[Mr. CHABOT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

GOPAC AND ITS ROLE IN THE CAMPAIGN TO END THE FOOD AND DRUG ADMINISTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Illinois [Mr. DURBIN] is recognized for 60 minutes as the designee of the minority leader.

Mr. DURBIN. Mr. Speaker, I thank the Chair for recognizing me for 1 hour under the special order of business of the House of Representatives.

Mr. Speaker, in 1984 our Speaker published a book entitled ''Window of Opportunity.'' I would like to quote from Speaker GINGRICH's book in reference to political action committees, as follows:

> As a citizen you need to keep track of your elected officials' promises and their actual behavior. I strongly favor PAC's because they tie candidates' promises to their performances by keeping records more effectively than do individuals. By linking their contributions to performance in areas of interest to the contributors, the PAC system encourages more people to be involved because it makes their contributions and their endorsement more effective.

Let me quote again from Speaker GINGRICH's book of 1984: ''This proliferation of open publicly registered and publicly monitored support is in the best tradition of participatory democracy.''

That observation is especially timely in light of two publications this weekend. On Sunday, in the Denver Post, there was a question raised about the Speaker's personal PAC, GOPAC, and links with the cable television industry.

Today in the Los Angeles Times is another article raising a question about the same PAC, GOPAC, which is Speaker GINGRICH's PAC, and why they have refused, those who are running the PAC and the Speaker, to make a full disclosure of all the contributors to the PAC. Some of the contributors to the $7 million political action committee have been disclosed. For example, one Wisconsin couple, Terry and Mary Kohler, of Sheboygan, WI, have been disclosed as having contributed $715,000 to Speaker GINGRICH's political action committee between 1985 and 1993. That is nearly twice the amount that they could have legally donated directly to all Federal candidates.

This $7 million political action committee which the Speaker has not disclosed in detail also includes executives and lobbyists for seven companies regulated by the Food and Drug Administration. These executives, the seven that are named in the Los Angeles Times article, are among, in their words, ''GOPAC's heavy hitters.''

So, Mr. Speaker, we have an unusual situation here where the Speaker of the House in 1984 had called for public monitoring and public registration of those who were involved in political action committees and then, beginning a year later, with the creation of GOPAC, the GOP Action Committee, there has been a refusal of that same Speaker to make this information known to the public.

Those who are listening might ask a very basic question. So what? What difference does it make? Why should the Speaker have to disclose the names of his contributors to this $7 million political action committee and the expenses and disbursements that were made by that political action committee?

I think it gets back to a point the Speaker made in his book. This is a way to make sure that there is accountability and, in his words, ''in the best tradition of participatory democracy.''

Those who have been following the news lately know that the Speaker has not been unsparing in his criticism of the Food and Drug Administration. I have some familiarity with this agency. It is one which is funded by the subcommittee of the Committee on Appropriations which I chaired over the last 2 years. By Federal standards it is a pretty small agency. We appropriate about $1 billion a year to the Food and Drug Administration and give them an awesome responsibility. We say to this small agency, ''Make sure as best as humanly possible that every drug, every medical device, and many of the foods that come into the households of American families are not only safe to be used but in fact can be used for their stated purpose effectively.''

That is a big task, and when you consider the giants of American industry that watch closely over this small agency, it is no wonder that from time to time they come under criticism. In fact, in years gone by much of that criticism has been warranted. The agency fell behind in drug approvals, in medical-device approvals, and in other areas of responsibility. I am happy to report, though, that over the last several years, under the leadership of Dr. Kessler, who is the only holdover from the Bush administration serving under President Clinton as the head of the Food and Drug Administration as well, remarkable progress has been made in the Food and Drug Administration. In fact, they have come up with a much more expedited schedule for the approval of drugs and medical devices, something which every American and every American family wants to see.

But despite this, some of the critics of the Food and Drug Administration are running advertisements now suggesting that we should turn out the lights and close the door on the Food and Drug Administration. They have suggested that it has too much power. In the words of one of their critics, they have been characterized as ''thugs.''

Stepping aside from this type of lurid rhetoric and looking at the fact, I think that it is critically important that the Food and Drug Administration maintain its independence, not only for its credibility within its own industry but for its credibility in helping American industry. Let me give two specific examples of what I am talking about.

Most Americans can recall that not too long ago we had a scare when people discovered hypodermic syringes in the cans of Diet Pepsi. That was a little over a year ago. As a result of that scare, a couple of these syringes popped up across the United States and people were genuinely concerned about this product and its safety. As a result of that scare, Pepsi Cola stock plummeted in value because of the concern as to whether this scare might have some impact on their sales. In step, the Food and Drug Administration conducted a quick and thorough investigation, reported to the American people that it was a hoax that was being copycatted by others around the country, and within a very short period of time this scare was gone. Pepsi Cola stock started to rebound. People were buying the product without concern for its safety. Why? Because of the credibility of this independent Federal agency, an agency which is not beholden to anyone in industry but is only beholden to taxpayers and consumers.

Let me give a second example. In my part of the world, in the Midwestern United States, there is a distributor of frozen-food products known as Schwan Foods. This is an unusual operation to most other parts of the country because they usually drive refrigerated trucks around the Midwest and sell frozen foods door to door to their loyal subscribers. They sell everything from ice cream to frozen meats and all sorts of other frozen foods for homemakers in my part of the world.

