

The Sixty Minutes report was devastating. BATF agent Michelle Roberts told the television program that after she and some male agents finished a surveillance in a parking lot, "I was held against the hood of my car and had my clothes ripped at by two other agents." Agent Roberts claimed she was in fear of her life. The agent who verified Ms. Roberts' complaints claims that he was pressured to resign from BATF. Another agent, Sandra Hernandez, said her complaints about sexual harassment were at first ignored by BATF, and she was then demoted to file clerk and transferred to a lower-ranking office. BATF agent Bob Hoffman said "[T]he people I put in jail have more honor than the top administration in this organization." Agent Lou Tomasello said, "I took an oath. And the thing I find totally abhorrent and disgusting is these higher-level people took that same oath and they violate the basic principles and tenets of the Constitution and the laws and simple ethics and morality." Black BATF agents have complained about discrimination in assignments.

Abolishing BATF is no solution, for abolition would leave in place the federal alcohol, tobacco and firearms laws, and transfer their enforcement responsibility to some other agency. It is the very nature of the victimless crimes—such as laws criminalizing the peaceful possession or manufacture of alcohol or firearms—which lead to enforcement abuses. As long as the consensual offense laws remain in the U.S. Code, abusive enforcement is likely, as has been the historical norm since the enactment of such laws. Removing most firearm (and alcohol and tobacco) laws from the federal statutes does not imply that alcohol, tobacco, and firearms should be subject to no legal controls. Rather, the control of those objects can continue to be achieved at the state level, without a redundant layer of federal control and the manifold temptations of federal abuse.

Since 1985, BATF's size has increased 50%, from 2,900 employees to 4,300. In a time of vast budget deficits, simply restoring BATF to its former size might save both taxpayer dollars and taxpayer lives.

While BATF's performance at Waco was disgraceful, two facts should be kept in mind: First, the BATF has a large number of honorable, admirable employees who have quietly gone about their work for years enforcing federal regulations applicable to gun dealers, and enforcing federal laws against possession of guns by persons with felony convictions for violent crime. Misbehavior of some BATF staff (and some BATF leadership) should not be taken as proof that all BATF employees are bad.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, the current United States Code provides emergency authority that is totally adequate to resolve the problems that are raised by the distinguished Senator from Connecticut. I have chatted with him about the fact that I am going to move to table his amendment.

I do so move to table his amendment. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on the motion to table amendment No. 1200, offered by the Senator from Connecticut [Mr. LIEBERMAN].

The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce the Senator from New Mexico [Mr. DOMENICI], the Senator from Texas [Mr. GRAMM], the Senator from North Carolina [Mr. HELMS], the Senator from Texas [Mrs. HUTCHISON], the Senator from Oklahoma [Mr. INHOFE], the Senator from Arizona [Mr. KYL], the Senator from Arizona [Mr. MCCAIN], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Delaware [Mr. ROTH] are necessarily absent.

Mr. FORD. I announce that the Senator from California [Mrs. BOXER], the Senator from New Jersey [Mr. BRADLEY], the Senator from Nebraska [Mr. BRYAN], the Senator from California [Mrs. FEINSTEIN], the Senator from Nebraska [Mr. KERREY], the Senator from Massachusetts [Mr. KERRY], the Senator from Vermont [Mr. LEAHY], and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

I also announce that the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Wisconsin [Mr. KOHL], and the Senator from Georgia [Mr. NUNN] are absent because of attending funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 52, nays 28, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—52

Abraham	Faircloth	Packwood
Ashcroft	Frist	Pressler
Baucus	Gorton	Reid
Bennett	Grams	Santorum
Bond	Grassley	Sarbanes
Brown	Gregg	Shelby
Burns	Hatch	Simon
Byrd	Hatfield	Simpson
Campbell	Heflin	Smith
Chafee	Jeffords	Snowe
Coats	Kassebaum	Specter
Cochran	Kempthorne	Stevens
Cohen	Lott	Thomas
Coverdell	Lugar	Thompson
Craig	Mack	Thurmond
D'Amato	McConnell	Warner
DeWine	Moseley-Braun	
Dole	Nickles	

NAYS—28

Akaka	Ford	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moynihan
Breaux	Harkin	Murray
Bumpers	Hollings	Pell
Conrad	Inouye	Robb
Daschle	Johnston	Rockefeller
Dodd	Kennedy	Wellstone
Dorgan	Lautenberg	
Exon	Levin	

NOT VOTING—20

Boxer	Helms	Leahy
Bradley	Hutchison	McCain
Bryan	Inhofe	Murkowski
Domenici	Kerrey	Nunn
Feingold	Kerry	Pryor
Feinstein	Kohl	Roth
Gramm	Kyl	

So the motion to lay on the table the amendment (No. 1200) was agreed to.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, has the time expired on the Pastore rule?

