind energy resources in this Nation. I know that San Diego is looking to this Congress for short-term relief from the high prices of electricity and to long-term alternative energy resources. I hope we all act soon.

#### RESPONSE TO PREVIOUS SPECIAL ORDER

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

Mr. WELDON of Pennsylvania. Mr. Speaker, I have had the pleasure of serving in this body for 14 years. And during the 14 years, one of the things that I have learned about our colleagues is that we all have a feeling of high regard for each other. If someone is going to say something about another Member, the protocol usually has been that the Member be told about it in advance.

This past Thursday that did not happen, as the gentleman from California (Mr. WAXMAN) got up after everyone left Washington, late Thursday, and did a special order for 1 hour; a tirade mentioning a number of Members of Congress. Now, I will not do to him what he did to our colleagues. He only mentioned me briefly, but I told the gentleman from California (Mr. WAXMAN) this morning that I would come here personally and respond to the things he said regarding me.

The gentleman from California (Mr. WAXMAN) said that we were too harsh in criticizing the administration for the possibility of having the administration transfer technology to China in return for campaign dollars. He went on to make two specific charges: number one, that the Cox Committee, which I served on, in fact totally exonerated the administration on those allegations; and, number two, that the Justice Department said there was no

reason to believe there was any need to further investigate the transfer of campaign dollars for technology to China.

Well, let us look at the facts, Mr. Speaker. The fact is that this gentleman, the largest single contributor in the history of American politics, Mr. Bernard Schwartz, from 1995 to 2000, contributed personally \$2,255,000 to Democratic national candidates, DNC, the Democratic Senatorial Committee and the Democratic Congressional Committee.

□ 1915

The allegation was in 1998 when he contributed \$655,000 to those candidates that there was a potential quid pro quo because Bernard Schwartz had been lobbying for a permit waiver to transfer satellite technology to China.

Now, the Justice Department has said on the record they opposed that the President intervene to make a waiver decision, but the President went ahead on his own.

Now, in fact, our Cox committee did not even look at this issue. In fact, if the gentleman from California (Mr. WAXMAN) would have bothered to read the Cox committee report, in the appendix under the scope of the investigation it says, we did not even consider the political contribution aspect of this because other committees were looking at it and because we could not get people to testify because they pled the fifth amendment or they left the country.

But let us look at what the Justice Department said. Here is what the Justice Department said in the LaBella memo, which I would encourage our colleague, the gentleman from California (Mr. WAXMAN), and every citizen in America to request from their Member of Congress:

"It is not a leap to conclude that having been the beneficiary of Schwartz's generosity in connection with the media campaign, the administration would do anything to help Bernie Schwartz and Loral if the need arose."

This was written not by a Republican. This was written by Charles LaBella, Justice Department special investigator to Louis Freeh, which went to Janet Reno.

They further said this, Mr. Speaker: "As suggested throughout this memo, there are many as yet unanswered questions. However, the information suggests these questions are more than sufficient to commence a criminal investigation."

Who would that criminal investigation have been against? It would have been against four people: Bill Clinton, Hillary Clinton, Al Gore, and Harold Ickes, who is Hillary's campaign manager in New York. It would have been against the Loral Corporation and Bernard Schwartz.

So here we have it, Mr. Speaker. The two allegations made by the gentleman from California (Mr. WAXMAN) are totally false. He owes an apology to the

American people. Because, number one, the Cox Committee never looked at these facts. And he should know that unless he cannot read very well. It is right here in the text. Number two, he claims the Justice Department dismissed these allegations out of hand.

Well, I trust the American people. I would urge all of our colleagues to have this report available to every constituent across America, the LaBella memo. It is 94 pages. It is redacted, but they can read for themselves and they can see what this Justice Department, what FBI Director Louis Freeh, what handpicked Janet Reno Investigator Charles LaBella said about the need for a criminal investigation.

They name the four people in this document, and the four people are those four I mentioned along with Bernard Schwartz and the possibility of a quid pro quo for the \$655,000 and all this money being transferred.

In fact, Mr. Speaker, when I get more time, I will go through the specific findings in the LaBella memo where they raised the issue of the request coming in to the President and specifically on February 18, 1998, the President signed the waiver after the Justice Department advised him not to sign it.

On January 21 of that same year, Schwartz donated \$30,000 to the DNC. On March 2 he donated \$25,000. All through that year, he donated \$655,000 dollars. And that is why Louis Freeh and that is why Charles LaBella said there needs to be a further investigation for criminal activities involving the transfer of campaign dollars to the Democratic party, to the President and the Vice President and the First Lady and Harold Ickes based on the technology transfer to China, especially through the waiver that Bernie Schwartz got even though the Justice Department advised the President not to grant that waiver.

Mr. Speaker, the gentleman from California (Mr. WAXMAN) owes this Congress an apology.

