

PERSONAL EXPLANATION

Mr. McDERMOTT. Madam Speaker, on rollcall No. 39 I was unavoidably detained at the White House meeting with the President on the Medicare Commission. Had I been present, I would have voted "aye."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3130, CHILD SUPPORT PERFORMANCE AND INCENTIVE ACT OF 1998

Mr. SHAW. Madam Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3130, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Florida?

There was no objection.

GENERAL LEAVE

Mr. SHAW. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3130, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Madam Speaker, I request this time in order to inquire of the leader as to the schedule for the coming week.

Mr. ARMEY. Madam Speaker, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Texas.

Mr. ARMEY. Madam Speaker, I am pleased to announce that we have finished legislative business for the week.

The House will reconvene at 2 p.m. on Monday, March 9 for a pro forma session.

On Tuesday, March 10, the House will meet at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. We will consider two suspensions: H. Con. Res. 206, a resolution to permit the use of the Capitol Rotunda for a ceremony to remember the victims of the Holocaust; and possibly S. 419, the Birth Defects Prevention Act of 1997. Any recorded votes on these suspensions will be postponed until 5 p.m. on Tuesday, March 10.

On Wednesday and Thursday, March 11 and 12, the House will meet at 10 a.m. to consider the following legislation: H.R. 1432, the African Growth and Opportunity Act; H.R. 2883, the Government Performance and Results Act Technical Amendments of 1997; and H.R. 992, a bill to amend the Tucker Act.

Madam Speaker, we hope to conclude legislative business for the week by 6 p.m. on Thursday, March 12.

There will be no legislative business and no votes on Friday, March 13.

TRIBUTE TO ROBERT "BOB" CHILDS

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

Mr. ARMEY. Madam Speaker, I would like to take a moment to speak about one of our House's more dedicated employees. Today I would like to acknowledge the career of Bob Childs, who recently left us for retirement after 37 years' work on Capitol Hill.

Bob came to government service in 1960 in the electrical engineering department under the Architect of the Capitol to work on the inauguration of President Kennedy.

In 1961 he assisted in wiring the House for sound. Due in large measure to his efforts, our voices ring loud and clear through this Chamber to this very day.

Early in 1970 Bob worked on the Senate's very first sound system, and in 1973 became the supervisor for the sound systems of both Chambers.

In 1976 Bob participated in the design and installation of our present sound system here in the House, while maintaining supervisory responsibility for its overall operation and for the TV lighting in the Chamber for all joint sessions. It is worth noting that Bob's schedule often required him to arrive at 7 a.m. and to remain on duty until the session ended after special orders.

During his 37 years on the Hill, Bob accumulated a wealth of knowledge as to how this institution functioned in terms of both the legislative process and behind the scenes operations which support our legislative efforts here. His eagerness to share his knowledge, combined with the skill and integrity always present in carrying out his duties, leaves us at a loss on many levels. He can easily be classified as a resource, and we know all too well that a resource is rarely appreciated until it is no longer available. But in Bob's case, we want to let him know how much he have meant to us in this institution and to convey our thanks for a job well done for 37 years.

In closing, it is important to us that Bob realize how special his contributions have been and that wherever retirement takes him and Nancy, to Myrtle Beach, to Cape May, to the Maryland or Delaware coast, we hope that his path will from time to time lead back to us.

Madam Speaker, we say to Bob, "Good-bye, good luck and God Bless you."

Mr. FAZIO of California. Madam Speaker, if the gentleman will yield, I would like to add the minority's accolades to Bob Childs and express our appreciation to the leader for highlighting his service to our institution.

PRIVILEGES OF THE HOUSE—RETURNING TO THE SENATE THE BILL S. 104, NUCLEAR WASTE POLICY ACT OF 1982

Mr. ENSIGN. Madam Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 379) and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 379

Resolved, That the bill of the Senate (S. 104) to amend the Nuclear Waste Policy Act of 1982, in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The CHAIRMAN. The resolution constitutes a question of the privileges of the House under rule IX.

The gentleman from Nevada (Mr. ENSIGN) and the gentleman from Maryland (Mr. CARDIN) will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Nevada (Mr. ENSIGN).

(Mr. ENSIGN asked and was given permission to revise and extend his remarks.)

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

Madam Speaker, I am joined by the gentleman from Nevada (Mr. GIBBONS) here today in support of this resolution.

This resolution is necessary to return to the Senate the bill S. 104, the Nuclear Waste Policy Act of 1997. S. 104 contravenes the constitutional requirement that revenue measures shall originate in the House of Representatives. It would repeal a revenue provision and replace it with a user fee.

The Nuclear Waste Policy Act of 1982 imposes a fee of one mill per kilowatt hour on electricity generated by nuclear energy. S. 104 would repeal this fee and replace it with a new fee that would be limited to the amounts appropriated for nuclear waste disposal.