The PRESIDING OFFICER. The Senate is still operating under the Pastore rule.

Mr. BYRD. I ask unanimous consent that I may speak out of order for not to exceed 4 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator is recognized to speak out of order for 4 minutes.

Mr. BYRD. I thank the Chair.

MEDIA DOUBLE STANDARD

Mr. BYRD. Mr. President, I address the Senate today with respect to the May 22, 1995, Washington Post style section story by Howard Kurtz. The substance of the article was to highlight the double standard adopted by columnist George Will in criticizing the Clinton administration's decision to add tariffs to Japanese luxury cars.

In lampooning the Clinton White House for taking the tough trade stand with Japan, Mr. Will failed to mention his wife's relationship as a lobbyist for the Japanese automobile industry. According to the article, Mr. Will was quite indignant to think that anyone would suspect his motives. If a Member of Congress or an administration official in a similar situation had taken such a position, you can be sure that the press, including Mr. Will, would have taken him or her to task. Tomes would have been written about the abuse of power and corruption of the system. Efforts would have been made to discredit and to embarrass the individual. This railing would have gone on until either an apology was forthcoming or, in some cases, until a resignation was tendered.

It is exactly this type of lack of an ethical barometer on the part of the media that tips the scales of fairness in reporting. Members of the legislative, executive, and judicial branches must file regular financial reports and must abide by stringent rules of ethics. This is only proper in matters involving the public's trust.

My argument rests with the total lack of parity in the communications industry. There are no comparable ethical standards or rules which govern the media. This is true despite the fact that the levels of power and persuasion are as great or greater with the press than they are with those in public service. Until some effort is made to level the playing field and throw out the bias, the rampant cynicism and distrust on the part of the people will continue. Nothing points more dramatically to the need for change than Mr. Will's arrogance and lack of candor in this instance.

I thank Mr. Kurtz for bringing this matter to the attention of the American public, and I ask unanimous consent that the Washington Post article be printed in the RECORD. I suggest that all Senators who have not read it, do so.

I yield the floor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 23, 1995]  
 A CONFLICT OF WILL'S?—PUNDIT KEPT QUIET  
 ABOUT WIFE'S ROLE AS LOBBYIST  
 (By Howard Kurtz)

In his syndicated column Friday, George F. Will assailed the Clinton administration's proposed tariffs on Japanese luxury cars, calling them "trade-annihilating tariffs to coerce another government into coercing its automobile industry."

He repeated his criticism Sunday on ABC's "This Week With David Brinkley," calling the 100 percent tariffs "illegal" and "a subsidy for Mercedes dealerships."

What Will did not mention is that his wife, Mari Maseng Will, is a registered foreign agent for the Japan Automobile Manufacturers Association. Her firm, Maseng Communications, was paid \$198,721 last year to lobby for the industry.

Will dismissed any suggestion of a conflict. "I was for free trade long before I met my wife. End of discussion," he said yesterday. "There are people in Washington whose entire life consists of raising questions. To me, it's beyond boring. I don't understand the whole mentality."

"What's to disclose? What would I say? That one of my wife's clients agrees with my long-standing views on free trade? Good God," he said.

But several newspaper editors said Will should have disclosed his wife's paid lobbying. "I'm very distressed," said Dennis A. Britton, editor of the Chicago Sun-Times. "That's one of those material facts an editor should know before placing a story in the paper. That's like a financial writer having a stake in a company he's writing about."

Will did disclose on the Brinkley show last month that his wife was advising Sen. Robert J. Dole (R-Kan.) in his presidential campaign and would become the campaign's communications director. Will, who mentioned this before questioning Dole, said he did so only "because ABC asked me to." He said his wife's role would not inhibit him in commenting on the Dole campaign.

Will is probably the nation's most prominent conservative writer. He appears on the Brinkley show, opines in Newsweek and writes a newspaper column that is syndicated to 475 papers by The Washington Post Writers Group. Maseng served as White House communications director and assistant secretary of transportation during the Reagan administration. The two were married in 1991.

The Washington Post was initially told of Maseng's lobbying by a Clinton administration staffer. The administration has been trying to deflect criticism that the tariffs would hurt American consumers and some car dealers. Will wrote that the 13 models of Japanese cars would be "unsalable in the land of the free and the home of the brave."

According to Maseng's Justice Department filings, her firm is paid \$200 an hour to deal with reporters, follow legislation, place advertising, issue press releases and draft op-ed pieces with such titles as "Selling Cars in Japan: It Isn't About Access" and "Fixing the Outcome of Trade With Japan Is a Dangerous Way to Do Business." The firm also sought to arrange for the industry's top Washington lobbyist to meet the Chicago Tribune editorial board, tried to place an opinion piece in the Washington Times and drafted letters to the New York Times and Detroit Free Press.

