to our Federal retirees and employees for fair treatment. We have not been fair in this last year. We can begin anew. I hope the Committee on the Budget in their final deliberations will look for COLA equity across the board.

STALEMATE WITH FREEMEN SHOULD END

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

Mr. CLEMENT. Mr. Speaker, I have watched and deliberated and thought about what is happening in Montana with the Freemen, and more and more it is bothering me. It bothers me, because all of us have to live under the laws of the land. A lot of the laws, we do not like; a lot of the rules and regulations, we want to change; but there is a way to go about it.

The New York Times reported that the leader of the Freemen has collected over $676,000 in Federal farm supports over the past 10 years. It is all right for him to denounce the Federal Government, but the fact is, he is living off the Federal Government.

These Freemen that occupy this property in Montana, they do not own that property. Somebody else owns that property. And what about the people that own that property? They are about to lose that property because they have a big mortgage to pay. They need to plant a crop. They need to cultivate the land. They need to do something with that land. And yet they cannot even get on that land because we keep continuing to delay.

Now, I realize our reluctance. I realize maybe some mistakes were made in Waco, maybe some mistakes were made at Ruby Ridge. But the Federal Government, the Government, finally has to act or react. They cannot keep postponing and delaying, knowing that by doing nothing we are not complying with the laws and we are infringing on the majority's rights.

Sure, we want to protect the minority's rights, and, my goodness, I have supported much legislation to protect the minority's rights. I realize a lot of people in the West feel very strongly when it comes to individual rights and property rights, and much of the land in the West is owned by the Federal Government; it is not owned by the individuals. But the fact is, fair is fair, and I think a lot of people in the West would also say that this has gone on long enough, that we need closure, and we need it now.

Talks have broken down again. Just yesterday we thought we were going to have some type of conclusion to these talks, but that is not true at all. The fact is, a lot of these people have broken the law that live on this property in Montana.

Let us give this ultimatum that these people need, to get off this property and need to get off it now, and give that property back to the homeowners, to the people that own that property, to let them pursue their goals and objectives. That is the American way, and that is what we ought to do as Americans. By doing that, we will be doing something for our country and for individual rights.

THE MINIMUM WAGE AND MEANINGFUL REFORM OF WELFARE

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

Mr. RIGGS. Mr. Speaker, I rise to address my colleagues and to focus a little bit on the subject of the minimum wage, because I would like my colleagues to know that in the 1994 campaign I promised to support a modest increase in the minimum wage, provided that that increase in the minimum wage was coupled with meaningful reform of the welfare system.

It seems to me we ought to increase the minimum wage so that the minimum wage can keep pace with inflation, so that we can restore some of the purchasing power to the minimum wage, and so that, most importantly, we can make work more attractive than welfare.

I would like to quote for you, Mr. Speaker and colleagues, the distinguished minority leader of the House of Representatives, the Congressman from Michigan, Mr. BONIOR, who said last night on the Ted Koppel ABC Nightline Show, ''If you are going to move people off of welfare, you have to make work pay.''

I agree with that premise. The real problem I have though is that we need to again combine a minimum wage increase with real reform of the welfare system, and many of our Democratic colleagues, who are led by Mr. BONIOR, while supporting a minimum wage increase on the one hand, adamantly oppose reforming welfare on the other.

So I want to take this opportunity to remind our colleagues that there is a definite linkage, it is sort of a natural linkage, between increasing the minimum wage and reforming welfare. It is something I think that this Congress, the 104th Congress in our country's history, has the opportunity to do, if only we can put partisan politics aside.

I also want to remind my colleagues, as you well know, Mr. Speaker, that President Clinton, who in 1992 as candidate Clinton promised to end welfare as we know it, has already vetoed two welfare reform proposals sent to him by this Congress, that is to say, two welfare reform proposals that passed the House, passed the Senate, but which he vetoed.

These were commonsense welfare reforms that put a time limit on receiving welfare benefits, that end welfare as an entitlement, that require able-bodied welfare recipients to work, at least part-time, or enter a job training program in exchange for their welfare benefits, which creates subsidized jobs for those welfare recipients who cannot find work in the private sector, and which increases child care and transportation assistance for welfare recipients so that they can make that difficult transition from welfare to work, especially single mothers, who many times struggle against heroic odds.

So I hope we can put the partisan politics aside. I hope we can get our congressional Democratic colleagues to acknowledge the premise that the minority leader was saying last night, ''If you are going to move people off of welfare, you have to make work pay.''

It is my belief we ought to increase the minimum wage so that the minimum wage, that is to say, an entry level job which pays a minimum wage, pays more than welfare benefits in the aggregate. That is the only way we are going to be able to reform welfare. It is a natural linkage.

So, again I say to my Democratic colleagues, when you stand up and thunder on the House floor about your desire to see the minimum wage increase, which, by the way, is something that congressional Democrats did not do during the 2 years that they controlled this whole town, when they controlled both the Congress and, of course, the Presidency, but if you are going to talk about a minimum wage increase, let us at least do it in the context of reforming the welfare system, so that, as the minority leader said last night on ''Nightline,'' we can in fact make work pay more than welfare.

RAISE THE MINIMUM WAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me acknowledge the National Day of Prayer and to appreciate the words of our guest chaplain and to acknowledge that this is a country that allows all of us to be able to pray in peace and in freedom. I would encourage all those who utilize that tool as their spiritual connection to applaud and appreciate this particular day.

□ 1030

I could not help but also, just as an aside from my remarks, listen to the gentleman from Tennessee and his carefully prepared comments about the standoff in Montana, and I would only echo his very eloquent statement that freedom in America is paid at a price, and that price is the obedience to the laws of the land in a nonviolent manner.

We recognize and respect protest. It has been a part of this Nation from its earliest history, recounting the throwing of the tea into the Boston Harbor and on down into the abolition movement, the women's movement of the

early 1900's, and, of course, the continuing civil rights movement now in the late 20th century. But I would say that having been a member of the Committee on the Judiciary and sat through the Waco hearings for a number of weeks, and been advised on and studied the Ruby Ridge incident, and certainly the loss of life, it is imperative that our law enforcement officers on a Federal level, one, be supported, and that our citizens recognize their responsibility to peacefully protest but not cover it in weapons and charging that they will not give up without a fight.

