

them and that you are concerned about them, as we saw for 24 years, those people will reward you by sending you to Congress. So it was with knowledge of what Mr. Hefner had done that I ran for Congress. I come from a very small town, Biscoe, North Carolina—1,500 people—and needless to say, it wasn't exactly a turning moment in North Carolina politics when I announced that I would run for Congress. It is with the legacy, though, of Mr. Bill Hefner that people look to the person for what he says and not who he is and not where he comes from.

One time in my home county, Montgomery County, which is also a small county, President Bill Clinton was coming to visit our local hospital. He was accompanied by Mr. Hefner, and together they went visiting there in the hospital. I heard this story, and I think it kind of sums up everything about Bill Hefner. They went into the room. The President and Mr. Hefner went into the room of a patient's.

Mr. Hefner said, I'm Bill Hefner, and this is President Clinton.

The gentleman, the patient, said, You're Bill Hefner? I've been wanting to meet you all my life. You're a wonderful Congressman. I've even sent you a little bit of money, and I love the way you sing. You're the best singer ever.

He never once recognized that the President of the United States was also in the room. It was all about Bill Hefner. Bill Hefner's favorite song was "If I Can Help Someone."

Mr. Hefner, Shelly, Stacye, and Nancy, please know that you have helped many people. Thank you so much, and God bless Bill Hefner.

Madam Speaker, I yield back the balance of my time.

THE RULE OF LAW AND THE RESPONSIBILITY OF THE HOUSE OF REPRESENTATIVES

THE SPEAKER pro tempore (Ms. MARKEY of Colorado). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Thank you, Madam Speaker, for recognizing me for this hour.

For many weeks now, I've been coming to the floor with my colleagues to talk about something that, I think, is the glue that holds our Republic together, and that is the fact that the rule of law does and should prevail in this Nation. By "the rule of law," it means that we are able, as a people, to establish a set of rules. Whether they be legal rules, whether they be ethical rules, whether they be rules of this House or rules of this Nation, we agree to abide by those rules, and those rules cover every element of our lives. There is the rule of contract. We don't violate criminal laws. We have laws that govern this House. We have rules that govern this House, and they're the glue that holds a society together.

When we see the society having people or events that cause the glue to weaken, I think it's our duty and our responsibility as Members of this House to step up and say, hey, this is out of control; this has got to stop; the rule of law has to prevail. We have rules. We have responsibilities to keep those rules, and we as a Congress should hold each other to those rules.

The Congress of the United States, like many other bodies in this country, has a set of rules, and we police ourselves up. We're not the only group of people who does this. The medical associations do it. The bar associations do it. They have, within their own memberships, committees that police up the activities of their own members. The whole purpose is so that they can correct issues before they get out of hand and, if something is out of hand, so that they can have the strength of their convictions of their associations to stand for what is right even if it's difficult and to do the right thing even if it's difficult.

I've been raising issues on the floor of this House with the help of my colleagues now for about 10 weeks. Of these issues, there is one in particular with which I've had some amount of fun. Actually, I've created what's called the Rangel Rule to put a spotlight on some issues that involve the chairman of the Ways and Means Committee; but over this August break, after talking about all of the things that were not resolved by our present Ethics Committee concerning Chairman RANGEL, more things have arisen which raise the issues to such a level that they just absolutely cannot be ignored anymore.

We have an Ethics Committee, and the American people should demand that, if we are going to set up a system where we police up this House, then we need to get behind the business of policing up this House. If it has to do with a Member who, by his own admission, has either through error or intent broken the rules of this House, then the Ethics Committee should not be deadlocked on political lines but should resolve this issue. If it's not going to be done, then the leadership of this House should take control of this House. The Speaker of the House was given the authority to be in charge of this House of Representatives, and it's her job. It's the job she signed onto. It's the responsibility she took to make sure that this House runs by certain rules. When blatant issues come forward and when newspapers across this Nation are crying out that some kind of justice needs to be done on an issue, if we're not going to do it, we're failing the very foundation of our Republic.

Tonight, I am joined by my colleagues—and there may be many of them here tonight—and we're going to talk about some of these issues that involve our friend. I want to say that specifically. I have no personal animosity whatsoever against Mr. RANGEL. In

fact, I will tell you he has been nothing but kind to me since I've been in this House, and I've tried to be kind back, but there is an issue that needs to be resolved, and it should not be resolved just by saying on the floor of this House "I'm sorry." It should be resolved by following the rules established by this House, and that's what this is all about. It is not personally aimed at anyone. It is about this institution and about the fact that the American people are more and more distrusting of this Congress for reasons just like the reason we're talking about tonight. They see things that upset them and that would upset them in their workplaces if they were to have that happen, so they ask: Why aren't the people we sent to Washington resolving this issue? What is wrong with those people? Now we need to ask those questions of ourselves. So I want to make it clear that this is not personal. This is about the rule of law and about the responsibility of this House.