Mr. Speaker, I include for the RECORD the following documents that I just referenced:

H. Res. 463 also authorized the Select Committee to investigate PRC attempts to influence technology transfers through campaign contributions or other illegal means. In light of the fact that two other committees of the Congress have been engaged in the same inquiry and had begun their efforts long before the Select Committee's formation, the Select Committee did not undertake a duplicative review of these same issues. The Select Committee did, however, contact key witnesses who could have provided new evidence concerning such issues.

The Select Committee's efforts to obtain testimony from these witnesses were unsuccessful, however, because the witnesses either declined to testify on Fifth Amendment grounds or were outside the United States. Because the Select Committee was unable to pursue questions of illegal campaign contributions anew, no significance should be attributed, one way or the other, to the fact that the Select Committee has not made any findings on this subject. The same is true with respect to other topics as to which time

constraints or other obstacles precluded systematic inquiry.

Much of the information gathered by the Select Committee is extremely sensitive, highly classified, or proprietary in nature. In addition, the Select Committee granted immunity to, and took immunized testimony from, several key witnesses. Pursuant to an agreement reached with the Justice Department, this testimony must be protected from broad dissemination in order to avoid undermining any potential criminal proceedings by the Justice Department.

There are two documents which could form a basis upon which to predicate a federal criminal investigation. The first is a February 13, 1998, letter from Thomas Ross, Vice President of Government Relations for Loral, to Samuel Berger, Assistant to the President for National Security Affairs. It could be argued from this letter that Schwartz intended to advocate for a quick decision on the waiver issue by the President. In the letter, annexed as Tab 47, Ross wrote: "Bernard Schwartz had intended to raise this issue (the waiver) with you (Berger) at the Blair dinner, but missed you in the crowd. In any event, we would greatly appreciate your help in getting a prompt decision for us."

In the letter Ross also outlined for Berger how a delay in granting the waiver may result in a loss of the contract and, if the decision is not forthcoming in the next day or so, Loral stood to "lose substantial amounts of money with each passing day." The President signed the waiver on February 18, 1998. On January 21, 1998, Schwartz had donated \$30,000 to the DNC; on March 2, 1998, he donated an additional \$25,000.

The second document is a memo from Ickes to the President dated September 20, 1994, in which Ickes wrote:

"In order to raise an additional \$3,000,000 to permit the Democratic National Committee ('DNC') to produce and air generic tv/radio spots as soon as Congress adjourns (which may be as early as 7 October), I request that you telephone Vernon Jordan, Senator Rockefeller and Bernard Schwartz either today or tomorrow. You should ask them if they will call ten to twelve CEO/business people who are very supportive of the Administration and who have had very good relationships with the Administration to have breakfast with you, as well as with Messrs. Jordan, Rockefeller and Schwartz, very late this week or very early next week.

"The purpose of the breakfast would be for you to express your appreciation for all they have done to support the Administration, to impress them with the need to raise \$3,000,000 within the next two weeks for generic media for the DNC and to ask them if they, in turn, would undertake to raise that amount of money.

\* \* \* \* \*

"There has been no preliminary discussion with Messrs. Jordan, Rockefeller or Schwartz as to whether they would agree to do this, although, I am sure Vernon would do it, and I have it on very good authority that Mr. Schwartz is prepared to do anything he can for the Administration." See Tab 12 (emphasis in original).

From this memo one could argue that Ickes and the President viewed Schwartz as someone who would do anything for the Administration—including raising millions of dollars in a short period of time to help the media campaign. We now know not only that the media campaign was managed by Ickes from the White House, but also that it played a critical role in the reelection effort. Consequently it is not a leap to conclude that having been the beneficiary of Schwartz' generosity in connection with the

media campaign, the Administration would do anything it could to help Bernie Schwartz (and Loral) if the need arose.

If in fact there is anything to investigate involving the Loral "allegations," it is—as set out in the Task Force's draft investigative plan—an investigation of the President. The President is the one who signed the waiver, the President is the one who has the relationship with Schwartz; and it was the President's media campaign that was the beneficiary of Schwartz' largess by virtue of his own substantial contributions and those which he was able to solicit. We do not yet know the extent of Schwartz solicitation efforts in connection with the media fund. However, if the matter is sufficiently serious to commence a criminal investigation, it is sufficiently serious to commence a preliminary inquiry under the ICA since it is the President who is at the center of the investigation.

For all these reasons, the Loral matter is something which, if it is to be investigated, should be handled pursuant to the provisions of the ICA.

#### CONCLUSION

We have been reviewing the facts and the evidence for the last ten months. During that time we have gained a familiarity with the cases, the documents and the characters sufficient to draw some solid conclusions. It seems that everyone has been waiting for that single document, witness, or event that will establish, with clarity, action by a covered person (or someone within the discretionary provision) that is violative of a federal law. Everyone can understand the implications of a smoking gun. However, these cases have not presented a single event, document or witness. Rather, there are bits of information (and evidence) which must be pieced together in order to put seemingly innocent actions in perspective. While this may take more work to accomplish, in our view it is no less compelling than the proverbial smoking gun in the end. As is evident from the items detailed above, when that is done, there is much information (and evidence) that is specific and from credible sources. Indeed, were this quantum of information amassed during a preliminary inquiry under the ICA, we would have to conclude that there are reasonable grounds to believe that further investigation is warranted. As suggested throughout this memo, there are many as yet unanswered questions. However, the information suggesting these questions is more than sufficient to commence a criminal investigation.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DICKEY). Members are reminded not to make personal references toward the President or Vice President of the United States.