The current one mill per kilowatt hour fee is unquestionably a revenue measure. Regardless of the stated intent of the fee, the amount of fee proceeds collected have greatly exceeded costs. The fee is being used to raise revenue to finance the Federal Government generally.

Therefore, the Senate bill, by repealing what is in effect a tax, constitutes a revenue bill. The provision would have a direct effect on Federal revenues. The proposed change is "revenue affecting" and therefore constitutes a revenue measure in the constitutional sense. Accordingly, I am asking that the House insist on its constitutional prerogatives.

Madam Speaker, I want to emphasize that this action speaks solely to the constitutional prerogative of the House and not to the merits of the Senate

bill. The proposed action today is procedural in nature and is necessary to preserve the prerogatives of the House to originate revenue measures. It makes clear to the Senate that the appropriate procedure for dealing with revenue measures is for the House to act first on a revenue bill and for the Senate to accept it or amend it as it sees fit.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of this resolution. The Constitution places the responsibility of initiating revenue measures in the House of Representatives. This resolution merely preserves the prerogatives and responsibility of the House.

S. 104, as noted, would contravene the constitutional restriction since it would repeal a present-law revenue measure and create a user fee.

It is my understanding that today's action will have no effect on efforts to move nuclear waste legislation since the House has already passed legislation to address this issue.

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

Mr. ENSIGN. Madam Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADVISING MEMBERS OF PUBLIC HEARING OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

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

Mr. GOSS. Madam Speaker, I rise today to advise Members of the House that the House Permanent Select Committee on Intelligence has scheduled a public hearing at 3 p.m. on Monday, March 16, 1998. This hearing has been arranged so the committee may take testimony about the report of the Inspector General of the CIA regarding allegations that the CIA was somehow involved with the spread of crack cocaine to California during the 1980s.

As Members know, since the publication in August of 1996 of a series of articles in the San Jose Mercury News, our committee has been conducting an oversight investigation into the validity of the very serious allegations made by those news stories. This public hearing is an important step in that process.

We have invited the CIA's Inspector General, Mr. Fred Hitz, to discuss his investigation and to walk us through the conclusions in his report, which has been available to the public since the end of January.

In addition, I wish to inform Members who have an interest in this sub-

ject and who may wish to comment on the IG's report that they are welcome to testify before the subcommittee on March 16. Members wishing to avail themselves of this opportunity should contact the committee as soon as possible so proper arrangements can be made.

ADJOURNMENT TO MONDAY, MARCH 9, 1998

Mr. GOSS. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 10, 1998

Mr. GOSS. Madam Speaker, I ask unanimous consent that when the House adjourns on Monday, March 9, 1998, it adjourn to meet at 12:30 p.m. on Tuesday, March 10, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GOSS. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, let me explain why enactment of the Marriage Tax Elimination Act is so important with a series of questions. Do Americans feel that it is fair that our Tax Code imposes a higher tax penalty on marriage? Do Americans feel that it is fair that 21 million married working couples pay \$1,400 more in taxes than identical couples with identical incomes living together outside of marriage? Do Americans feel that it is right that our Tax Code actually provides an incentive to get divorced? Clearly it is unfair and it is wrong. Twenty-one million Americans paying \$1,400 more just because they are married. On the south side of Chicago in the south suburbs, \$1,400 is one year's tuition at a local community college, 3

months of child care at a local day care center, several months' worth of car payments. The Marriage Tax Elimination Act now has 238 bipartisan cosponsors. It would immediately eliminate the marriage tax penalty. The marriage tax penalty is not only unfair, it is wrong. Let us eliminate the marriage tax penalty and do it now.

Mr. Speaker, I rise today to highlight what is arguably the most unfair provision in the U.S. Tax code: the marriage tax penalty. I want to thank you for your long term interest in bringing parity to the tax burden imposed on working married couples compared to a couple living together outside of marriage.

In January, President Clinton gave his State of the Union Address outlining many of the things he wants to do with the budget surplus.

A surplus provided by the bipartisan budget agreement which cut waste, put America's fiscal house in order, and held Washington's feet to the fire to balance the budget.

While President Clinton paraded a long list of new spending totaling at least \$46–48 billion in new programs—we believe that a top priority should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these question: Do Americans feel its fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel its fair that the average married working couple pays almost \$1,400 more in taxes than a couple with almost identical income living together outside of marriage? Is it right that our tax code provides an incentive to get divorced?

In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong!

Since 1969, our tax laws have punished married couples when both spouses work. For no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our tax code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes \$30,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home \$30,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE IN THE SOUTH SUBURBS

	Machinist	School teacher	Couple
Adjusted gross income	\$30,500	\$30,500	\$61,000
Less personal exemption and standard deduction	6,550	6,550	11,800
Taxable income	23,950	23,950	49,200
Tax liability	3,592.50	3,592.50	8,563
Marriage penalty			1,378

But if they choose to live their lives in holy matrimony, and now file jointly, their combined