

There was no objection.

APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

The SPEAKER pro tempore. Without objection, the Chair announces the Speaker's appointment of the following conferees on H.R. 2400.

As additional conferees from the Committee on the Budget, for consideration of title VII and title X of the House bill and modifications committed to conference:

Messrs. PARKER, RADANOVICH, and SPRATT.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

PERSONAL EXPLANATION

Mr. DAVIS of Illinois. Mr. Speaker, I was unavoidably detained in my district yesterday, May 5, due to official business. As a result, I missed rollcall vote numbers 122 through 126.

However, had I been present, I would have voted no on rollcall 122; aye on rollcall number 123; aye on rollcall number 124; aye on rollcall number 125; and aye on rollcall number 126.

□ 2300

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GILCREST). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 5 minutes.

(Mr. ISTOOK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AFFIRMATIVE ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think it is important after the conclusion of today's debate on the Higher Education Act and specifically the debate that we had on both the Riggs and Campbell amendment to as-

sess where we are and what that means. I am very pleased that the debate was not acrimonious but it was truthful. It expresses, I think, the overall commitment of this House to what really is equal opportunity and particularly in higher education.

Many times as we have debated the questions of affirmative action and equal opportunity, many voices would raise in citation of the words of Dr. Martin Luther King, that we should be judged not by the color of our skin but by the character within. Those words distort the value and the purpose of affirmative action and equal opportunity. For there is no doubt that we all strive to an even playing field. That even playing field has not arrived, for those who would argue that an amendment that would eliminate the ability to outreach and affirmatively act upon recruiting and soliciting minority students and women to institutions of higher learning deny the existence of past discrimination and existing discrimination.

The Riggs amendment and the Campbell amendment were likewise misdirected and distorted. My good colleague from California rose to the floor of the House and cited an example of the SAT scores. He started with a score in an Asian student that may have had a score of 760. He cited the score of a white student, an Hispanic student, and he concluded with a score of an African-American student of 510 on the SATs. With that pronouncement, he proceeded to discuss the fact of why there should be any extra special effort to ensure that those students who did not have the higher scores be able to attend institutions of higher learning. I have an answer for him. What is the high moral ground? What does this country stand for? Does it suggest that students who do not have the money to pay to go to institutions of higher learning should become or remain uneducated, foolish, untrainable, the door of opportunity should be closed? Does it mean those students who live in rural America who might have a hard time getting transportation to institutions of higher learning, the door should be closed? In every instance, we reach out to try to help those who need the extra help, to get the promise of what America stands for. Both the Riggs amendment and the Campbell amendment missed the boat on what is right and what is the high moral ground.

We will continue to have these debates. We have an election in Seattle. We recently had an election in Houston, Texas where they were attempting to eliminate the affirmative action provisions in minority and small and women-owned businesses. We have had one in California. Unfortunately it was, I think, misconstrued by the voters and Proposition 209 passed. But the tragedy of Proposition 209 is evidenced by the sizable diminishing of those students from Hispanic and African-American backgrounds going to institutions

of higher learning. We defeated Proposition A in Houston recognizing that once you understood what affirmative action actually stands for, affirmatively acting, affirmatively reaching out, affirmatively ensuring equal opportunity, that most Americans will join hands united in recognizing that this is the right way to go. I, too, join in the words of Dr. Martin Luther King. I wish for a society in which all of us are judged by the content of our character. But I do not believe that because you come from a Hispanic background, an African-American background, because you are a woman, because you come from a rural background and you need an extra measure of help that that in any way diminishes your character, suggests that you are not being judged by your character but in fact the color of your skin is negative and so you are being reached out to because of something negative rather than something positive.

Mr. Speaker, I simply hope that time after time these kinds of amendments reach the floor of the House, we will recognize that the right way to go is to some day to reach a point in America where there is no discrimination against Native Americans and Hispanics, African-American, Asians, whites, women, but we have not reached that point.

These amendments take away from what the full promise of this country stands for. I will always stand against them, I will argue with my colleagues and respect them for their difference, but each day I will demand that this House do the right thing.

As I do that, Mr. Speaker, let me also simply conclude by saying I want to join very briefly the gentleman from Michigan (Mr. CONYERS) in his opposition and concern finally for what I think have been misguided efforts and directions in investigations dealing with both Webb Hubbell, Ms. McDougal and the whole proceedings investigating the President.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BENTSEN) is recognized for 5 minutes.

(Mr. BENTSEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHANGES IN MEDICARE DECIMATE KANSAS HOME HEALTH CARE PROVIDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, I rise this evening to address an issue of critical importance to people of Kansas and really the entire country. Several provisions buried in last year's Medicare bill are decimating home health care providers in Kansas and jeopardizing access to critical health care services to the sick and elderly in rural America.

Last year, in the effort to reduce spending, Congress made three crippling changes to Medicare reimbursement rates and regulations for home health care providers. First, the new interim payment system has slashed reimbursements to all agencies and is particularly discriminatory to agencies who have historically been the lowest cost, most efficient providers.