I would hope that we would be able to end this standoff peacefully, but I would admonish those who are holding up at this time that they have an obligation as those who have partaken of the rights of this country to protest, yes, but in peace and not in violence.

I think it is important, as we begin a new week and have concluded a legislative week to assess our week on the issue of human capital. The investment in human capital. The headlines and much of the attention of Congress this week has focused on the increasing gasoline prices that have come about over the last couple of weeks. Much of the attention, of course, has occurred because our constituents and citizens have faced an increased price at the pump.

In Houston alone, where I represent, we are finding prices $1.35, average, and maybe higher in other parts of the community. It is important, and I believe that Congress has a responsibility to recognize the investment in human capital. That means that we must understand the burden of what we do on the United States people, and then we are to be problem solvers. Not to create problems but to be problem solvers.

I have studied this issue and have come to understand that it is probably not easy to point the finger anywhere. We can look to a place like Texas, which has had a long history in the energy arena, both in oil and gas, and we have found that there have been occasions in Texas history when it has been at the peak of domestic production, when the oil barrel price was going at a high level, relatively, on an international level, and the oil wells were pumping hard.

So we have a problem of supply in this country. We, then, have not built a refinery in the last 20 years. And then those who exist have indicated that they admit that the transition process for going from heating oil into gasoline has not been the most efficient this year. In fact, because of the demand for heating oil, we have found that they have not transitioned.

We realize that the weather reports have shown us that just this past week we have had snow in the Midwest and West and so they have not transitioned. That is part of the problem. We recognize that there has been extremely cold weather in the central and eastern United States and Europe and it has forced refiners to draw down their product and crude oil inventories in order to supply the market. And, ultimately, it has forced refiners to demand more crude oil.

In short, in the first quarter of 1996, refiners around the world increased their demand for crude oil, while crude oil supplies were less than expected. That drove up crude oil prices everywhere, so refiners have paid more for crude oil and, in turn, have been passing through costs in gasoline and other products.

There lies the question, and where is the answer? The question is what are we doing about domestic energy production, in particular? What has this country been doing about a domestic energy policy.

So we can rise on the floor of the House and begin to talk about hearings and other emergency responses, but what is the long-term response? And my question then goes out to our companies that have certainly worldwide interests, many of whom that I represent. Their look and their attitudes have been focused on international production. What has happened with their production here domestically that would help enhance jobs for America?

Crude oil prices in late March were the highest level in 5 years. They have risen recently because weather and other factors increased demand for petroleum products this winter. U.S. heating oil use, for example, was estimated at 6 to 8 percent higher than during the previous year. Also, worldwide crude oil supplies failed to increase as much during the first 3 months of 1996 as had been anticipated.

It is important to realize, and many observers have stated, that additional supplies of crude oil may soon appear on world markets from a number of places inside the Persian Gulf, the North Sea, and Latin America. We note that none of those are off the Gulf of Mexico and other places where we could look to do domestic production safely and environmentally safe.

That is a key. And I think that the environmental community has a large role to play in enhancing domestic production, and we must do it sitting at the table together. The Persian Gulf and other thoughts about energy is reliance on energy outside of this country. And I might add that we are concerned or in a crisis somewhat because the oil coming from Iraq has not come because of negotiations with the United Nations.

So we have the average family that is trying to make ends meet finding themselves in America, particularly now in Houston in the 18th Congressional District, not only acknowledging but paying prices that are beyond their ability.

So I am announcing today that I am prepared to support the repeal of the gas tax contingent upon those dollars being immediately passed through to the benefit of the consumer. Immediately passed through on the basis of that reduction to the consumer.

I then call for a major energy summit of those leaders of the major companies, the big six, a domestic energy summit to talk about the increase of domestic energy production so that we are not undermined domestically or with respect to our national security.

There is a need for this Congress, as the days of legislative activity are waning, to reinvest in human capital. And certainly that is human capital, to ensure the domestic production of energy, in particular oil and gas, and as well to increase the opportunity for work in this country that I have spoken about over the years and bring some immediate relief to our constituents by repealing the gas tax, but having it based and contingent upon moving it directly to the consumer.

With that, I hope that we will, as a Congress, be able to come back next week, and, in fact, not have the partisan bickering but ensure that we respond to what appears to be an approaching energy crisis. We will have these, however, repeatedly and we will then look for other ways to cut the costs of gasoline. That is not the way to handle it, through the back door. The best way to handle it is to confront now the immediate emergency, but to deal with the issues of domestic production, job creation, and facing this crisis, whether we have cold winters or light winters, whether we have harsh summers or whether we have a busy summer for travel. We need to tell the people of America we will protect you and you have the resources that you have come to expect over the years.

That is why, Mr. Speaker, I likewise rise to speak about another aspect of human capital investment, and that is the increase in the minimum wage. I have been a constant speaker on this issue, reminded very frequently as I visit with my constituents.

It has sometime saddened me that we categorize people. And I have heard my friends on the other side of the aisle, Republicans who have said it is only a small amount of individuals who get the minimum wage. It is young people who are in entry level jobs. They do not stay there long. Well, let me tell my colleagues something. First of all, 80 percent of the American people want to see the minimum wage increased. In fact, 59 percent of those who are on minimum wage are working women with children trying to make ends meet, facing the elimination, by my colleagues on the other side of the aisle, of the earned-income tax credit. These individuals have opted for work over welfare.

And might I add to my good friend who was previously on the floor challenging that we have an increase in minimum wage and welfare reform, that I am on record for voting for welfare reform, that is the right kind of welfare reform, along with my Democratic colleagues; and that is welfare reform with child care, job training and health care, and a certain period of

time on, and, as well, the ability to supplement with respect to food stamps that allows individuals to transition off of welfare into the workplace.

I assure my colleagues, however, that we are not going to be serious about the discussion of whether we need to have an increase in the minimum wage if we have the leadership of the House saying, ''The minimum wage is a very destructive thing. I will resist a minimum wage increase with every fiber in my being.'' House Majority Leader DICK ARMEY, who was likewise on the ''Nightline'' program where he altered his comments. But these are his comments on Fox Morning News, CNN News, on January 24, 1995.