I am joined by my good friend VIRGINIA FOXX, who is going to talk to us. She is from North Carolina. She is going to talk to us a little bit tonight. I yield her as much time as she may consume.

Ms. FOXX. I want to thank my colleague from Texas for having begun this dialogue and this talk tonight about the rule of law.

I often say when I'm speaking to groups, particularly of young people, that what has made our country so great are several things, but underlying all of those is the rule of law. I think the three most outstanding are the rule of law, our Judeo-Christian heritage, and our capitalistic society—our economic system. We couldn't have our ability to worship God as we please and our capitalistic economic system if it weren't for the rule of law undergirding those.

When you look at other countries in this world, at other countries in this hemisphere, you will see that Mexico, for example, has been in the news a lot lately. They have many, many natural resources, as we do here, but what has created the problems for Mexico is that it is such a corrupt system. They do not operate by the rule of law. Most Americans just accept what we have in this country as something that exists everywhere. It doesn't. If we allow the rule of law to be torn down, then we really undermine our entire country and our entire culture.

I want to tell a little story, because I agree with Congressman CARTER on everything that he has said tonight. None of this is personal. This is all about the very strong and positive feelings that all of us have for the House of Representatives and for our government.

□ 2130

And I may get choked up in telling this story, but it was a great thing that happened today, because it allows me

to explain to people why I feel so strongly about what has happened.

I was on my way over here this afternoon a little after 6 o'clock to vote, and I was coming a little bit early, because I like to watch the news at 6 o'clock, and I was coming a little early so I could get in between commercials and watch a little bit more of the news before we had to come in to vote.

But as I was coming up the steps towards the Capitol, I noticed this couple, I don't know their age, I would say middle-age couple, since I don't want to guess people's ages. And I noticed that the woman spoke to one of our great security guys out there. And then I saw her walk up to the Capitol Building, up on the steps, and touch the building and then walk away.

And I could tell that she had asked permission to do that. And so I walked over to her husband and I said to her, Would you all like to go inside the Capitol? And she got very emotional, and she said, Well, you know, we have never been to Washington before. This is our first time here. And she said, All I thought that I had the hope of doing was touching the outside of the building. She said, I just, I don't have the words to express what a thrill it would be to go inside the building.

I asked them if I could use their names, it was Gary and Vicki Klassen from Oregon. And so they said, yes, they would like to come in. And so I brought them up, brought them up into the Members gallery and explained a little bit about the gallery here and told them that we were about to vote. And I explained some things to them and answered their questions and told them that between the first and second vote I would come back and answer the rest of their questions.

And they just kept on exclaiming, We are so thrilled to be in this building. We are in such awe of the building. We are in such awe of our government.

And, you know, I thought, we need more people like that in our country. We need more people who feel in awe of our government. We need people who get a thrill out of walking inside the Capitol.

After voting, I gave them a little bit more of a tour, and they just stayed that way. They were so grateful to me.

But I was grateful to them because when we meet people like that, we need to cherish that because these are folks who understand what this country is all about, and they feel an awe toward their government.

And I don't want people to stop feeling that way. And if we as Members of Congress don't uphold the highest standards amongst ourselves, then the majority of the people will stop feeling that way about our country, and we will lose our country.

You know, Mr. Franklin was asked when they signed the Constitution, What kind of country have you given us, and what kind of government have you given us? And he said, A Republic, if you can keep it. Well, if we are going

to maintain our Republic, if we are going to maintain what's good about this country and we are going to maintain the rule of law, then we cannot have a double standard.

I agree with the President in his comment: we cannot have two sets of standards, one for powerful people and one for ordinary folks.

It is bad policy to have different rules for Members of Congress than for the rest of the public. And I have told the people I represent, I will never, ever vote for anything knowingly giving a different set of rules for people in Congress than we have for everybody else. We shouldn't have a double standard. And I am very concerned.

I also point out to people when we come into this room, the ancient law givers whose faces are in profile around the top of the Chamber here, I know C-SPAN doesn't show them. But what I point out to them they are all in profile except one, and that's the one over the center door, and that's Moses looking down on us.

When Moses brought us the Ten Commandments, they weren't divided into A and B. They weren't divided into saying, you know, some people shalt not but others may because they have power. All of those 10 commandments apply to all of us.

And it's very important that we make sure that we pay attention to the fact that Moses is looking down on us every day and that we have a responsibility to the people of this country to live by the laws that have been set for everyone in this country.

