Mr. Speaker, the American people know full well that actions speak louder than words. Once again I reach out, Mr. Speaker, to our friends on the other side, ask them to join together and to help us govern, not to electioneer, not to have politics as usual but to get about the business of governing this great Nation.

REDUCED FUNDING FOR EDUCATION TO HAVE SEVERE IMPACT

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I just want to point out again that the cuts in education that are happening right now because of the reduced funding levels in these continuing resolutions that the Republican leadership continues to put forward in this House are having a severe impact on education in secondary schools, primary schools, as well as higher education around the country. We are talking, in this continuing resolution that passed last week, if it were to continue for the rest of this year, about a $3 billion cut in education programs.

What that means is higher property taxes in those school districts which decide to continue those programs, or simply the elimination of valuable educational programs that students take advantage of. Already I am hearing from my school boards and from educators in my district in New Jersey who are saying that if the level of cuts continue the rest of this year as they have since the beginning of October, the beginning of this fiscal year, the consequences are dire for education programs on every level. it is sad because, once again, I feel that education should be a priority of this Congress and should not be cut back.

TRAVELS OF THE ENERGY SECRETARY

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, Secretary O'Leary continues to call the shots at the Energy Department. Oh, no, she can't be fired despite the flagrant abuse of her privilege, not right, but privilege of travel.

The taxpayers, in my opinion, have been ripped off because of her excessive travel. Ms. O'Leary flies first class or she charters her own private plane and is accompanied by her ubiquitous entourage.

The time has come for President Clinton to show this woman the gate that leads to the road out of town. Even then she will likely demand a first-class ticket or a private charter and her entourage of 5 to 25 aides to preclude any heavy lifting on her part.

Oh, no, she's special, she can't be fired. Yet she will continue to enjoy the luxury of worldwide travel at the expense of the American taxpayers as well as her own employees.

Inexcusable, Mr. Speaker. Inexcusable.

THIRD GOVERNMENT SHUTDOWN IN OFFING

(Mr. LINDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, this morning's Washington Post had an article quoting the Senate minority leader as saying that we are 5 days from a third Government shutdown and the situation is every bit as precarious as it was several months ago.

What it did not go on to say was why we are close to a Government shutdown: Because the President wants to spend more money on his favorite projects. He wanted $8 billion. The House passed a bill providing $3.3 billion, but that did not include the $7 million more to foreign countries to teach students to measure rainfall; $10 million more for the controversial art projects funded by the National Endowment for the Arts.

There may be another Government shutdown, Mr. Speaker, but it will be entirely on the President's shoulders because he cannot get rid of his appetite for more spending projects.

COMPETING VIEWS ON GOVERNMENT

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, this coming November the American people will have a choice between two competing views of Government. One view holds that Government must be restrained and that we must be fiscally responsible.

The other view holds a kind of utopian vision of Government. This utopian view holds that Washington spending and Washington taxes and Washington regulations are the key to a successful America.

For instance President Clinton has requested that Congress appropriate $8 billion more in social spending and corporate welfare. The President who gave us the largest tax increase in American history now wants $8 billion for essentially a reelection pork package.

Mr. Speaker, the American people are tired of the lavishness of the Clinton administration. They are sick and tired of seeing their tax dollars going to fund liberal programs with these dollars. We must reject this request and put a stop to the arrogant tax-and-spend policies of the Clinton administration.

THREE STRIKES AND GOP IS OUT

(Mr. MARKEY asked and was given permission to address the House for 1 minute.)

Mr. MARKEY. Mr. Speaker, already twice the Government has been shut down, once in the fall, once in December, and now we are skidding up towards a third point where the Government could be shut down yet again.

The conditions that the Republicans are imposing, we must cut the EPA by 20 percent, we must cut the Department of interior by 10 percent, we must gut environmental laws or else they will not allow the Government to operate.

GOP used to stand for Grand Old Party. Now GOP stands for gang of polluters who will shut down the Government unless we gut environmental laws in this country. They say the definition of insanity is someone that keeps doing the same thing over and over again expecting a different result.