That is clearly not a bipartisan approach to the question of helping Americans become equal. We find out that the minimum wage presently is $4.25, which allows our citizens to make a mere $8,840. That is what someone has to work a full year on a minimum wage to make $8,840. Now, I would like the heads of our major companies, and I think they create work in this country, and I am certainly a supporter of that, but the average CEO of a large U.S. corporation works half a day to make $8,840, and yet 59 percent of working women make $8,840, and they may have two or more dependents.

What is the issue, then, of raising the minimum wage, a clean bill of 90 cents, that would allow our citizens to get $1,800 more in their pocket? The middle class should be supporting this as well, because as those raises go up, I have heard from my constituents who are two-parent families, working every day, barely making ends meet to pay for the cost of transportation, the cost of light and water bills and mortgages, the cost of caring for children. And here we have a situation where the U.S. Congress is standing in the way of increasing the minimum wage.

The Democrats are simply asking not for a political point, we can all argue political points, but we are asking for the real answer to a real problem, and that is Americans are not seeing their wages go up in equal rate, if you will, with the responsibilities that they have.

So I would ask my colleagues to give some thought to those people who pick peas and pick corn. I would ask Members to give some thought to those who sweep floors and, yes, who throw the hamburgers, because those who do that work are not only young teenagers but they are people who have responsibilities to support their families.

In fact, one story of a young person who worked, they were not just working for extra cash, they were working to be able to support themselves for a better life, to go through medical school. And they argued vigorously that we do not know what that 15 cents per hour means to them. Many of us who would not remember those days when we started out in minimum wage, and all of us did, do not understand what it is to take home $8,840 a year while some of our good friends can sit and get that in maybe 4 hours in the morning.

So I call now for an immediate increase in the minimum wage, a clean, straightforward 90 cents. I know my colleagues had offered a higher number. If the analysis will support it, I would even be willing to do that. However, I would not be willing, and I think it is, of course, an effort to stop the increase in minimum wage, to draw down on or to heavily laden that particular legislation with a whole lot of other parts of the legislation that many of us do not agree with.

Welfare reform will come, but it has to come in a bipartisan manner such that we provide to those who are transitioning off of welfare the job training, the child care, and health care that they need. Right now these individuals who are in the workplace need our help now. They are the ones that are suffering without getting health care. They are the ones, if you will, that are suffering by having to support their children. Yes, their children, plural, on $8,840.

So I would say that a minimum wage is an investment in human capital and we must invest in human capital.

□ 1045

It brings me of course to another point about the investment in human capital. I found this week and over the last week something that is most egregious. It is offensive. It takes away from the American people their privileges of seeking redress of their grievances in the Federal courts or any court, for that matter.

Mr. Speaker, I might venture to say that I am not going to make a judgment on the right or wrong of this case. I will not make a judgment. I will simply provide the facts. Those facts deal with a case dealing with the Mitsubishi Co. that makes cars out in Normal, IL. It is tragic that we find ourselves in 1996 where actions are being filed on behalf of women for sexual harassment.

I will read out of a petition by these plaintiffs indicating what has occurred there. This is about 30-some women who have gone to work in this plant for no other reason than to provide an income for themselves and their family, no other reason, to do a good job and to provide an income for their family. It said from the time Mitsubishi opened its plant in 1987 and continuing through the present, 1996, Mitsubishi has created and fostered an environment at the plant that has been severely hostile toward its female employees. As a result, plaintiffs in many of the plants, other female employees have been continually subjected on an ongoing basis to relentless sex discrimination, sexual harassment and sexual abuse from their male colleagues and in many cases from their male supervisors.

Mr. Speaker, such discrimination, sexual harassment and abuse has taken many forms that have been presented now in this particular petition. It would include unwelcome grabbing, touching, fondling, kissing, assaults, and other sexual conduct by male coworkers and/or male supervisors. This is 1996 when women and men should be allowed to go into the workplace, and it should be safe. It should be free of discrimination, and that discrimination may be racial and that discrimination may be sexual or it may be age, ethnic origin. It should be allowed to be free of discrimination.

What do we have here? We have a situation where not only are the women being provided an unsafe workplace, as it relates to their own personal feelings. There is horrendous name calling going on. They are being harangued by individuals who are supervisors and their work colleagues. In fact, as they have filed a lawsuit or a petition at the EEOC, they have been intimidated and harassed. They have gotten phone calls. Those of us who are Congresswomen who have joined in support of these women have likewise been called and asked to cease and desist.

Mr. Speaker, we will not cease and desist. We will call for further support of the EEOC by providing it with the necessary resources to be effective on this case. We will also say to this company that we are ashamed that their corporate citizenship has been so tainted and diminished. But the place to fight their case is in the courtroom and not in the battlefield of the workplace or against their employees who have every right to petition against these horrible and horrific acts.

Just this week we were shown lewd and horrendous pictures showing sexual activities of male employees and supervisors of this company. Were these private pictures gotten from the homes of these individuals? No, they brought these pictures into the workplace, into communal areas where men and women had to be. Shame on you. Shame on you. This is intolerable.

I would simply ask that we play this out in the courtroom where it needs to be played and the facts be told and a decision be rendered. Stop the intimidation. Stop the characterization of those who have sued as individuals who have no rights. And, yes, to the employees, I am in great support of your ability to work, of the plant to remain open, of the company to be successful. But I will ask that you consider your actions in being paid to go forth and picket different companies and intimidate those individuals who have taken up the responsibility of making this a safe workplace and stopping the sexual harassment that has continued from 1987 to 1996, 9 long years.

Mr. Speaker, I would ask that this case be handled appropriately, fairly, without intimidation. Then I would join in with my colleague who previously spoke, the gentlewoman from Colorado [Mrs. SCHROEDER], and others who joined us, that we write the EEOC and ensure that all the facts are had

and given to us and as well to receive a status report on the progress of this case.

I said that I would talk about an investment in human capital, and now we have talked about the increase in the gasoline price at the pump. I announced that I will support the repeal of that gas tax and ask that it immediately be passed through to the consumer and call for an energy summit.