And like my colleague from Texas, I have personally a good relationship with Mr. RANGEL, as far as I know. He is a very affable person, always smiling or almost always smiling, always jovial. So this is nothing to do with him personally. It is that the Congress and the House of Representatives in particular must abide by our own laws.

And if we establish laws that say, particularly here, that we have to report our income, that we have to report our assets, it is not right for some Members to leave things out and other Members to report everything. We must uphold the rules and the laws.

And so I want to commend again my colleague from Texas for putting together this Special Order tonight. And I know that there are others here who will add to the discussion that we are having.

Mr. CARTER. We have a poster here that has a picture of our President. And as the gentlelady just pointed out, he points out, I campaigned on changing Washington and bottom-up politics. I don't want to send a message to the American people that there are two sets of standards, one for powerful people and one for ordinary folks who are working every day and paying their taxes.

I think that's a commendable statement by the President of the United States. And the issue we are talking about here today is an issue that in-

volves what some would argue is the most powerful chairmanship in the House of Representatives, and that is the chairmanship of the Ways and Means Committee.

I have a brief exhibit that we can talk about of some of the allegations that concern Mr. RANGEL: underreporting income and assets in 2007 by more than half, including failure to report income from his Caribbean resort property again. And those who have been listening will recall this all started because the chairman got up here on the floor of the House and told us that he had failed to report rental incomes for certain years on his Caribbean property.

And he said, But I paid the taxes. And if they assess any penalties and interest, I will pay the penalties and interest.

And it seemed to me very curious that after a long time of not—this is an income tax situation—and after a long time of not paying income tax on income, that no penalties and interest were assessed. And so I came up with the idea of the Rangel Rule, which said that if the chairman of the Ways and Means can be excused of his penalties and interest for failing to pay his taxes, then any other American who fails to pay theirs and goes in and pays those taxes and catches up can exercise the Rangel Rule and have the penalties and interests waived.

I did that to point out what the President of the United States said he did not want to happen in this country: people of power are getting special treatment over ordinary folks.

And so the purpose of it was to point out, it looked like to me that's what was going on here. So that's happened again, underreporting of income and assets by Rangel aides.

Not only did the chairman not report these things, but people he is responsible for didn't report them. Lease of a—multi rent-controlled apartments in Harlem, a special lease. RANGEL's use of a House parking spot for long-term storage of his Mercedes. Failure to report and pay taxes on rental income on his resort villa in the Dominican Republic. Alleged quid pro quo trading legislative action in exchange for donations to a center named for RANGEL at the City College of New York, and a gift rule violation on a trip to a Caribbean resort by the Carib News Foundation in 2007 and 2008. These are a list of some of the allegations that are going on.

And there is more. There is more to be discussed.

I am joined by many of my colleagues, and I am glad to see my friend LYNN WESTMORELAND from Georgia is here with us. I yield to my friend, Mr. WESTMORELAND.

Mr. WESTMORELAND. I want to thank my friend from Texas in the spirit that you are doing this. And I think you are doing this in the right spirit, that it is nothing personal against anybody. All we are saying is

that we feel like what the President said back in February of this year should be lived up to by the Members of his party that are in control of this House.

It is interesting that you brought up the Caribbean trip and the fact that the chairman of the investigation of this Caribbean trip to my friend from Texas was a participant in one of these Caribbean trips. That seems to be a little bit of a conflict of interest in itself.

And then, as you mentioned, some of these are in the hands of the House Ethics Committee; they are being investigated. But Mr. RANGEL has given political contributions to three of the five Democrats that are on this panel that are investigating him.

And so there seems to be some conflict of interest. And as the gentleman stated and my friend from North Carolina stated, I think the American people want to be free from any sort of insinuation that there could be some corruption, not only from his filings or his reporting of his assets and liabilities as we are required by the House rules, but in this investigation.

And I think it's very interesting that, and I am sure the gentleman from Texas will get into it later, but I would like to bring up that under H.R. 3200, when this bill, the health care bill, went through Mr. RANGEL's committee, the Ways and Means Committee, who was looking for revenue to pay for this, that it was interesting that they came up with some new tax laws that would actually punish those who failed to alert the IRS to potentially questionable tax exemptions, those people who are willing to come clean and kind of tell them yourself if they find out that something has been in error, bar the IRS from waiving penalties against taxpayers who clearly erred in good faith.

And I think this goes back to what my friend from Texas was talking about and the fact that Mr. RANGEL has acknowledged that this was a mistake, and that he paid his taxes, but there was no penalty and interest. Yet, it seems unbelievable that in this legislation that came out of his committee that he wants to almost double the fines in those instances.