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The Republicans think they can shut down the Federal Government for a third time and that the people of this country will not be upset. They will be. This time they are going to say, ''Three strikes and you're out.''

COMPTROLLER OF THE CURRENCY OVERSTEPPING HIS AUTHORITY AND CIRCUMVENTING STATE LAWS

(Mr. WATTS of Oklahoma asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today to bring to your attention the unlawful actions of an unelected official—an official who has taken it upon himself to dictate the laws governing the Nation's financial institutions, and proceeding so with no regard to State law or States' rights.

The Comptroller of the Currency, is overstepping his authority and circumventing State laws.

This overstepping of authority has become abundantly clear in my State of Oklahoma where the OCC has approved a national bank branch in a location that would be illegal under Oklahoma State law.

Laws governing intrastate branching have always been an authority granted exclusively to the States. The OCC must not be allowed to pick and choose which State laws national banks have to comply with.

They have become a rogue Federal agency and Congress must exercise its oversight authority. If we are to have a vibrant and healthy State banking system, we need to preserve State law.

I thank my colleague, Chairman LEACH of the House Banking Committee, for his recent comments on this issue. I appreciate his leadership and support for a dynamic and healthy dual banking system.

It is time that Congress take action to reign the Comptroller of the Currency and my hope that the banking Committee will hold hearings on the OCC's recent disregard for States rights and the dual banking system.

CORRECTIONS CALENDAR

The SPEAKER pro tempore (Mr. CAMP). This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

REPEAL MEDICARE AND MEDICAID COVERAGE DATA BANK

The Clerk called the bill (H.R. 2685) to repeal the Medicare and Medicaid coverage data bank.

The Clerk read the bill, as follows:

H.R. 2685

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF MEDICARE AND MEDICAID COVERAGE DATA BANK.

(a) IN GENERAL.—Section 1144 of the Social Security Act (42 U.S.C. 1320b–14), as added by section 13581(a) of the Omnibus Budget Reconciliation Act of 1993 (in this section referred to as ''OBRA–93''), is repealed.

(b) CONFORMING AMENDMENTS.—

(1) MEDICARE.—Section 1862(b)(5) of such Act (42 U.S.C. 1395y(b)(5)), as amended by section 13581(b)(1) of OBRA–93, is amended—

(A) in subparagraph (B), by striking the dash and all that follows through the end and inserting ''subparagraph (A) for purposes of carrying out this subsection.'', and

(B) in subparagraph (C)(i), by striking ''subparagraph (B)(i)'' and inserting ''subparagraph (B)''.

(2) MEDICAID.—Section 1902(a)(25)(A)(i) of such Act (42 U.S.C. 1396a(a)(25)(A)(i)), as amended by section 13581(b)(2) of OBRA–93, is amended by striking ''including the use of'' and all that follows through ''any additional measures''.

(3) DATA MATCHES.—Section 552a(a)(8)(B) of title 5, United States Code, as amended by section 13581(c) of OBRA–93, is amended—

(A) by adding ''or'' at the end of clause (v),

(B) by striking ''or'' at the end of clause (vi), and

(C) by striking clause (vii).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. THOMAS] and the gentleman from California [Mr. STARK] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2685, a bill I introduced to repeal the so-called Medicare and Medicaid coverage data bank. This particular bill was favorably reported by the Committee on Ways and Means last November by a unanimous voice vote.

Mr. Speaker, this bill is particularly well suited to be considered here under the corrections procedure as we are doing today. Under the Medicare secondary payer program a person's employer based insurance may be the primary payer in certain cases. In other cases, it may not be.

The 1993 budget reconciliation bill created a data bank to identify Medicare secondary payer cases. In principle, this was, I guess, at the time a good idea. However, its implementation was misguided and heavy-handed.

Under the 1993 law, employers were required to submit health insurance information on all their employees, not just those subject to the secondary payer provisions. Health and Human Services also said this was to begin in 1994.