We have spoken about the need to invest in our citizens so that they can get a decent salary above $8,840, especially those at minimum wage. Those women and men are working to support their families and have refused to go back on welfare, if you will.

I have asked that that occur and then to challenge one of our corporate citizens, well known, located in Illinois to behave like a good corporate citizen and to cease and desist from activities that would bias against women and to proceed to argue and debate any issues dealing with the case in the appropriate jurisdiction, not in intimidating those who have filed their lawsuit.

Now I would like to speak on another issue dealing with the investment in human capital, and that is, of course, the siege upon affirmative action that affects minorities and women and, of course, the attack on the districts that have allowed to come to the United States Congress those individuals who come from diverse communities. It is interesting that we have found in this climate, where talk show hosts have gotten, I guess, their inspiration from the revolution of 1994, where there were candidates who ran on the contract, I call it, on America, the ugly talk of blame, blaming minorities and women for their problems. The talk show hosts across this Nation indicate that affirmative action has kept individuals from their jobs. Poppycock, at the most; bunk, whatever you want to call it. It makes no sense.

This morning I think it is important, as I track the interest in investing in human capital, that we talk about this siege, this ugly talk that has created this atmosphere where everyone feels that it is the cost of their job, their community, that minorities have been able to achieve certain levels of success.

I am reminded of a statement that was made in 1901. Mr. Speaker, it goes like this:

> This, Mr. Chairman, is perhaps the Negro's temporary farewell to the American Congress, but let me say, Phoenix-like, he will rise up some day and come again. These parting words are in behalf of an outraged, heartbroken, bruised and bleeding people, but God-fearing people, faithful, industrious, loyal people, rising full of potential.

The year was 1901, and the speaker was George H. White of North Carolina, the last African-American Congressman to serve in the 19th century.

We come now in the 20th century and we find a series of cases being filed by individuals who allege that they have been injured. You wonder, some of them have been found not to even live in the districts. These districts have included such diverse States as New York, where a Hispanic is representing a predominantly Hispanic district, Chicago, where another Hispanic is representing a predominantly Hispanic district, North Carolina, where African-Americans are representing predominantly African American districts, along with Georgia, along with Louisiana, along with Texas.

In these cases, we found ourselves before judicial bodies, appointees of Reagan and Bush, listening to those individuals who allege gerrymandering. We know that gerrymandering, in the sense for political purposes, has been upheld as a legal basis to maintain strangely drawn districts.

My case, in particular, in Texas, it is clear, as the State has argued, that the real basis of the districts that have been drawn is to protect incumbents. States have a compelling interest to compel or to protect incumbents. They have that because of seniority and reasons where those who have gained seniority and reasons where those who have gained seniority in the United States Congress, the Senate and the House, particularly the House, that these seats are impacted, are those who can carry the business of the State of Texas, the State of Georgia, the State of North Carolina. But yet we find time after time after time, we find that these cases have been undermined and that these cases have been ruled against those who would hold these seats.

I argue not only the question of political incumbency, but I argue that these majority/minority districts do one thing and one thing only: They allow the constituents of that district to select a person of their choosing. It is based upon the 1965 Voting Rights Act which is based upon almost 400 years of discrimination and prejudice against minorities in this country, particularly African-Americans.

There is no doubt that you can cite very pertinent and pointed discrimination, for African-Americans started in this Nation three-fifths of a person and came here in the bottom of the belly of a slave boat and spent some 300 years as slaves in this country.

I am as well familiar with the opposition's position: That is not current discrimination. We have heard about that already. That is past discrimination.

Oh, I would simply take a moment of personal privilege and maybe a moment of a degree of emotionalism here. No matter how far we go in this country, you will never wipe out the history of slavery. You cannot do it. We will not allow you to do it. There is no reason to do it.

Yes, there is time to go forward, and we link arms with our brothers and sisters as Americans to go forward and take hold of the best of this country, the dreams of all, to aspire to the greatness of America. But you will not take away from me or the people that have African-American heritage their history. And you will not come into the court system, now moving away from the courts of the 1950s, when the Brown decision did allow for schools to be opened up. You are not going to take the history away forever and ever and suggest that we can go back to that place.

We have seen a sizable increase in this House, in this body, because of the Voting Rights Act of 1965, which helped eliminate things like poll tax, reading tests in order to vote, which denied many African-Americans in the Deep South their ability to vote, which intimidated them. We have taken away the history of the Ku Klux Klan and the Jim Crow days. Yes, we have, but the remnants are still there.

If these decisions are allowed to prevail, then time after time after time we will see the loss of districts which simply allow people who happen to be minority to vote for a person of their choosing.

My district in particular is less than 50 percent African American. It is a fairly diverse and, in fact, I would argue, one of the most diverse districts in the State of Texas, It is my job to represent all of the citizens, and I work extremely hard, as do all of the Members in this body, to work for their constituents. Therefore, I think it is incredible that the case law is continually undermining the Voting Rights Act which seeks simply to fairly give to those who have been discriminated against the right to vote for a person of their choosing. The voting rights of all Americans are in danger as a result of these Federal court decisions and the Supreme Court decision. Despite the fact that the Voting Rights Act has been the law of the land for more than 30 years, it has not been truly accepted by all Americans. It has been charged unfairly with taking away the rights of others. Many Americans fail to understand the reasons underlying the passage of this Voting Rights Act. They ignore or are unaware of our Nation's history.

When the Nation was founded, only white males who owned property were allowed to vote. Through the ratification of the 15th amendment to the Constitution during the Reconstruction period and the ratification of the 19th amendment in the 1920's, were African Americans and women of all races granted the right to vote.

□ 1100

Despite the 15th amendment, African Americans were routinely denied the right to vote, particularly in the South, through physical and economic intimidation, political maneuvers such as racial gerrymandering, poll taxes, white primaries and at-large electoral districts instead of single-member districts for municipal and county governments. It is only in the last 5 to 6 years have we, in fact, been able to find in our local governments opportunities for minorities to be elected.

I know that I was one of the first two African-American women to be elected to the city council in the city of Houston in the history of that city that is over 150 years old.

Thus, it was necessary to pass the Voting Rights Act of 1965, which provided the first real opportunity for African-Americans to elect representatives of their choice. In 1965, there are approximately 500 black elected officials in the country. In 1995 there has been an increase, so that number has increased to a mere, to a mere 8,000.