In fact, one provision of the measure would double the fine against the taxpayer from 20 percent of the underpayment to 40 percent. And this goes back to what the President's statement said, you know, we don't need to have one set of standards for those people who are powerful. And nobody can deny the power of the chairman of the Ways and Means Committee in this House versus that of the ordinary person, the guy that works every day and is paying his taxes and that may have made some type of mistake. We all make mistakes.

That brings us back to the House rules. And we are talking about being a country of laws. And this body certainly should live by the laws that it sets for itself in the reporting.

And I am sure that many of us in here have had to amend these things or think of something and will amend it. But when you amend it for twice of what it was of things that you forgot, and there is a whole list of the things that Chairman RANGEL said that he had just forgot to list, but some of those were pretty eye-opening things that he had forgotten.

And it not only goes to him, but his staff that help him write legislation. And certainly one of them, I think, is his legal staff, one is his chief, that have gone back and actually filed amendments back since 2002. And so I think that just under the cloud of this suspicion, that the right thing for Chairman RANGEL to do would be to step down until this investigation is complete. And I don't think that's too much to ask.

And there is a lady that writes for the Atlanta Journal-Constitution that I have not agreed with a lot. But in this case, I do agree with her. Her name is Cynthia Tucker.

□ 2145

I would like to read for the RECORD the comment that she made on September 4 of this year.

"Rangel ought to do the honorable thing and step down. Just last week, he amended financial disclosure forms to report hundreds of thousands of dollars in income he earned between 2002 and 2006. He forgot a Merrill Lynch account valued between \$250,000 and \$500,000."

I don't know about my friend from Texas, but if I had that much money, I don't know that I would forget about it.

"He neglected to mention tens of thousands in rent from a New York brownstone he once owned, and his ownership of tens of thousands of dollars in municipal bonds also slipped his mind."

This comes from a very liberal writer for the AJC, and there are many more from the Buffalo News, the Washington Post and so on and so on, of people that see this for what it is and the fact that under this cloud of suspicion, the right thing for the chairman to do would be to step aside until the air can be cleared and this investigation can be completed.

Again, I want to thank my friend from Texas for bringing this up and the spirit in which he is bringing it up. I have had a lot of constituents ask me if they could claim the "Rangel rule" on their tax.

So my friend from Texas has certainly got that message out. We don't know what the outcome of this will be, but I think the eyes of this country are on this one particular interest, to see how we handle it and how we handle ourselves.

With that, I yield back.

Mr. CARTER. I thank the gentleman for yielding back. I want to point out the timeline so everyone has a clear picture.

It was almost a year ago when the chairman took this floor and told us

about the first event where he had failed to pay taxes on rental income. He said he inadvertently did it. He didn't realize how he had it structured, that he was actually getting income from it, and that he was paying the taxes and that he did not expect any penalties and interest to be assessed.

Now, that was a year ago. What the gentleman from Georgia was just describing was a provision that was placed in this health care bill that we are debating today and we are going to hear from the President of the United States on tomorrow, and we have been discussing for the entire August recess. We have been discussing this in town hall meetings across this country. I did 10, one of which was a TEA party.

Thousands of people showed up to talk about this, and they are talking about this bill. And I think that is what really should upset you is to realize that when the chairman did not have penalties and interest assessed against him in his misfiling, he is putting a provision in the law that they, the Democrats, are trying to pass through Congress right now which would mean the ordinary person would pay double penalties and interest for failing to alert the IRS of potential questionable tax exemptions and that would bar the IRS from waiving penalties. They wouldn't be able to waive penalties, like they did for Chairman RANGEL.

By his own provision in the bill that he placed in there, there would be double fines under certain circumstances. I don't know what those circumstances are, but obviously if this keeps going on and on and on and on in the chairman's life, at some point in time it would seem to me that someone would say this is getting blatant. And yet the American people will have double fines, and we are seeing the chairman having no penalties and no interest being assessed against him.

That is what we are talking about. That is what the President of the United States said. That is what he wanted for the American people, is that ordinary people and people who have positions of influence in this country should be treated exactly the same under the law.

That is what the rule of law is all about. We establish rules, and those rules will be for everybody and there will be no exception for the prince nor the pauper. That is the way it is supposed to be. This prince of the House has actually written new rules into this bill. Another reason not to vote for this bill, as far as I am concerned, is because it doesn't treat the American people as fairly, if this is fair, as he got treated.

So when we are talking about the rule of law, we are trying to tell you that this cement binds us together as a people.

One of my good friends is here from the State of Georgia, another great Georgian—you know, the one thing is Georgians will answer the call, they

are always there—is my friend PHIL GINGREY, a physician from the great State of Georgia, one of my classmates and personal friends. I yield to him on this issue.

