Guard, to dismantle all kinds of enforcement programs, and then the ultimate insult to the American people was to appoint a Surgeon General, Joycelyn Elders, who adopted the policy that I entitled ''just say maybe to our young people,'' not to mention that the leader of the free world, the highest office in our land, said to our children, ''If I had it all to do over again, I would inhale.''

That set a tremendous pattern. It changed the whole dynamics where drug use and abuse by our children had gone down, down, down from 1981 under Reagan and Bush, it began a steady climb. We have seen the dramatic results.

Let me tell you what the results are. 1.5 million Americans were arrested in 1996 for violating drug laws. We have over 2 million Americans behind bars and our law enforcement officials tell us more than 70 percent of those individuals are there because of a drug-related or drug involvement offense. Since 1992, overall drug use among 12 to 17-year-olds has jumped 78 percent. A study by the Partnership for a Drug-Free America shows the number of fourth to sixth graders experimenting with marijuana increased a staggering 71 percent between 1992 and 1997. What is the cost to this Congress? The cost to this Congress and the Federal Government is $16 billion out of your taxpayer money. The total cost to the American economy is approaching $67 billion a year in lost jobs and opportunities and again cost to our economy.

During this President's tenure in office, if we continue at the pace we have been at, 114,000 will die under President Clinton's tenure from drug-related problems. We are now killing our Americans at the rate of 20,000 a year. That is the toll. The story goes on and on.

But I must say that the Republican Congress has tried to turn that around in the last 36 months. We in fact have restored money to bring our military back into the war on drugs. We have restored money and funding for interdiction programs because we know it is most cost effective to stop drugs at their source and when they get to our streets and schools and our communities it is very difficult. And then we passed tough enforcement, and we know tough enforcement works. Look at New York City, look at what Rudy Giuliani has done with tough enforcement. Tough enforcement works. New York City has seen a 30 percent decrease in crime.

This week the Republicans, and we have tried in a bipartisan effort to bring our colleagues from the other side of the aisle in, have announced programs and extensive legislation which we will be introducing every week for the next 6 weeks to combat illegal drugs, to provide funding and programs that work and assistance to our local communities and our schools for education, for enforcement, for interdiction and also for treatment programs that work. This is one of the most critical issues, social issues, before this Congress and before the American people. I am committed to this and I think that if we have the cooperation of the administration now, the cooperation of my colleagues on the other side of the aisle, that we can come together, that we can make a difference, that we can reduce the drugs coming into this country, into our streets and into our schools. I reach out and ask all of my colleagues to join us in that effort.

WHITE HOUSE SILENCE: AMERICAN PEOPLE WANT TRUTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. DELAY) is recognized for 20 minutes as the designee of the majority leader.

Mr. DELAY. Mr. Speaker, I find it unfortunate that I have to come down to the floor again to try to put things in perspective about what is going on around the White House and now is infecting the House of Representatives and its committees. There is a lot of spin out there. The spinmeisters of the President are trying to keep the American people from the right to know the truth. We keep asking the question, is the President of the United States above the law? Yet the spinmeisters are pushing hard and pushing often with a concerted strategy. We all know what the strategy is. The strategy, Mr. Speaker, is basically to stonewall, drag your feet, hide documents, claim executive privilege, hide behind your lawyers. But the bottom line is that it is the spin, the whole spin and nothing but the spin to block the American people's right to know the truth.

I took the well of the House not too long ago and asked for the President to tell the American people the truth. I guess he did not hear my speech and he did not want to do it. But it now has boiled over into the House of Representatives. I will talk about that in a minute, and the Committee on Government Reform and Oversight.

Mr. Speaker, I just ask the question, why are the Democrats trying to change the subject when it comes to the problems in the White House? Why are the House Democrats trying to cover up for the administration? Why do they not want a real investigation of the facts surrounding illegal foreign money in the Clinton campaign and possible charges of obstruction of justice in the Clinton administration?

Mr. Speaker, earlier this week, Judge Norma Holloway Johnson threw out President Clinton's claim of executive privilege regarding the latest scandal in the White House. No wonder. The President had been taking indecent liberties with the concept of the executive privilege. He has hidden behind executive privilege in order to keep the American people from knowing the truth. According to press accounts, the White House may even appeal this decision, which fits into their strategy of use the courts and the system to stall, delay and stonewall. There is only one reason that the President would want to appeal this decision and that is to keep the American people from learning the truth. Why else would you claim executive privilege if you did not want the American people to know the truth? The whole idea of executive privilege is you do not want to tell the truth.