We have not finished the fight. We have won many battles, but the fight goes on because notably from 1901 to 1973 there were no Representatives in the U.S. Congress from the deep South who were African-American. Congresswoman Barbara Jordan and Andrew Young were the first African-Americans in Congress from the South in more than 70 years, and it was only through the redistricting process engaged in by State legislatures after the 1980 census and 1990 census that African-Americans were in a position to elect a significant number of African-Americans to serve in Congress.

After all of this progress in 1993, with twisted logic and unusual semantics the Supreme Court uses the term political apartheid in the Shore versus Reno case to describe majority minority districts such as the two black majority districts in North Carolina. And then, on in 1995, to Miller versus Johnson, the court ruled a black majority district in Georgia as unconstitutional because it was drawn primarily for racial reasons.

We go on to the case in Louisiana and congressional districts in Louisiana, and, as I mentioned, Florida, Texas, Virginia are also under attack. The Fourth Congressional District in Louisiana, Third Congressional District in Florida, have already been declared unconstitutional by lower Federal courts.

We are working to improve this, and yet we find that we have a combination of a siege in the American public's perspective fueled by ugly talk, some coming out of the U.S. Congress, some coming out of talk shows, suggesting that it is too much, let us roll the clock back. I see that happening in the instance of affirmative action because this very Congress, this 104th Congress that got elected on the Contract With America, with only 37 percent of the American people voting, now wants to take back the clock on affirmative action.

Now wants to take back the clock on affirmative action? I am appalled, I am outraged, I am incensed. I would ask my colleagues of goodwill on the other side of the aisle, my Republican friends, I would ask that we not support the turning back of the clock. I would ask them to simply look in places where they might not see, and that is in the nooks and crannies of this government, in the nooks and crannies of this community and this Nation, where African-Americans, Hispanics, and Asians and women have not found their rightful place, where workplaces are predominantly of one race or the other. They have not found their rightful place.

It is tragic, then, that in the State of Texas we would have cases coming out, the Hopwood case versus University of Texas School of Law, and a district court would determine, United States Court of Appeals, would say something to the effect: Since Bakke, the court has accepted the diversity rationale only once in its cases dealing with race. The Bakke case has been good law for years. It has been inoffensive law because what the Bakke case said is that race can be considered as a factor, just a factor.

Similarly, as I went to Yale University and it was considered whether you were the child of an alumnus, very clearly so that was taken in consideration, and, yes, you were admitted along with other institutions across this land like Harvard and Stanford and Princeton. Those issues have been considered, and I might imagine the University of Texas School of Law or the University of Texas, at least, and for this court to say that there is no basis to continue to support the Bakke decision when we can look in graduate schools across this Nation and find an absence of African-Americans, you may find an absence of women, you may find an absence of Hispanics, you may find an absence of some disciplines of Asians, what is wrong with allowing an institution not to have quotas? Absolutely not. Quotas have been declared illegal for a number of years. But what is wrong with allowing institutions to effectively seek out that talent that can bring diversity of life experiences?

And then I have heard the ''make way'' arguments. I am incensed. The ''make way'' arguments, on this affirmative action, is not benefiting the poor people in America, poor blacks in America. What a ludicrous point to make. When a large company goes out to seek a CEO, do they do their search amongst CEOs around the Nation? Chief executive officers? Or do they go to the Bowery or do they go to the jailhouse and look for individuals?

The question of affirmative action, that is the myth, is based upon qualifications, being even in your qualifications, but being ignored because you happen to be a minority, African-American, Hispanic, women or otherwise. That is the crux of affirmative action, to recruit among equals short of the fact that you happen to be a person of color who has suffered immense discrimination in this Nation.

I am incensed then of the Dole-Canady legislation, which we have had a series of hearings in the Committee on the Judiciary and elsewhere, that wants to turn back the clock on affirmative action. It wants to insure that we have no affirmative action in education, in jobs, and in contracting, the very people who have provided opportunity for others to come up, the middle class, Hispanic middle class, African-American middle class, women and Asians who have moved into the workplace, moved into positions of power, who have been able to bring others in behind them. This legislation now wants to cut it to the quick, legislation that has not shown injury, and, if it has shown injury, then I would argue that we should take it to the proper forum, and that is to the EEOC, to your respective State agencies that can help assist in providing for equal opportunity.

Affirmative action programs are being unfairly attacked as reverse discrimination against white males. These programs have only been in existence for 30 years, and certainly this short period of time is not adequate enough to overcome 200 years of slavery and 100 years of legal segragation and the continued instances of discrimination that exist today.

We must not forget the continuing obligation of Federal Government and State government to remove all of the badges and incidences of the Nation's past racial attitudes. It is important to realize as late as 1974 minorities represented only 1 percent of the law schools' student body. Medical schools across this Nation are actively recruiting minorities and African-Americans in particular because of the low number of students in medical schools. They believe that their plan to force diversity in the student body was permissible under the Supreme Court decision in Bakke versus University of California, and that is, of course, the Hopwood case, this case in Texas. The very tragedy of this case, of course, is the fact that as soon as the case came about and before the High Court has ruled, the Supreme Court, everybody started rushing to judgment. Institutions throughout Houston began to have press conferences saying we are going to stop affirmative action. We had the Texas Coordinating Board indicating they were going to stop rendering scholarships. Families in Houston and Dallas and San Antonio and west Texas and east Texas and Laredo and places in south Texas depending upon scholarships for their young people to enter into the fall semester, and what does our State do? Call back the scholarship program based on a decision at best that is wrong and has not been to the Supreme Court.

Why is that? It is because there is a mind set and an attitude. Everyone is rushing to judgment. They are rushing to judgment to insure that the good work of the 30 years that have began to open the doors of opportunity be immediately turned back.

My plea is to this U.S. Congress to remember the words of George, the individual, George White, in terms of his desire to come back into the U.S. Congress through his people. He had to leave in 1901, and there was a big gap for 70 years, but he never gave up. He continued to be able to assure with his spirit that we would never give up.