Mr. GINGREY of Georgia. Madam Speaker, I thank the gentleman from Texas for yielding. It pains me in a way to be on the floor tonight to join with Representative CARTER and Representative WESTMORELAND, my colleague from Georgia who just spoke, and Representative VIRGINIA FOXX, a great Member on our side of the aisle from North Carolina, and the gentleman from Texas, another gentleman from Texas, another judge from Texas, which we will be hearing from in a few minutes.

But as painful as it is, Madam Speaker, to discuss a subject of this manner and this magnitude, I think it is important that we do it. I think it is important that we have the courage to do it, because I think the American people are watching what we do.

I think that this recent district work period, the month of August, the traditional time when Members are back in the district meeting with their constituents holding these town hall meetings, and this is something that didn't just happen this August, by the way, Madam Speaker, it has been a tradition probably, I don't know, for 100 years. People this year though, while we might typically have 25 or 50 or on a really good day 75 people, it was 500 and 1,000 and 1,500 and it was unbelievable how engaged the American people are now, who want desperately to be heard.

Madam Speaker, this business of “being out of control” and “being a gang” and “being a mob,” no, no. They are patriots, is what they are, Madam Speaker. They are mostly seniors who are worried about losing their coverage under Medicare.

When they hear, particularly if they are on Medicare Advantage, that that program is going to be cut about 17 percent per year over the next 10 years, I think \$170 billion taken out of that one program, where 20 percent of seniors, by the way, like that so much that that is what they choose to receive their health care is Medicare Advantage and not Medicare fee-for-service.

So the point I am making is people are outraged. They are so frustrated that powerful Members of Congress are not listening to them. And it is not always their Member, but it is the leadership. It is the committee chairs that have control over significant pieces of legislation, such as the America's Affordable Health Choices Act of 2009, H.R. 3200.

They know that Mr. WAXMAN is chairman of the Energy and Commerce Committee, where most of the bill was written. They know that Representative CHARLES RANGEL from New York, a long-serving Member since 1971, chairs the most powerful Ways and Means Committee. They know that

George Miller, the gentleman from California, a long-serving senior Member, chairs the Education and Labor Committee. So they are very frustrated and want to be heard.

So here we are talking tonight about grave concerns that we fellow Members have in regard to the ethical standards and behavior of people in this body who are in the highest positions. My goodness, the two most powerful standing committees of the House of Representatives are probably the Appropriations Committee and the Ways and Means Committee. On the one hand, the Appropriations Committee is charged with spending the \$3 trillion or so a year in the Federal budget, and the Ways and Means Committee, led by the chairman, is charged with raising the money to fund all these Federal Government programs.

People are getting a little concerned and upset with \$787 billion stimulus packages and deficit spending in the year 2009 of \$1.8 trillion, and a deficit that is calculated, not by me, not by my Republican colleagues, but by the Office of Management and Budget, which is the number cruncher, the Ph.D. economists hired by and who are part of the Obama administration, that says that over the next 10 years there is going to be \$9 trillion of deficit in the aggregate, that much more debt, \$20 trillion worth of debt at the end of the next 10 years. So people are very concerned about the integrity, the honesty and the fair play of these powerful Members.

Our colleague from North Carolina (Ms. FOXX) is so outstanding, and she was talking just a few minutes ago about the Old Testament and Moses and the commands, and she can turn a phrase better than I think most every Member in this body.

But, I was reading recently in the Old Testament in the Book of Deuteronomy, and Moses was saying to the Jewish people, look, God gave me these laws to give to you. These are not suggestions, these are commands, and you are not to add to them and you are not to take away from them. You are to follow them exactly as God has commanded and has given that command to me to give to you. Well, you know, that is pretty sacred stuff, the ultimate sacred stuff, I should say.

But here in the House of Representatives, the rules of behavior, the standards of official conduct, indeed, the House Committee on Standards of Official Conduct, are pretty darn sacred too, Madam Speaker. And they are not suggestions. They are really there so that every Member is treated fairly, from the least to the greatest, from the freshman Member to the Member that has served 35 years and is chairing one of the most powerful committees in this House of Representatives.

So when we see things like this and what Representative CARTER has brought out in regard to these new findings of, oops, I just overlooked \$600,000 worth of income, it was a stock

account that I had forgotten about, well, you know, you don't forget about things like that. You don't forget about it.

To make sure, Madam Speaker, that everybody understands, when we have to fill out these financial disclosure reports on an annual basis as required by the standards of official conduct, my chief of staff will come to me and say, Congressman, we need to go through this 401(k), this IRA that you have had when you were working as a physician, and, of course, it is kind of frozen now because you are not continuing to put any money into it, but we have to look at every mutual fund and go through each one and see on each individual stock within a mutual fund, and you may have six or eight or ten different mutual funds in a 401(k) or an IRA, and my chief of staff says to me, Congressman, every stock in this, you have to list whether it gained money or lost money, whether something was bought or something was sold.