Maseng Communications began representing the Japanese in 1992 and was paid \$47,422 the following year. Maseng did not respond to a request for comment.

"What Maseng provides is the strategic public affairs direction for the communications program," said Charles Powers, a sen-

ior vice president at Porter/Novelli, another Washington public relations firm that works for the automakers in partnership with Maseng's company.

Stephen Isaacs, associate dean of Columbia University's journalism school, said a spouse's employment "does matter. The same kind of conflict questions that apply to us also apply to our extended families. He made a mistake. . . . The fact that he doesn't see a problem shows he just doesn't get it."

Isaacs also cited a 1980 incident in which Will helped Ronald Reagan prepare for a presidential campaign debate and then praised Reagan's performance on television without disclosing his own role.

As for last week's column, some editorial page editors also expressed concern. "I would have preferred to have known in advance," said Brent Larkin, editorial director of the Cleveland Plain Dealer.

Dorrance Smith, executive producer of "This Week With David Brinkley," said he was not aware of the connection. He said he had urged Will to disclose his wife's employment with Dole, but that a round-table discussion is "a different context" from interviewing a senator.

"I'm not sure where you draw the line," Smith said. "I don't know who Cokie Roberts's brother's clients are." Roberts, another Brinkley panelist, is the sister of Washington lobbyist Tommy Boggs.

Alan Shearer, general manager of The Washington Post Writers Group, said he saw no evidence that Maseng's employment "has affected George's judgment. . . . A lot of us have spouses who have careers of their own, and whether that requires us to disclose everything they do is a difficult question. It doesn't bother me."

Will, for his part, doesn't see what the fuss is about. He says he has never discussed the issue with his wife.

"My views on free trade are well known and antecedent to Mari's involvement with whatever the client is," Will said. "It's just too silly."

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

#### COMPREHENSIVE TERRORISM PREVENTION ACT

The Senate continued with the consideration of the bill.

#### ORDER OF PROCEDURE

Mr. DOLE. Mr. President, it seems rather obvious we are not going to be able to complete action on the antiterrorism bill, S. 735. I have been notified that there are at least probably 60 or more amendments to a bill that we thought the President requested and that we wanted to cooperate with the President to try to get to him, as I indicated, before the Memorial Day recess.

But, in view of the 50-some votes we had on the budget, we lost a day, and in view of the list of amendments, even though there may be a number of amendments which may not be offered, it is now very clear that we cannot complete action on this bill today. I think the next best thing is to try to get some agreement to at least limit the number of amendments.

I do not know how you can have many more than 60, but I assume staff listening in could probably get it up to 90 in 20 minutes if they really tried.

But I would just say to the President and particularly the people of Oklahoma, those who have suffered the tragedy, that we are serious about this legislation. I am not certain whether we can finish on the Monday we are back. I do not want to delay telecommunications. We have promised and promised both Senator PRESSLER and Senator HOLLINGS we would address that very important issue. So I will have to decide what course of action to pursue.

I know the House has not acted on this, so even if we did complete action today, we could not get the bill to the President until after the Memorial Day recess.

And having discussed this with the Democratic leader, I think many of these amendments on both lists are just—there are some that say "relevant." We do not have any idea what it is or even what it is relevant to. But it is relevant as far as not being able to finish the bill if everybody intends to offer their amendments. One Member has 10 amendments; another on our side has 7, or whatever.

So I am going to ask consent that we enter into some agreement that we limit the number of amendments to those that have been identified, if that is satisfactory with the Democratic leader.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, like the majority leader, I also would like to be able to accommodate the schedule to move this legislation as quickly as we can. We need to send a clear message, not only to the people of Oklahoma, but others as well, that this is important.

As the majority leader knows, we just received a copy of the draft last night. As I understand it, it has not yet been printed in the RECORD. We will be taking a closer look at it.

I think, in spite of the fact that there may be some questions relating to the draft itself, we would be willing to enter into an agreement on the list of amendments so we can work through them. There are a lot of amendments there that may or may not be offered, but I think it does protect Senators since they have not had the opportunity to look at it more carefully. Certainly, over the course of the next several days, everyone will do that. But we want to expedite our progress on this and, hopefully, in the not-too-distant future, we can resolve what outstanding differences remain and come to a point where we can vote on final passage.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I hope we can obtain a consent agreement and the managers of the bill can stay here. There may be amendments on each side that can be taken, indicating we are making an effort to move forward, even though we have only had one vote