#### BREAST CANCER AWARENESS MONTH

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

Mr. BACA. Mr. Speaker, this month is National Breast Cancer Awareness Month. This month is devoted to increasing the awareness of breast cancer and to promote a nationwide education effort for the love of life.

Breast cancer is a tragedy that we must fight to eliminate. A pink ribbon that I am wearing and many other individuals will be wearing this month

means more than awareness. It stands for the love of your wife, your sister, your mother, your grandmother, your daughter, and your colleagues.

We must do everything to stop this disease. About 182,000 new cases of breast cancer will be diagnosed in the United States this year alone, not to mention how many currently have breast cancer now or how many have died because of breast cancer.

Breast cancer prevention and treatment is an issue fought in the State legislature. It is one that I fought and I carried the legislation for the breast cancer stamp, the license plate for treatment and prevention. We must raise the awareness that the best protection is early detection and action.

There are measures women and their doctors can take to catch this disease early, including clinical exam, self-examination, and mammograms. During this month, I encourage all Members to spread the message about the importance of prevention and treatment. I encourage the Members to speak to their friends, co-workers, their families, and their communities. Some of the locations that we can speak at are hospitals, mammography centers, the health centers, and breast cancer awareness presentations.

This week I spoke at Loma Linda on behalf of a nonprofit organization named the Candlelight Research for Children that received treatment for cancer. And just this last week alone I spoke at Fontana Kaiser Permanente where they actually had the pink ribbon highlighted at the hospital for many individuals to see.

Congress should continue to support legislation such as H.R. 4386, the Breast Cancer and Cervical Cancer Treatment Act. This bill, supported by a bipartisan majority of Congress, would provide the treatment to low-income women who currently receive screening under the Federal program.

We should also support legislation pending in Congress to extend the Federal breast cancer stamp which would fund breast cancer research. We must also fund Federal agency research efforts, such as the Department of Defense peer-reviewed breast cancer research program.

We must not stop. We must not quit. We must continue to fight. This is an important national priority. We need to encourage everyone to be aware of this issue and encourage them to pass information on to those that they love. It just might save their life or the life of someone they love.

To touch a life is to save a life.

#### AMERICA DEMANDS STRONG ENERGY POLICY

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, recently Governor Bush proposed a comprehensive energy policy which I believe will

go a long way towards increasing our Nation's energy self-sufficiency and strikes the proper balance between energy production and protecting the environment.

Last week, the Subcommittee on Energy and Power, on which I serve, held a hearing to examine the United States' energy concerns. Most of the hearing focused on the President's decision to release 30 million barrels of oil from the Strategic Petroleum Reserve to supposedly help Americans in the Northeast who may face a dwindling supply of home heating oil for the upcoming winter.

While no one would argue that we must ensure that Americans' heating needs are met, I seriously question the motivation and the reason for releasing this oil.

First, the key word here is "strategic." The reserve was created in the wake of the 1973 oil embargo, and Presidential authority to draw down the reserve is contingent only upon the finding of a severe energy supply disruption. In fact, the Energy Information Administration, in a letter to the chairman of the Committee on Commerce, the gentleman from Virginia (Mr. BLILEY), in February, stated: "The SPR is intended for release only in the event of a major oil supply disruption, not for trying to manage the world market of nearly 74 million barrels per day."

Last month, Treasury Secretary Summers and the Federal Reserve Chairman Alan Greenspan sent a memo to the President opposing the release of oil from the reserve based in part "it would be seen as a radical departure from past practice and as an attempt to manipulate prices."

Furthermore, Vice President Gore himself opposed the release of oil from the SPR earlier this year but suddenly had a change of heart with both winter and the elections looming ahead.

Upon announcing the release of 30 million barrels from the SPR, the President also announced the release of \$400 million of taxpayers' money in low-income home energy assistance program funding. However, these funds will have to be replaced by Congress, most likely through emergency supplemental appropriations, and the oil will have to be replaced, hopefully, when oil is at a lower price per barrel.

Mr. Speaker, this action is indicative of the administration's lack of leadership, I believe, on energy policy. This 30-million-barrel release amounts to only about a 36-hour supply. Instead of tackling our energy problems head-on with a coherent policy, the administration chooses to run in a circle throwing money at the problem or proposing politically expedient policies which fail to address the long-term solution.

Since the Clinton-Gore administration took office, America's oil consumption has increased by 14 percent, while domestic production has decreased by 18 percent. America is the world's only superpower, and we are 56