It is very time-consuming and rather painful, but it is for a good purpose, because the American people want to know, they want to be able to look in a very transparent way. They want to know who are the wealthiest Members of Congress, and they also want to know who are those who have absolutely no assets, no wealth other than their annual salary they receive from the taxpayer from this House of Representatives.

□ 2200

It's a point for a lot of people to try to understand that, to follow the dollar and see where maybe influences are applied and why people vote in the way—or if there's any suggestion that someone might cast their vote based on contributions or anything of that sort and that no one is in here enriching themselves at the expense of John Q. Public who is struggling every day just to maintain a job and to feed his family and support his children and hope that they get to go to college some day. And unfortunately, in this deep recession that we're in, some 6 million have lost their jobs over the last couple of years.

So this is a very, very serious issue that Judge CARTER, Madam Speaker, brings before us, and I think that the gentleman from New York who chairs this powerful committee should step aside while the House Committee on Standards of Official Conduct is doing its investigation.

Now, to his credit, he asked the committee to look into this over a year ago. But, Madam Speaker, I feel that he should have stepped aside at that point. But now here we are a year later and all of a sudden this additional “Oops, I forgot.” Well, you know, if he won't voluntarily do this, then I think it's the responsibility of the leadership, and ultimately the leadership of this body, Madam Speaker, as you know, is the Speaker whose seat you're sitting in right now as her designee this evening. And she will be there tomorrow night sitting right beside the

President of the Senate, the gentleman from Delaware, Mr. BIDEN, and of course we will be hearing from President Obama. We don't want this body, this House, this Chamber to be tainted.

And I think it's time for the gentleman from New York to be strong. Maybe he will be found to have not violated any ethical rules of this Chamber. We're not certainly putting him on trial here tonight, and I'm sure my colleagues would agree with that, but I think it's the right thing to do. I think it's courageous for Judge CARTER to bring this forward. And none of us are perfect, but every one of us needs to be honest with the American people and explain our actions or have others who are officially designated to do that look into it and let's get to the bottom of it.

With that, I will yield back to my friend from Texas.

Mr. CARTER. I thank my friend from Georgia, and reclaiming my time, I want to point out it's something that is part of this forum that we're discussing here today, because this is—I want to say something that's very important. This weekend, I had a couple of opportunities where I was interviewed by national news organizations on television. One of the questions that was asked of me was that at least there's been some inference that this is a racially motivated situation that I am in right here. And my statement—and I stick to this statement because it's the truth—this issue is not about race. This issue is about responsibility and meeting the responsibilities of this House. Mr. RANGEL needs to meet his responsibilities and, quite frankly, the Speaker of the House needs to meet her responsibilities.

I will refer you to the Buffalo News, "Rangel Should Resign," and it tells us what we've been talking about. And it says if he won't, Speaker NANCY PELOSI needs to push him.

Last year he tells us he had \$75,000 worth of unreported income. Now it gets worse. RANGEL failed to report at least half a million dollars in assets in 2007, and his net worth is about twice of what he claimed in 2008. The odds of simple error fall to near zero when it happens twice and when both times are in your financial favor.

This is PELOSI's sternest test. She should give RANGEL a week to do the right thing, and then if he doesn't, she must.

So this is about responsibility, and that's what we're talking about, being responsible to the rules of this House and to the rules of law. And there are two individuals here that have the opportunity to do what is right and be responsible, and that is the chairman and the Speaker.

Mr. GINGREY of Georgia. If the gentleman would yield for just a second.

Mr. CARTER. Yes, I will.

Mr. GINGREY of Georgia. You've hit on a point I've got to address.

The President spoke to the American schoolchildren today, and I think the

President did a fine job. The speech, I know early on there may have been concerns about curriculum recommendations, that sort of thing, but I heard the Secretary of Education over the weekend, Secretary Arne Duncan, talk about this upcoming speech, and I couldn't agree more with what he said on Sunday morning; very logical, made sense to me. And the President, of course, gave a very powerful speech to America's schoolchildren and taught just what Judge CARTER just mentioned about personal responsibility and doing the right thing even when it's tough, even when it's hard to do that.

And golly, if our leaders in the highest positions of our country can't do that, how can we expect kids in the fifth grade to do it? How can I expect my 11-year-old twin granddaughters who are in the fourth grade—and I talk to them all the time about the personal responsibility of going a little beyond what's required, doing more, getting up earlier if you need to do your homework, turn that television off at night or that video game. The President said the same thing, and I commend him for that.