Many employers voiced strong opposition to this cumbersome requirement, in large part because employers were required to report information which they did not routinely collect, and what started out as a good idea became, in part, a hunt for information which was not then currently asked for or even needed in the system.

In response to these objections, a fiscal year 1995 Labor, Health and Human Services appropriations bill directed that no funds be used for the implementation of the bank. In addition, the General Accounting Office issued a report in May 1994 which found that the data bank would create burdensome and unnecessary paperwork for both the Health Care Financing Administration and employers and would achieve little or no savings. As the witness from the GAO testified on February 23, 1995, ''The proposed data bank would create an avalanche of unnecessary paperwork for both HCFA and employers and will likely achieve little or no savings while costing millions.''

It is also believed that the data bank would cost the private sector as well as Government that money, that burden not being solely on one group or the other.

H.R. 2685 puts an entirely appropriate final nail in the coffin by repealing the underlying data bank law. The data bank notwithstanding, the idea of making sure that the Government paid only its fair share was a misplaced idea from the start.

I am pleased to be able to help send it to its final resting place here today. This is a relatively straightforward bill. It has very narrow scope of subject matter. There is, I believe, universal support for the repeal of this Medicare-Medicaid coverage data bank law, and I urge its swift adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. STARK. Mr. Speaker, I yield myself such time as I may consume.

I, too, support this legislation. It is a provision of 1993 which the House reluctantly accepted in conference as part of a package from the other body, and at the time, then-chairman of the Committee on Ways and Means predicted we would be back repealing it at some later point, and it is appropriate that we are doing so today.

In addition, the administration has been unable to implement the law, and the administration also supports the repeal as a necessary correction.

It is interesting that we are here today to talk about data banks, because the data bank is, Mr. Speaker, a record, just so that my colleagues understand; this is very arcane computer talk, and this gentleman from California is no expert, but I understand that a data bank is a record, a record not unlike this Congress under the Republican leadership which has passed no legislation. That is a data bank, and I am sure that it is one that the Republicans would like to repeal at some point so they do not have to run on the data bank that they have established in this Congress.

There are lots of data banks that perhaps are needed, and I hope that none of my colleagues will feel that doing away with this data bank, we should forego all data banks in the future.

Somebody a while ago mentioned nails in a coffin. Now, I would like to have a data bank on how many coffins will be nailed shut by the Republican Medicare plan, how many poor people would be denied.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from California yield for a parliamentary inquiry?

Mr. STARK. Certainly.

Mr. THOMAS. I fully understand the intent and purpose of the gentleman from California, and all of us, I think agree that we come here not to praise data banks but to bury this particular one, and I know he must, because of the rules of the House, walk a very fine line in talking about the subject matter in front of us. I would urge him that I would not want to continually ask this parliamentary inquiry.

But were the gentleman's statements referring to any data bank, including data banks collecting information about the record of this Congress, germane to the subject matter in front of us?

The SPEAKER pro tempore. The gentleman must maintain a nexus between the subject being debated and the bill.

Mr. THOMAS. My parliamentary inquiry is: Is mentioning the word ''data bank'' and then talking about what you want to put in any data bank you so conceive, is that an appropriate and parliamentary nexus?

The SPEAKER pro tempore. At this point the Chair will simply remind the Members that discussions should remain relevant to the bill under consideration.

Mr. THOMAS. I thank the Speaker, I thank the gentleman for yielding.

Mr. STARK. My pleasure. I will try and keep my nexus in focus. I am not sure I know what a nexus means, either. But I will do my best.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. STARK. I yield to the gentleman from California.

Mr. THOMAS. Perhaps we could have a data bank collecting nexus. Then we could examine them.

Mr. STARK. I thank the gentleman for his suggestion. In all seriousness, the collection of health data has been an important facet in the Medicare Program, which has been the perhaps leading social legislation since 1965, when Lyndon Johnson and a Democratic Congress and Senate enacted Medicare. And we have kept much in