And as I talk about affirmative action, it is to be emphasized that as we look at the student body population in the 1995–96 school year, only 17 percent of the student body was comprised of minorities. Additionally, 58 percent of the student body was male, and 75 percent was white. The State's minority population is currently 40 percent. This is in the State of Texas, and the State of Texas has appealed this case to the U.S. Supreme Court.

And so, in fact, when we begin to talk about whether there is an over-utilization where the minorities have gotten too much, it is a fiasco, it is a false argument, and I hope when we debate this affirmative action that we will have more people coming to the floor coordinating and joining in with us to be able to say that the goodwill of the American people is that all the doors of opportunity should be opened and we should not rest until that is the case.

I am not here to argue for discrimination against the white male; far be it from me. The doors should be open for all of us to access, and in order for that to occur, the affirmative action programs around the country are designed to effectively provide aspirations, goals, not set-asides, not quotas, but goal aspirations so that we can ensure that that occurs.

We find ourselves in a climate of turning the clock back. Here in Texas we have another case that was just rendered dealing with the Houston Contractors Association versus Metro. That is a transit agency in Houston. Metro, whose program has been authorized and confirmed by the Department of Transportation, a program that is not unequal, that provides an even goal for women, for African-Americans, for Hispanics, and Asians and those economically disadvantaged, a program already given the approval as a DBE program by the Department of Transportation. The Houston Contractors Association in contrast gets 80 percent or more of the contracts rendered by Metro.

We have a community in the Houston area of almost a million minorities, some 600,000-plus African-Americans, some 600,000 approximately, well, plus Hispanics, and yet we have a lawsuit challenging a sour-grapes lawsuit because, in fact, the facts will point out that Metro was prepared to resolve some of these issues that the Houston Contractors had concern with in 1996, March 1996. What did they do? Run to the courthouse.

Here we have an opinion by the district court judge which has been declared as one of the most far-reaching opinions, has nothing to do with the cause and the issue, and, in fact, has been noted by the Department of Transportation as a wrong-headed decision primarily because they have sent a letter to Metro indicating that if your program is as we believe it to be, a goals program, only aspiring program, then your program is the kind of program we approve, and if you do not utilize that program you will lose Federal funding, you will hurt the citizens of Houston in the tax dollars they have sent to Washington, we will lose the Federal funding because you are not complying with the DBE program as approved by the Department of Transportation.

They also went on to say that if you have a set-aside program, then that should be eliminated, and, of course, Metro does not have a set-aside program, and so this opinion becomes ludicrous. If a government has as a part of its legitimate authority the redress of social ills, which Metro does not, it may seek remedies for the consequences of past governmental and individual wrongs, but its programs must address the past ills.

Mr. Speaker, I know what is trying to be said here, but Metro is a governmental agency, a quasi-governmental agency. I might ask that if that is the case, if it is a quasi-governmental agency and governmental agencies along with the private entities and this whole community, meaning America, has been discriminatory, then it is the responsibility of Metro, which receives Federal funds, to correct the past ills. And those past ills involve the whole idea of insuring that people have an equal right to justice, an equal right to access what is transpiring, and that is to secure for the American people, which includes minorities, the right to access contracts, education, and jobs.

Affirmative action simply does that. And I am quite disturbed that we have now this attitude, this siege, if you will, where we now want to undermine the opportunities for minorities, minorities to do contracting business. And, by the way, Mr. Speaker, those businesses hire minorities, create job opportunities lacking in our communities.

I am devastated that we would want to undermine an economic aspect of inner-city communities, and that is minority contractors who, in fact, are qualified and, as I said earlier, you would not try to recruit minority contractors to lay pavement, or to build a building, or to fix a pothole. You would not want to do that with individuals who have no skills. So this ''make way'' argument that it does not happen to help minorities who are poor, it does help those minorities who are hired, then trained, and they learn on the job by way of being hired by minority contractors.

□ 1115

There is a trickle-down effect. There will be none, of course, if we continue this siege upon affirmative action.

It is important, then, that the Dole-Canady legislation, in its form as it is today, be soundly defeated. It is important as well that this legislative body take up the moral cause of providing opportunity for all Americans. They opportunity, of course, is to declare that affirmative action is, in fact, a viable tool to be utilized by those of us who believe in government effectively opening the doors for all people.

The cases, Houston Contractors versus Metro, dealing with minority opportunities for contracting, the Hopwood decision dealing with education, are wrong on the law and should be corrected by this legislative body and not perpetrated by the Dole-Canady legislation.

I see the gentlewoman from North Carolina, who is one who has faced the issues dealing with redistricting. In fact, as I indicated, in the case of North Carolina, they had not seen an African-American coming from North Carolina for some 70 years, after 1901, when George White left the U.S. Congress. The gentlewoman from North Carolina has been a very effective fighter for her constituents on all issues, from minimum wage to welfare reform, and to providing opportunity for young people.

Mr. Speaker, I yield to the gentlewoman from North Carolina [Mrs. CLAYTON], dealing with this whole issue of affirmative action, and particularly redistricting, that we face in the U.S. Congress.

Mrs. CLAYTON. Mr. Speaker, I want to thank the gentlewoman from Texas for holding and organizing this special order so that we could expand the understanding and the thought behind the whole issue of redistricting, and also to add my comments.

Mr. Speaker, I want to just give some overview about what is involved in this.

Mr. Speaker, I want to preface my statement by saying we are at a critical point in the history of this Nation. There is no more fundamental and important right than the right to vote.

Every other right that we have is dependent upon the right to vote.

Yet, today the voting rights of millions of Americans in several States, including my State of North Carolina, hang in the balance.

That is why I am pleased to join with Congresswoman JACKSON-LEE this evening to offer my perspective on the current redistricting fight and its impact on the voting rights of the citizens of my congressional district.

This morning, I want to first discuss the history of the case of Shaw versus Hunt, which was heard by the U.S. Supreme Court on December 5, 1995, and, we are now awaiting the decision in that case.

I then want to share with my colleagues some important facts about the case, present a summary of the arguments our side made in the case and conclude with some of my thoughts about this issue.

HISTORY OF THE CASE

The redistricting plan that was before the Supreme Court in December, was adopted by the North Carolina General Assembly in January 1992.