A few months ago there was a scare over some of the ice cream which they sold which appeared contaminated. It hit all the newspapers. There was a genuine fear that Schwan's as a company would not be able to survive because of this disclosure. In came the Food and Drug Administration. They conducted an investigation of their operation. They found what they considered to be the cause of the problem and suggested to the Schwan food company what they could do to ameliorate the situation and to allay any fears of consumers. Their trucks are still on the road today. Schwan's is still doing business. It appears now the Food and Drug Administration has come in and added credibility to the situation and helped this company get back on its feet.

Despite these examples, we still have people calling for an end to the Food and Drug Administration. Some of them will be companies, which, quite frankly, do not like to see this type of Government regulation, a regulation which requires that their advertising of their products be truthful, that what they say the products will do they can

actually do, that they do not overstate their case, and that in fact doctors can prescribe a drug knowing that it is safe.

The Speaker has led the criticism, along with some very conservative groups, of the Food and Drug Administration and suggested at one point that we should even privatize the Food and Drug Administration. I think this is a valid policy debate which should take place. I for one oppose the idea of privatization of the Food and Drug Administration. I think as an independent Government agency they are doing a good job. They can certainly improve on it. All of us can improve on our performance. But I would hate to see an agency as important as the Food and Drug Administration go by the wayside.

The relevance of the FDA issue to the GOPAC issue is brought in clear focus by this Los Angeles Times piece. Why would the executives or lobbyists for seven companies regulated by FDA be major donors to the Speaker's political action committee and then the Speaker take the position that the Food and Drug Administration should be disbanded?

□ 1430

This is a legitimate inquiry. It could be the Speaker has good reason, and he can make that case known to the American people in detail. But at least now there is a suggestion that there may be a link between this political action committee and the political position taken by the Speaker.

I started in politics working for a fellow by the name of Paul Douglas, who was a Senator from Illinois who served between 1948 and 1966. He was my mentor and inspiration when it came to the question of ethics. I may serve in this body the remainder of this term and maybe longer. I will certainly never reach his level of ethical standards. He set one that very few people will ever be able to reach. But he was very, very mindful of the need to make full disclosure.

He used to say, ''Sunshine is the best antiseptic. Put it all on the table.'' My friend, Senator PAUL SIMON from Illinois and I took him to heart. We make public disclosure each year far beyond the requirements of the Federal law. It does not guarantee that a public servant will be honest, but at least it shows we are prepared to open our books.

I think that is the best thing now for the Speaker to consider when it comes to GOPAC. Open the books. Let us see what is in there. Let us get it behind us. Let us make full disclosure, so any future debate over the Food and Drug Administration or any other agency is not tainted by the question of whether contributions to the $7 million political action committee had anything to do with the Republican agenda.

This is part of what I consider openness in Government. We have heard a lot said over the last 3 weeks about a new standard of openness coming from the Republican leadership in the House of Representatives. Let me say at the outset, and probably to the surprise of the Speaker and others, that I salute the Republicans for many of the changes they have made in this Institution. On the opening day of the session I voted for most of them, and I feel they were steps in the right direction, ending proxy voting, making committee hearings open to the public, something I had done in my own subcommittee for the last 2 years. I think that instills new confidence in what we are about here.

This House of Representatives, this Institution, needs to have more approval from the voters across America. Certainly openness in disclosure is a good step in that process. I think the same is true for political action committees. I think the same is certainly true for the Speaker's GOP action committee, GOPAC. Full disclosure will help to restore confidence not only in the Speaker's activities, but in this institution. What the Los Angeles Times said in its article today, what the Denver Post raised in its article yesterday, certainly leave a lot of people questioning what the agenda is from the Republican side and how it has been influenced.

We have a long way to go. I think disclosure as the Speaker called for in his 1984 book is a step in the right direction.

The SPEAKER pro tempore (Mr. BOEHNER). Under the Speaker's announced policy of January 4, 1995, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the minority leader.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 5 p.m. today.

Accordingly (at 2 o'clock and 33 minutes p.m.) the House stood in recess until 5 p.m.

□ 1704

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EHLERS) at 5 o'clock and 4 minutes p.m.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

UNFUNDED MANDATE REFORM ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 38 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5.

□ 1705

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes, with Mr. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Friday, January 27, 1995, the amendment offered by the gentleman from Pennsylvania [Mr. MASCARA] had been disposed of, and section 4 was open for amendment at any point.

Mr. CLINGER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we are about to start our fifth day of dealing with H.R. 5, the unfunded mandates legislation. By my calculations we have spent, thus far, about 15 hours, almost 16 hours, on amendments, 16 amendments to H.R. 5, and we are still on section 4. So we are averaging almost 60 minutes per amendment. Many of these are duplicative or very similar in nature.

Mr. Chairman, I am totally supportive of the open rule process which we have been operating under, but I think at this hour, at this point in time, if we continue with the 130 or so amendments that are still pending, we are talking about maybe 150 hours of deliberation to complete debate on all these amendments.

I think that most Members on both sides of the aisle are eager to get to consider some of the other issues that are in debate, or in controversy, on this legislation other than the exemption issue. So at this point, Mr. Chairman, I ask unanimous consent that debate on each amendment, and all amendments thereto, to section 4 and to titles I, II, and III be limited to 2 hours per title.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mrs. COLLINS of Illinois. Reserving the right to object, Mr. Chairman, first of all we are told we are going to have an open rule, and we are trying to get through the amendments that we have here. I think we have done so rather expeditiously, if my colleagues will agree.