So, Mr. Speaker, I just said no man is above the law. Judge Johnson's decision reaffirms that basic American principle. No matter what the strategy that the White House decides to employ, the American people have a right to know the truth. An appeal by the President on this case would amount to one more effort to stonewall the Starr investigation and to keep the truth away from the American people. What is that truth? Nobody knows for certain. But bits and pieces of the truth continue to leak out. The Committee on Government Reform and Oversight recently released transcripts of conversations between Webster Hubbell and his wife that were recorded when Mr. Hubbell was in prison for a lying and fraud conviction, that he finally, after many months of claiming that he was innocent, finally admitted and pleaded guilty. He was in prison. Make no mistake about it, Mr. Hubbell knew that his conversations were being recorded. That is common practice in prison. There is a very large sign that is posted from the jail cell where he made the phone call that says that your phone conversations are being recorded. But even though he knew his conversations were being recorded and said so on the tapes, he made some statements that lead to some very serious questions.

□ 1615

Now the Washington Post, certainly not a fan of House Republicans, had this to say about those conversations, and I quote:

> That said, however, the accurate transcripts are also damming and very nearly so. They make clear that Mr. Hubbell and his wife had a sense of themselves as being held on a kind of string by the White House to which they were beholden for badly needed income; that if Mr. Hubbell's silence was not being bought in the White House case, as the independent counsel's office suspects, at the very least he and his wife were sensitive to how their remarks and behavior were being received by the President and Mrs. Clinton, were anxious to please, and were carefully kept in that state of anxiety by the White House emissaries.

The Washington Post goes on to conclude that the tapes still raise real questions. The President's use of executive privilege, for instance, also raises serious questions that need to be answered by this administration:

Why did the President invoke this privilege when national security was not at issue?

Was it an abuse of power?

Does the President's use of the executive privilege now mean that the President of the United States believes that he is above the law?

Now the New York Times, Mr. Speaker, a surprising new member of the vast right-wing conspiracy, has this to say about the President's use of executive privilege, and I quote:

> Properly construed, the doctrine of executive privilege exempts only a narrow band of presidential activities from the reach of legal inquiry. To invoke that privilege in a broad and self-serving way, as the Clinton White House has done to shield itself from Ken Starr's inquiry, is to abuse it.
>
> But this White House is not easily embarrassed. It has tried to invoke the hallowed attorney-client privilege, even when the attorneys are servants of the public, not the President's private lawyers. And in the past few weeks it has trotted out a brand new privilege, the doctrine of protective function to insulate President Clinton's Secret Service detail from questions about the behavior patterns of Monica Lewinsky, the former White House intern. All this legal inventiveness carries the implicit assertion that Mr. Clinton is somehow uniquely above the law and thus raises the kind of constitutional questions that ought to be exposed to public debate.

That is the New York Times writing that.

But where is this public debate, Mr. Speaker? When will the President come clean on the issue of executive privilege?

In his press conference last week the President maintained his incredible public silence responding to question after question, and he responded to the question on this particular issue by saying, and I quote:

''I cannot comment on those matters because they are under seal,'' close quote.

The only seal they are under is the presidential seal. He has employed the executive privilege as a defensive tactic to keep the American people from knowing the truth. That is a very troubling precedent, a precedent that I think should trouble the Democrat Party. But an eerie silence has emanated from the Democrat minority. When it comes to the President's use of executive privilege, the Democrats hear no evil, see no evil, and speak no evil, Mr. Speaker.

Where is the outrage from the Democrats about this abuse of power? Do they honestly think that the President of the United States is right to cite executive privilege in these cases? If Ronald Reagan or George Bush had even dared to use executive privilege in this manner, I guarantee you that the Democrats would be out here on this floor every day demanding a full explanation, if not a resignation.

Mr. Speaker, no man is above the law. This is a proposition that we hold very sacred in our representative democracy. The President does not have the divine right of a king. He must follow the law even if it may sometimes be uncomfortable for him, and his use of executive privilege is an affront to that concept.

The American people also have the right to know the truth about the activities in the White House. The longer that the President's men stonewall this investigation and deploy the tactics such as executive privilege, the more damage that is done to our democracy. The longer that these allegations fester, the more damage is done to the office of the presidency.

If our friends on the other side of the aisle think that the President's use of executive privilege is proper, then I urge them to speak up.

Speak up, speak up.

Silence, silence.

Let us have a public debate on this very important issue. Let us hear from the President's allies about their reasons for supporting this very troubling precedent.

Mr. Speaker, next week I plan to introduce legislation that will put some limits on the President's ability to claim executive privilege. Now my legislation is pretty simple. It has a reporting requirement. Anytime the President decides to invoke executive privilege, he must make a formal report to Congress. Now this would mean that Congress, the press, and the general public would be aware of executive privilege claims instead of wondering like they do now.

My legislation also says that there is no Secret Service privilege for criminal proceedings involving the President's conduct. Because it deals with criminal proceedings and the President's conduct, it does not reflect on the security role of the Secret Service.

Now, Mr. Speaker, no matter how many times the President tries to invoke executive privilege, this Nation holds dear these two principles: No man is above the law, and the American people have the right to know the truth.