The predecessor case of Shaw versus Reno, was decided by the Supreme

Court in 1993. The SupremeCourt sent Shaw versus Reno, back to the district court in North Carolina.

The district court, on August 22, 1994, upheld—upheld, Mr. Speaker—the congressional redistricting plan, reasoning that it was narrowly tailored to further one or more compelling State interests. The district court's decision was appealed.

In June 1995, when the court decided the case of Miller versus Johnson, ruling against Georgia redistricting—dismissing for lack of standing on Louisiana—the court also decided to hear the Texas and North Carolina case, and that is why we were before the court again in December of last year.

IMPORTANT FACTS

It should not escape our attention that African-Americans make up just 50.53 percent of the voters in the my district, the First Congressional District.

African-Americans make up just 53.54 percent of the voters in the 12th District, the other North Carolina district in contest.

SUMMARY OF OUR ARGUMENT

We were able to make the same argument that prevailed initially in the Louisiana case, Congressman FIELD'S case, inasmuch as the plaintiffs lack standing in the First Congressional District because they do not live there.

In the 12th, we were able to argue that most of the plaintiffs do not live there, and the two that do lack standing because they did not allege race as a factor.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think that is an important point. I want to focus on what this body is about. It is about representation. It is about Members being able to represent their constituents. I have not heard one constituent, when we go home and they argue about the shape, so much as questioning your representation.

In these lawsuits, I would ask the gentlewoman, have you had constituents maybe that you see in your townhall meeting or that you interact with when you go home, run to the courthouse to be part of this because they say, ''Well, Congresswoman CLAYTON is in a funny drawn district''? Are those the issues your townhall constituents ask you about, or are any of them, the kind of people you see day to day who need help on the minimum wage, are they the kind of people who you see running to the courthouse on these cases?

Mrs. CLAYTON. In fact, the issue seldom comes up. The issue is an issue when the news media brings it up or it is an issue in court. But, by and large, the constituents want to know that you care about them. By and large, constituents want to think that you are fair. By and large, constituents want to think that you have their interests at heart. So it is not an issue whether my district is a large district or my district is beautifully shaped. Those who are in my district, most of them are very pleased to be in my district.

However, it is a large district. I will share with you, I will be the first one to say that I have a very large district. The reality is that I live in a rural area. The reality is also my predecessor before me had a large district. It had nothing to do about trying to respond to the 1965 Voting Rights Act. It is just the sparsity of the population, that if you are going to have a one man-one vote equal representation, in order to have the same number of people in my district as you would in a district around Raleigh and Durham, you had to have a lot of counties. So there was a reason for the largeness of my district.

Most people in my district understand that we are a rural district, because of the vastness of the land and the way we live. But people are concerned if I understand the nature of my district, if I understand the needs of my district.

Mr. Speaker, regarding the redistricting issue, more importantly, we argued, the redistricting plan should not be disturbed because race did not predominate over all the other redistricting goals. There are compelling State interests, we argued, which justify our redistricting plan:

Compliance with section 2 of the Voting Rights Act because the factors required by prior court decision had to be met.

Compliance with section 5 of the Voting Rights Act because the General Assembly determined that the Justice Department's objection to their first plan was meritorious.

The State has interest in remedying the effects of current racial discrimination.

We also argued the redistricting plan created districts narrowly tailored to approximately remedy the voting dilution harm to African-Americans without unduly burdening the rights of other North Carolinians.

SOME THOUGHTS

As a result of the Supreme Court hearing, I remain confident that the district I represent, the First Congressional District in North Carolina, should be upheld and should not be affected by the Court's decision in Miller versus Johnson.

Nearly 100 years have passed from the time North Carolina last enjoyed minority representation in Congress following the end of the term of Representative George Henry White.

That is because historically poll taxes, property requirements, and grandfather clauses, combined with scare tactics, to systematically exclude African-Americans from Congress, beginning in 1870.

It is my hope that in 1996, many current African-American Members of Congress do not face the same fate that Representative White faced in 1901—the last of 40 African-Americans elected to Congress over a quarter of a century.

It seems to me that the Court should not use the Constitution—the very document that gives us rights—to take those rights away.

It is my belief that my congressional district, as currently drawn, does withstand the standards that have been set out by the Supreme Court.

But, at stake in these cases is more than congressional seats. City and county officials, State legislatures, and even local school boards will be affected by this decision.

America has always stood for one standard of justice, and the Court should support that basic premise of our democracy.

This struggle will go on. It does not end here.

Over the years, Americans have greatly sacrificed in defense of the right to vote.

African-Americans and others have withstood fire hoses, billy clubs, and vicious dogs to gain and preserve their right to vote.

Today, with these current attacks on voting rights, groups of individuals may be discouraged and led to believe that they may not be full participants in our democracy.

Mr. Speaker, I would offer that this is a great democracy. This democracy is great both for its weaknesses and its differences as it is for its strengths. Why I say that, we may differ as to how we have representation, but we must find ways to include everybody. America is divided on this issue. Fortunately, our Constitution embraces, indeed encourages, differences.

So regardless of how the Supreme Court decision will come out in June, as we expect it, I expect I will continue to represent my district. I believe in this democracy, and I think the courts will finally uphold the fundamental principles of this democracy. Fairness and equal opportunity to represent their constituents is a fundamental right of this democracy.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to thank the gentlewoman from North Carolina for her very eloquent presentation and eloquent conclusion. I appreciate her explanation that our districts are so diverse. She represents a rural community, and the nature of its configuration is based upon the need for one man-one vote, and the need to have representation of people who live in rural communities. That is the misdirection, if you will, of some of the decisions that have previously come down. It is to not understand that even minorities are not in like situations.

I am very proud to say that the 18th congressional district that I represent may be configured as such so that we could have included an opportunity for Hispanics to be represented in my neighbors' district, District 29; likewise, District 30, to allow for the first time in the history of Texas for Dallasite African-Americans to be represented in the State of Texas since reconstruction. That election, the first time that someone was elected was in 1992.

So when we begin to understand the facts of the basis of the redrawn districts that are labeled majority-minority districts, I hope all America, as the gentlewoman from North Carolina did say, will applaud what America stands for. Its stripes and stars stand for inclusion. That inclusion, Mr. Speaker, would include, if you will, a recognition of human capital.