But he's talking to all of us, Madam Speaker, about personal responsibility and doing the right thing.

You know, I don't know—and I will yield back quickly, Judge. But it may be that the gentleman from New York, the chairman of the Ways and Means Committee, wishes his boss, the Speaker of this House, would ask him to temporarily step aside while this investigation was ongoing. Maybe he doesn't want to do it himself. He's a World War II veteran, a Korean war veteran, in fact, a hero. I read part of his book. As has been mentioned here earlier, he's a very likable individual, without question. You can understand how he keeps getting reelected with such overwhelming majorities. But he may, as a soldier, as a hero, he may feel that, gosh, you know, I don't want to be the one to step aside, but I sure wish my boss would tell me to step aside.

So, as you point out, there are two people here that have a responsibility. And I'm glad you brought that up, because that's—I mean, you know, it was Harry Truman, a Democratic President, back in 1948 or so, who says, Hey the buck stops on my desk. Well, the buck stops on the Speaker of the House of Representatives' desk in regard to this issue.

I yield back.

Mr. CARTER. I would like to recognize my good friend and fellow judge, former judge LOUIE GOHMERT from Texas to speak and use as much time as he wishes to consume.

Mr. GOHMERT. I appreciate my friend, also the former judge from Texas, in pointing out some of the problems that are being created by the inaction. And I know this was touched on earlier, but this New York Post article, editorial dated September 2 of this year talking about some of the hy-

pocrisy here with this bill and provisions that were added coming out of the Ways and Means Committee, and I think it's important for people to understand also that Chairman RANGEL doesn't get to act by himself. The majority party that controls the Ways and Means Committee has authority to overrule the chairman. They've got enough members on their side to overrule the chairman and let him know there is a problem. There is a responsibility for the members of those committees. They're not supposed to be empty suits and dresses. They were elected by their constituents to come up here and do the right thing and not be hypocrites on any issue.

□ 2210

So I hope we won't have that experience.

When you look at some of the things this article points out, it says in the editorial, in fact, the provisions that were added to this health care bill increase fines, in some cases even for honest mistakes, this expert added, even punishing those who fail to alert the IRS to potentially questionable tax exemptions, bar the IRS from waiving penalties against taxpayers who clearly erred in good faith. The article goes on and talks about the provisions, it says here, that would prevent the IRS from waiving punishment in cases where tax officials thought the penalty was clearly excessive.

It also adds that under another provision, the IRS would require that taxpayers self-report areas where they may have gone over the line seeking tax advantages, and if they fail to self-report and problems are not found, the tax penalties would skyrocket. As this article says, the IRS becomes judge, jury and executioner. One provision says the measure doubles the fine against the taxpayer from 20 percent of the underpayment to 40 percent. So there is a problem here.

With regard to the issue of race, I cannot tell you how much I look forward to the day when there is not an application in this country that has a provision for race, because it doesn't matter. People don't care. We finally experienced the dream that Dr. Martin Luther King, Jr., talked about when we are judged by the content of our character and not by the color of the skin. That's the way it's supposed to be.

And in fact, I have got recently called a racist by information I was told by one reporter who called over the Posey bill that does something very simple, and I know there are people out there who are conservatives, maybe radicals, that think that there is some kind of conspiracy theory behind the President, that he is not really supposed to be President, that he is not qualified. Look, he is President. He is going to be President at least until another election.

But the Posey bill actually is implementing legislation that brings out the fact that the Constitution requires

these, and since The New York Times and The Washington Post pointed out a year and a half ago that they thought JOHN MCCAIN may not be qualified because he was born in the Panama Canal Zone that this legislation, it's just simply two or three pages that says anybody running for President beginning in 2012 will have to show that they're qualified.

It's not *ex post facto*. It doesn't do anything like that. It is implementing legislation. There are some judicial officials and experts that believe unless there is implementing legislation like this, even if everybody in the country knew that a candidate was born in Moscow, you still couldn't raise it because nobody would have standing unless we do some kind of implementing legislation. So the bill very simply just says that beginning in 2012 you have to show you're qualified.

Well, all of a sudden, I start getting calls. I even got mentioned in *Donesbury* by name, and they're using the same language. One reporter says that she got it from a high source at the White House that I was trying to delegitimize the President and was trying to throw him out of office. When I recommended the reporter read the bill, and she did, we didn't have any more about it. But it concerns me.

I have also gotten all kinds of information. Apparently this information, supposedly some of it came from the White House, and they have now branded me a racist. And now I think it is appropriate to note, with my apologies to the Texas former Senator Phil Gramm, who I really appreciate his politics, I liked Alan Keyes better in 1996. I voted for Alan Keyes for President in 1996. And somebody has mentioned that he doesn't happen to be white. I didn't care. I liked his politics. Race didn't matter. But there are sources here in Washington trying to brand people racist when it has no application whatsoever. That is one example.

