So, Mr. Speaker, I believe that we can work together to make government more efficient, more accountable and less intrusive, that working together we can make the problems of victory our greatest opportunity.

□ 1347

MILITARY WIDOWS MISLED AND MISTREATED

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

Mr. FILNER. Mr. Speaker, the widows of our Nation's veterans are being misled and mistreated, misled and mistreated by our own Government.

Although I introduced legislation 2 years ago to terminate the confusing system that discriminates against surviving military spouses when they reach the age of 62, no action was taken on the bill, and the problem continues. I know you find it hard to believe, Mr. Speaker, that our Government condones a system that penalizes aging widows. I know I was shocked when the situation was first described to me.

Let me share with the Members a sad story that is typical of the thousands of these cases. When a resident of my congressional district retired after many years of honorable military service, he elected to have a portion of his monthly retirement pay set aside under the military survivors benefits plan, so-called SBP, so that when he died his wife would have an income she could count on. He knew the enormous sacrifices she had made in order to maintain a home for their family during his military career, often in parts of the world not nearly as lovely as my town of San Diego. He understood and appreciated that his wife had served their country as surely as he had.

He did not, however, understand that following his too early untimely death, the SBP would provide his wife with the financial cushion she needed, but only until her 62d birthday. On the day she became 62 her SBP benefit, which had been 55 percent of her husband's retired pay, was automatically, automatically reduced to 35 percent of the retirement income. She received no warning that her check would be slashed on her 62d birthday. She received no explanation.

When she was finally able to locate someone who could tell her why she was facing this crisis, she was given the following explanation: Your survivor benefits have been reduced because when you became 62, you also became eligible to receive Social Security. Puzzled, she pointed out that her Social Security payment, such as it was, was based on her own work. It had nothing to do with the survivor benefit plan her husband had paid into. Too bad, she was told. That is the law.

Well, we have to change the law. The SBP plan is very complicated. The benefit for one group of survivors is reduced by the amount of the military retiree's Social Security when the widow reaches age 62, regardless of when she actually begins to draw Social Security benefits. Under the newer SBP plan which covers the widow in my congressional district, the benefit is automatically reduced at age 62 from 55 percent to 35 percent of the military retiree's retired pay. Even people with substantial incomes would have a tough time with a reduction of more than one-third of their retirement benefit.

Mr. Speaker, it is time to change this misleading and unfair law. Too often it causes enormous financial hardship for the affected survivors. We Americans do not treat our aging citizens, some of the most vulnerable members of our American family, with such disdain.

Two days ago, on the first day of the 105th Congress, I introduced H.R. 165, the Military Survivors Equity Act of 1997. This bill would fix the problem by simply eliminating the callous and absurd reduction in benefits that now burdens our military widows. Instead, they would get what they and their deceased spouses thought they would get: 55 percent of the military retiree pay. To put it simply, no offset; a simple solution to a difficult problem, an equitable solution to a mean-spirited practice.

I hope I do not have to raise this issue with my colleagues a year from now, and say again that our Government is still misleading and mistreating military survivors. Let us correct this disgraceful situation and enact H.R. 165 in 1997.

MEMBERS OF CONGRESS PUT IN THE POSITION OF ALICE IN WONDERLAND

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

Mr. MILLER of California. Mr. Speaker, earlier this week this Congress and the Nation watched as the Republican leadership and the Speaker of this House bargained with, negotiated with, and twisted the arms of the members of the Republican caucus to support the Speaker to be reelected as Speaker of this House for the 105th Congress. That was done because the effort was made to be sure that we would vote on the Speaker of the House of Representatives before the Ethics Committee had completed its work.

That was unconscionable, Mr. Speaker, that we would in fact do that. But now this morning we learn that the Ethics Committee is continuing in that path, because we see now that the schedule of the Ethics Committee that has been set forth by the chairperson of that committee requires that the House will vote on whatever recommended punishment the committee will make to the House, that the House will vote on that prior to the issuance of the final report of the Ethics Committee.

What does this mean? It means that both the Members of the House of Representatives and our constituents will be denied the access to the information necessary on which to make an informed judgment, very similar to the situation that those who supported the candidacy of Speaker GINGRICH earlier this week were put in, in having to vote for him for Speaker before they knew whether or not he was ethically fit to be the Speaker of the House of Representatives.

What is becoming very clear is that the continued orchestration of the Ethics Committee by the Republican leadership to try and dampen the flow of information to the Members of Congress and to the members of the public continues. This committee should be allowed to function independently, and this committee should be allowed to function without a debt to the leadership of this House.

We have hired a special counsel to seek that independence. That special counsel should be allowed to do his work. That special counsel should be allowed to present the evidence, and that special counsel should be allowed to write the final report of this committee prior to the Congress voting, voting on any recommended punishment brought forth by the committee.

But it is also very clear that it is now the intent, it is now the intent of the Ethics Committee to keep that from happening. So once again, we are put in the position of Alice in Wonderland, where once again we will render a verdict first and later we will look at the facts and we will look at the evidence.

I think it is very, very improper that the Members of the House of Representatives be put in this position by the Ethics Committee. I believe, as the House turned down the bipartisan recommendation of the ethics investigative subcommittee and of the special counsel in not allowing them additional time to prepare their work product, it was for the first time, I believe, in the history of the Congress where we turned down a recommendation of a special counsel, a person that is supposed to bring independence to this, on their recommendation that they needed additional time to complete their work product in a proper fashion for a presentation to the committee and to the Congress.

So we now see a series of votes being forced upon the House of Representatives, the sole purpose of which is to deny access to information by the very people that will have to vote on the recommendations of the Ethics Committee. The Members of the House, on a bipartisan basis, should reject that notion. We should not go forward with a vote prior to the issuance of the final report of the special counsel.

Then the Members can go home and say to their constituents, however they decided to vote, that they in fact had a full opportunity to examine the entire