Second, the unrealistic requirements that all agencies, regardless of size, obtain \$50,000 surety bond has been devastating. These bonds are expensive for many agencies and generally unavailable in most parts of the country. Even the Small Business Administration has acknowledged that there are great difficulties that many small agencies are experiencing in obtaining these bonds.

Finally, the loss of venipuncture reimbursement has added to the financial difficulties resulting in the closure of many agencies across the country, including Kansas. In our efforts to curtail fraud and wasteful spending, Congress went too far. Surely Congress did not intend to close down reputable and efficient providers of home health care services.

In rural Kansas, health care is not just a quality of life issue. It is a matter of survival. A home health care agency in a rural community is often the sole provider of services, the critical link between hospitals and independent personal recovery. These agencies give seniors the opportunity to recover in their own homes with their own families and save the Medicare program costly hospital or nursing home stays following each illness or injury. Rural providers and their patients are especially hurt by cuts in payments due to the high cost of providing these services in a rural setting. These cuts threaten to leave seniors without adequate care and without independence of home care.

I wholeheartedly support the goal of reforming Medicare. Unfortunately, the budget agreement penalized the

very efficiency that Congress should be encouraging. Last year I was one of only a handful of Members to vote against the Medicare budget provisions, not because I opposed meaningful reforms in the Medicare program, but because, among other reasons, I opposed a payment system which rewarded waste and punished efficiency.

I urge my colleagues in the House to join me in calling for an immediate review of the home health care provisions in the Balanced Budget Act and to take action necessary to remedy this crisis. Yesterday legislation was introduced in the Senate to limit the surety bond requirements to new agencies while strengthening protection and oversight for fraud, waste and abuse, and legislation has been introduced in both Houses to modify the interim payment system and provide needed relief for home health care providers.

Mr. Speaker, these are the real reforms that the Medicare home health care program desperately needs. I urge my colleagues to reconsider this issue.

□ 2310

CHAIRMAN BURTON APOLOGIZES FOR HANDLING OF HUBBELL TAPES BUT REFUSES TO ADMIT ERROR

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, today we have learned that the Chairman of the House Committee on Government Reform and Oversight has fired his chief investigator and apologized to his fellow Republicans for any embarrassment caused by his actions in releasing distorted summaries of telephone conversations between Mr. Hubbell and his wife.

If the chairman now recognizes that the actions taken by his committee were wrong, the gentleman from Indiana (Mr. BURTON) also owes an apology to Mr. and Mrs. Hubbell as well as the President and the First Lady. The release of those summaries as well as the tapes themselves represents something that may be truly unprecedented in the House of Representatives: the elevation of partisanship over the sanctity of the privacy of conversations between a husband and wife.

This is such a profound affront to most people's sensibilities and the values that we hold dear that it raises new questions about whether the gentleman from Indiana (Mr. BURTON) can or ought to continue to lead that committee's investigation into alleged campaign finance violations.

Chairman BURTON's continuing release of the private telephone conversations of Mr. Hubbell, including conversations with his wife and his attorney, appear to represent a serious abuse of government power intended to

humiliate Mr. Hubbell because of his prior association with the Clinton administration.

Have we really reached the point where we think it is appropriate to publicly broadcast intimate conversations, most of which have nothing to do with the allegations of campaign finance violations, between a man and his wife? If we are concerned about family values, Congress should support the privacy of marital relationships, not make them public.

Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. KANJORSKI. I would say to the gentleman from Michigan, we know that in prior Congresses you had the occasion to chair this committee of the House. Can you tell us from your personal experience of having served in the Congress more than 30 years any recollection on your part of the conduct of this particular chairman of this committee in the investigation of such a serious matter?

Mr. CONYERS. Well, we do not have enough time to discuss the conduct of the chairman of the committee, but I can tell you that never in any committee can I recall to the Members of the body that we went into privacy and violated the spirit of privacy laws in the way that they have been done now. And there was a curious coincidence between the release of information from the special prosecutor and the release of these tapes. The chairman, a friend, his own chief counsel, advised him not to release the tapes, but he did so anyway. The Speaker of the House of Representatives publicly stated that a third party should screen the tapes for privacy issues before further releases were made. What did the committee do? It continued to release more tapes.

So almost daily, the impression continues to grow that the gentleman from Indiana (Mr. BURTON) or his committee is simply out of control. If the chairman's goal is simply to get at the truth, then there was no need to doctor the tapes.

Considering all of this, along with the chairman's recent public statement that he was after, quote-unquote, the President, President Clinton, how can the important investigative work of the committee lead to any findings that will be accepted as legitimate by the public?

I would appeal to the higher instincts of the gentleman from Indiana (Mr. BURTON) to apologize to the Hubbells and to the President and to the First Lady.

HIGHLIGHTS OF THE HIGHER EDUCATION AMENDMENTS OF 1998

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FOX) is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight to discuss the very important legislation which was just