I will tell you another example is I came down here on the floor and raised the issue with the chairman of the budget over the Justice Department if since he recused himself 2 years ago over the budget process for the Justice Department if it wouldn't be appropriate to do that now. He said 2 years ago that he was recusing himself, would step aside and not handle the budget for the Justice Department while he was being investigated. Well, there's no indication that that investigation has ended. And yet this time there was no stepping aside.

My understanding was one reporter who asked for a comment from me said that they didn't think it was a big story like they did 2 years before when he did step aside because he had said, well, he wasn't actually going to preside over the FBI's budget, the people that were investigating. So it's okay to preside over the budget for the bosses of the FBI, the Justice Department, but not okay to supervise the FBI budget?

I mean, if we want to talk about the appearance of a problem, good grief, can you imagine anyone being a judge over a case and they are going to rule or preside over a case of somebody that gets to cut off their funds if they don't like what the judge does? It's just absurd. Anybody would look and go, there is an appearance of a problem here, and it destroys the reputation of this body.

Here again, it was the President who has continued to demand that Americans listen. And he has had town halls, listen to me, let me tell you, and he has had some listening sessions where they ship in people and it appears that some of them even have prepared questions to ask him that were given to them. It's not exactly listening to the people if you tell them what questions to ask.

In any event, we keep being told we have to listen because the President has a plan, and the bill that we have had, we discussed, because that's what's in front of us, we are told if you like your insurance you get to keep it. And yet page 16 of the bill that we are given says, if your insurance policy changes at all, any term or condition, you lose it. Then that doesn't seem to be all that honest of an approach, which to give the benefit of the doubt, apparently just means he didn't read it.

But now, the President wants to come in here and talk to us again because apparently we haven't been listening well enough, so he wanted to come speak. So he gets the invitation. He is going to come talk to us about health care.

Well, do you know what? There was another President that did the same thing on September 22 of 1993 because he didn't think that Americans were listening well enough about what he had to say about health care. So we had a joint session, and President Clinton told us, America, he told people in this room that they needed to listen and do what he was saying about health care reform. And so here we are, all these years later, and now we're going to have to listen again, September 9, it is actually 13 days short of where President Clinton was when he came and started telling people about it.

There is a problem when you don't listen to other people. And some of us have gotten an earful out there listening. I love to comment about one of my constituents when he says, look, he is telling us there are 45 million or 46 million people that don't have insurance, 15 percent of Americans don't have insurance, and so there is a problem. Well, you don't throw out the whole system to change that. In fact, one constituent said, look, when my ice maker broke, I didn't remodel the whole kitchen. And I think when you listen to Americans across the country, it's amazing the wisdom you get.

□ 2220

And I think it is a problem in this body when all we do is talk and we don't listen.

Well, I tell you, I know my friends, and Madam Speaker, that we've all gotten an earful over August, and I loved it. I enjoyed hearing what people had to say because they had given it a lot of thought. So this is what we need to do: Listen. And some great points have been made.

We need to preserve the appearance of propriety and protect against the appearance of impropriety, and that appearance is all over here. And some of the same people who are refusing to do anything about an appearance of impropriety are the same people we listened to my first 2 years rightfully talk about a problem when there is an appearance of impropriety. Well, it's high time they went back and listened to themselves 4 years ago and do what they said 4 years ago and quit ignoring the damage that's being done to this body when there is important business that needs to be done.

I would also encourage those same people who say that people on this side have no answers. If they would read a little bit, listen a little bit, they would find out there are all kinds of proposals. They are just so caught up in trying to fight against reform that would fix the appearance of impropriety that they're not actually doing the business this body ought to be doing. And with that, I yield back to my friend.

Mr. CARTER. Reclaiming my time, I would like to point out that as I've been talking about some of these issues, just so we can make it very clear, this is not just about Chairman RANGEL; I've also talked about JOHN MURTHA, AL MOLLOHAN, JIM MORAN, PETE VISCLOSKEY. All these are issues that are before the Ethics Committee or the Justice Department in some form or fashion. And so we are clearly saying we have appearances that are concerning us at every level.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. MEEK) is recognized for half the remaining time until midnight.

Mr. MEEK of Florida. Madam Speaker, it is an honor to be before the House once again.

As many Members of the House know, we've had an opportunity to go back not only to our districts, but to our States to deal with the issues in our districts and also talk to a number of our constituents. And I wanted to come before the House tonight with some of my colleagues to talk about one of the main issues that were discussed during the break. But as you know, when I come to the floor, I always like to bring to the attention of the House, so that we will never forget,