One, we do not want our citizens paying high gasoline prices. We want to be able to invest in them.

Two, we want to ensure the fact that those who make only $8,000 a year get an increase in minimum wage.

Three and four, Mr. Speaker, if you will, that affirmative action and the redistricting process that has opened the doors to African-Americans, Hispanics, women, and other ethnic minorities, would end the basis upon which many of us have been discriminated against.

□ 1130

Slavery was real. It existed. Let us work together to ensure that we never go back, that we have representation in the U.S. Congress and that our children, our businesses, our men and women have opportunity for jobs and contracts and education.

FACTS ARE STUBBORN THINGS

The SPEAKER pro tempore (Mr. UPTON). Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 60 minutes as the designee of the majority leader.

Mr. SCARBOROUGH. Mr. Speaker, it is certainly good to be here this morning and I certainly did enjoy the comments of the gentlewoman from Texas on gas prices, minimum wage, and other issues which I am also going to be addressing this hour, but I will be addressing them for a slightly different perspective. It may surprise the gentlewoman, many on her side of the aisle and also many in this audience that the arguments that I will be making today on gas prices, on gas taxes, on the minimum wage, on Medicare, on tax cuts, on a variety of issues are the same exact positions that Governor Bill Clinton took in 1992. But, of course, between 1992 and 1996, now that it is time to get reelected, things have changed.

Every time I walk in here, I am very honored to be a Member of Congress and honored by the history. This has been a great experience for me. It has been great to visit the monuments to Jefferson and to Washington and to Lincoln and to others who have made great changes in this country.

I think this is a good, decent Congress. I think it is a noble Government. I think that many, many Members try to do their best to make sure that working-class Americans do not suffer because of what Washington does. But, unfortunately, for the past 40 years Washington has done more to damage working-class Americans than anybody else.

The gentlewoman talked about the Contract With America and talked about the Contract With America in very disparaging terms. All last year people talked about NEWT GINGRICH and the Contract With America and, in the same sentence, talked about how horrible it was.

I guess my biggest frustration, as much as I have loved being in Washington, DC, has been how short some people's attention spans can be. Because let us talk for a second about the Contract With America. Let us talk about these items that are supposedly so radical, that Democrats claim to be so destructive and radical. Let us have a quick refresher course on what the Contract With America was about.

The first thing it was about was balancing the budget and ending 40 years of waste and abuse, 40 years of deficit spending where this Congress, run by Democrats, passed deficit budgets for 40 years.

Now, of course they had to get a lot of Republican Presidents to sign those bills. I suggest that when we are $5 trillion in debt, there is enough blame to go around for both parties. But let me say this. In 1994, part one of the Contract With America was, we said, ''Enough is enough. We are going to stop stealing money from our children and grandchildren.''

I have got two boys, ages 5 and 8, who right now have about a $20,000 debt on their head because this Government has not had the decency to balance its budgets. We are spending so much more money than we have and we are sending our check to our children. We are $5 trillion in debt.

I must admit I am not very good in math. That is why I went to law school instead of becoming an engineer, and I guess that is why I got in politics. I am not good with math. I try to deal in images and stories.

I had an interesting story told to me, an interesting illustration to explain to me what $5 trillion meant. This is what it means. If somebody made $1 million every day from the day that Jesus Christ was born to today, May 2, 1996, he would not make enough money to pay off our Federal debt.

Let me repeat that. If someone made $1 million every day from the day that Jesus Christ was born until today, he would not make enough money to pay off our Federal debt.

Mr. Speaker, it gets worse. You can work another 2,000 years, making $1 million a day for the next 2,000 years, and still be unable to pay off how much we owe by the Federal debt.

Democrats think that it is radical and have said that that plank of the Contract With America was radical because we wanted to balance the budget in 7 years. There are still many here, believe it or not, despite the fact that we are $5 trillion in debt, who are telling us we do not need to balance the budget in 7 years, that it is too harsh.

Mr. Speaker, we are being too harsh on our children. It may be too harsh on their political fortunes to finally show a little bit of discipline and stop sending our bills to children and grandchildren, but it is not too harsh for an America that wants to take care of their future generations.

And if you do not really care about children and grandchildren and the 21st century, you are just in it for today, I will also appeal to your greedy instincts. If we follow the first plank in the Contract With America and pass the Balanced Budget Amendment and pass those budget deals that we passed, it will also cause interest rates to go down 2 percent. That causes the economy to explode.

We passed the first balanced budget in a generation and the President vetoed it. He did not like it. He said we were moving too quickly. He said last year that he has studied it and you just cannot balance the budget in 7 years. That is what he said last summer.

In 1992, he was on ''Larry King Live'' and Larry King asked the Governor, he said, ''Governor Clinton, will the Clinton administration, if elected, give us a balanced budget?''

He said, ''Yes, Larry, I will balance the budget in 5 years.''

Mr. Speaker, his 5 years are just about up. He did not balance the budget. He went back on his word, he vetoed the first balanced budget plan sent to a President in a generation, and now is claiming once again that he wants a balanced budget.

Facts are stubborn things, Mr. President. Let those who have ears to hear, hear.

He has changed his position so many times on this issue that it is almost impossible to keep up with him.

Another plank that we had in the Contract With America was tax cuts for middle-class Americans. It is very interesting because we are talking about the gas tax today. The former speaker talked about how they wanted to get gas prices down. They were trying to figure out, ''How can we get gas prices down?''

What the Democrats will not tell us is that they voted for about a 5-cent a gallon tax increase which costs this economy billions and billions of dollars.

The gentlewoman probably thinks raising gas taxes in 1993 was the right thing to do. I know the Democrats did. I know Al Gore did because, remember, he cast the deciding vote. It was tied 50–50 in the Senate and Al Gore, acting on the President's behalf, voted to pass the largest tax increase in the history of this country.

In that tax increase was a 5-cent tax increase on gas prices. The President was not happy about it, mind you. He actually wanted to pass even more fuel taxes on to the American people in the form of a Btu tax but even the liberals said, ''No, that's taxing too much.''

Today, after the President passed the largest tax increase in the history of