And let me just speak about the new strategy, actually it is not new, the strategy that is going on in the Committee on Government Reform and Oversight; the strategy of attack your accuser, change the subject, because if you do, it will become old news. That is what is going on here, and the American people know it, they understand it, they can see it. In order to keep us from getting to the truth, in order to keep us from getting the American people the truth because they have the right to know the truth, the Democrats and the administration are attacking the gentleman from Indiana (Mr. BURTON). And why should we be surprised? Because it is their typical defense tactic; attack your accuser.

We have seen this in the past. Who else have they attacked? Senator THOMPSON in the campaign finance investigation, Senator D'AMATO in the Whitewater investigation, the gentleman from Iowa (Mr. LEACH) in Whitewater, Representative CLINGER back during the Travelgate and FBI Filegate incidents, Ken Starr; they are attacking Ken Starr over Whitewater, FBI files, travel office and the Lewinsky matter. They are attacking FBI Director Freeh when he recommended an independent counsel for the campaign finance matter, some investigations. And they do all this so that they can change the subject, because by attacking their accuser the Democrats can change that subject.

And what do they want to change the subject from? Put it back into perspective, Mr. Speaker. This is not a sex scandal. These are not scandals; these are crimes we are talking about investigating: Whitewater; the travel office affair; having over 900 FBI files on Republicans in the White House; the foreign campaign contributions to the DNC and others; Webster Hubbell who is also a convicted felon now indicted again; and it goes on and on. They are trying to make it old news, because once they have attacked the accuser and changed the subject, the original problem becomes old news and they do not need to address old news.

But let us get back to the matter at hand, the investigation going on in the Committee on Government Reform and Oversight. What is going on here is we are trying to get to the bottom of the truth of what appears to be campaign finance abuses, and we are trying to get to the truth. You know, Mr. Speaker, there are over 92 witnesses that have either claimed the fifth, left the country, or refused to cooperate with this committee. I think the American people need to know that. Mr. Speaker, 92 witnesses; not 1, not 2, not 3; 92 witnesses that have either taken the fifth amendment, fled the country, or refused to cooperate.

On April 23, the committee Democrats voted 19 to zero against immunizing four witnesses who had taken the fifth before the committee. Now these are witnesses that the Justice Department, the Clinton Justice Department, had okayed for immunity and it was all right to accept their testimony.

Irene Wu. Wu was Johnnie Chung's office manager and has firsthand knowledge of Chung's fund-raising activities and ties to foreign nationals. Wu has already received immunity from the Department of Justice. Nancy Lee. Lee also worked for Johnny Chung and allegedly solicited conduit contributions that were made to the DNC. Lee has also received immunity from the Department of Justice. Larry Wong. Wong was a close associate of Nora and Gene Lum and has knowledge of the Lums' illicit fund-raising activities. And Kent La. La is the President of a company that distributes Chinese cigarettes and is a close associate of Ted Siong, a major figure in the committee's investigation.

Now why? Why the Democrats' opposition to immunity? It is outrageous, Mr. Speaker. The President's own Department of Justice informed the committee that it does not oppose the granting of immunity to these witnesses. Some of the committee Democrats have admitted that they are opposed to immunity solely to punish the

gentleman from Indiana (Mr. BURTON). Granting immunity is often the only way that the congressional investigations can get to the truth.

And many times witnesses are granted immunity. They were granted immunity in Watergate, they were granted immunity by Republicans in Iran Contra, and even Senator THOMPSON's fund-raising investigation granted immunity to witnesses.

But by opposing immunity to these four witnesses, the committee Democrats have made it very clear that they would rather engage in political infighting than to get to the truth about foreign money in American elections.

So, in conclusion, Mr. Speaker, we know what this is all about. What this is all about is to cover up the truth, to keep the American people from knowing the truth, and if we can just keep putting it off after each election, sooner or later they think it will go away.

Well, sooner or later the American people are going to know the truth, whether they want them to have it or not. And sooner or later, either the media of this country or the Republicans of this House will get to the bottom of the truth, Mr. Speaker, because no man is above the law and the American people have the right to know the truth.

Mr. Speaker, I yield to the gentleman from Missouri (Mr. BLUNT).

THE MARRIAGE TAX PENALTY

Mr. BLUNT. Mr. Speaker, I am here today to talk about one of the great injustices in our tax system. We have in our tax system a penalty on the very institution that we should be doing everything we can to encourage, the institution of the family. No American that you ask about this thinks that we ought to have a marriage tax penalty, but that is exactly what we have in the system now.

If two people are married and they are both working, they almost inevitably pay more taxes than if they were both working and decided not to be married. And, in fact, I saw somebody in my district early this year who had gotten married in January because their accountant had advised them that if they got married in December it would cost them $3,600. Twenty-one million American couples pay an average marriage tax penalty of $1,400 a year just because they are married.

□ 1630

Nobody thinks that is right; we need to eliminate that from the penalty. Today I am going to be joined by two of my colleagues who have really been leaders in this fight, and they are the gentlemen from Indiana (Mr. MCINTOSH) and the gentleman from Illinois (Mr. WELLER), who have introduced a bill that I am cosponsoring along with them.

This bill eliminates the marriage penalty; it eliminates the marriage penalty by raising the brackets, by doubling the brackets, the individual brackets so that if the standard deduction is $4,150 now for a single person, for two people who are married, the deduction now is only $6,900.

MARRIAGE PENALTY ELIMINATION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Indiana (Mr. MCINTOSH) is recognized for 40 minutes.

Mr. MCINTOSH. Mr. Chairman, today the gentleman from Illinois (Mr. WELLER) and I would like to talk to our colleagues and those watching at home about this issue of the marriage penalty that the gentleman from Missouri (Mr. BLUNT) mentioned in his earlier discussion.

This first came to my attention in a very serious way when two of my constituents, Sharon Mallory and Dale Pierce, wrote me a letter last February that moved me to investigate what exactly was happening in our Tax Code. Sharon explained that they wanted to get married. They went to H&R Block and found out that although they both worked at about $10-an-hour jobs at a factory, they would be penalized $2,800 if they got married. She would have to give up her $900 refund and pay those additional taxes, simply because they got married. She went on to write that they could not afford it, and it broke her heart that they could not get married.

This marriage penalty is one of the most immoral provisions in our Tax Code. It says to young people, older folks, anybody who is married in this country, you are eligible to pay more taxes simply because you are married. It is wrong; it is something that needs to be eliminated in the Tax Code.

I have teamed up with my very good colleague, the gentleman from Illinois (Mr. WELLER), and we have introduced a bill, the Marriage Penalty Elimination Act that is gaining more and more support every day in Congress, here in the House and in the Senate, because Members realize on the Democratic side and on the Republican side that this is the wrong way to treat families in our country.

We have all suddenly begun to realize in this country that families are indeed the centerpiece of our society. They are the ones that bring up our children. The family unit is the one that helps our communities to grow. Why should the government penalize people who are married, simply because they are married, in the Tax Code?

Mr. Speaker, let me now yield to my colleague to explain the legislation that we have cosponsored and describe the efforts that he and I have undertaken to address this problem, and take it to the American people so that they are aware of the problem in the Tax Code.

Mr. WELLER. Mr. Speaker, I want to thank the gentleman from Indiana; I want to thank him for the partnership we have had to eliminate what we all consider to be not only the most unfair, but really immoral provision in our Tax Code, which is the marriage tax penalty.

I represent a pretty diverse district. I represent the south side of Chicago, the south suburbs in Cook and Will Counties, a lot of bedroom and farm communities, and I find that some pretty simple questions come forward which I really believe illustrate why elimination of the marriage penalty should be the number one priority of this Congress when it comes to the tax provisions in this year's budget agreement.

Some questions that I have been asked as a legislator, when I have had town meetings, or at the local VFW or the local union hall or the local plant, folks just say that Americans do not feel that it is fair that our Tax Code punishes marriage with a higher tax. Do Americans feel that it is fair that a working married couple with two incomes who are married happen to pay higher taxes just because they are married, in comparison to a couple that lives together outside of marriage in an identical income bracket?

I say to my colleagues, if we think about it, our Tax Code actually provides an incentive to get divorced, because for 21 million married, working couples, they pay on the average $1,400 more just because they are married. In the district that I represent, the south side of Chicago, the south suburbs, $1,400 is one year's tuition at Joliet Junior College; it is 3 months of day care at a local child care center in Joliet as well. That is real money for many people.

Let me give an example here. Of course we have all had so many constituents who have shared with us and written us some pretty heartfelt letters regarding the marriage tax penalty and how the marriage tax penalty hurts them. But let me give an example right here in the district that I represent, outside of Chicago; Joliet is the largest community that I represent.

Take an example of a machinist who works at Caterpillar. Caterpillar is a major manufacturer in the district that I represent; they make the real heavy earth-moving equipment, the bulldozers and earth-scrapers and other things, and folks work hard there. We have a case of a machinist who works at Caterpillar, and this machinist makes $30,500 a year. If this machinist is single with this $30,500 a year income, if we take into consideration the standard deduction and exemption, he falls in the 15 percent tax bracket, if he is single.

Now, say he meets a gal in Joliet and they decide to get married, and the gal he wants to marry is a school teacher, a tenured school teacher in the Joliet public schools. She makes an identical income of $30,500. Well, under our current Tax Code, if they are married, they file jointly and when they do, their combined income is $61,000. Even after you take into consideration the standard deductions and exemptions,