

producers using American workers? The political primary season has forced the political and media establishment to take seriously American's deep-felt concern about economic insecurity and loss of jobs to foreign competition. It's about time they caught on. All it takes is a trip through North Carolina to see the scores of textile mills closed due to foreign competition to understand why Americans have a legitimate fear of losing their job or see their hard earned wages fall.

Politicians had better ponder the economic calamity that will surely occur in America if and when foreign producers shut off our supply, or double the already enormous cost of imported oil flowing into the United States.

#### TRIBUTE TO TRUDY VINCENT

Mr. BRADLEY. Mr. President, I rise to offer my warmest thanks, respect, and heartfelt congratulations to my legislative director, Trudy Vincent, who will leave my staff at the end of this week. For 3 years, in her second tour of duty in my office, Trudy has been the anchor of my legislative work, and deserves much of the credit for the legislative accomplishments of my office since 1993.

Although Trudy will be leaving my staff, she will not be leaving the Senate, and my office's loss is the gain of my colleague Senator BINGAMAN of New Mexico, who will undoubtedly grow to depend upon her much as I have.

Like many of the most gifted and successful of the staff members who serve this institution, Trudy first came here as a fellow through an academic program, having first pursued and succeeded in another demanding field. In her case, Trudy first attained a doctorate in psychology, then joined my office in 1987 as a legislative fellow, working on innovative education and health initiatives.

When her first tour of duty in my office ended after a year, Trudy joined the staff of her home State Senator, Senator MIKULSKI, rose to legislative director, and returned to my staff as legislative director in 1993. I have found her good sense, her wide knowledge, her broad network of friends and professional contacts, and her sense of humor to be of invaluable help in all that I do for the people of New Jersey and the Nation.

The most important attribute a Senator or legislative staffer can possess, I have found, is persistence and dedication. You have to be entrepreneurial, always looking for opportunities to move a good idea forward and never giving up when things look bleak. Trudy exemplifies these qualities. Her persistence and dedication has helped us move forward most of my urban initiatives of 1993, the funding for the high school student exchange with the republics of the former Soviet Union, student loan reform, several nomina-

tions, and very soon, I hope it will lead to final passage of my bill to prohibit new mothers from being discharged from the hospital before they or their babies are ready.

In addition to these qualities, there is an intangible between a Senator and a staff member. It is related to loyalty and knowledge, but it also is something more. It is the phenomenon of being confident that the staff member knows how to further the Senator's goals in a way that is consistent with the Senator's values and style. I've always felt that way about Trudy. I could truly leave it to her and know that it would be done as I would want it done. I guess I'm saying that at the core of a Senator-staff relation is trust. That's clearly the way it's been between us, for which I am lucky and very grateful.

I want finally to thank Trudy again, express my appreciation for all her long hours and hard work, and wish her all the best fortune as she continues to contribute to the workings of this democratic institution after I leave.

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Utah.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now stand in adjournment for 1 minute, and that when the Senate reconvenes its morning hour be deemed to have expired.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate adjourned until 11:12 a.m.; whereupon, the Senate at 11:13 a.m. reassembled when called to order by the Presiding Officer [Mr. DEWINE].

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

#### WHITewater DEVELOPMENT CORP. AND RELATED MATTERS—MOTION TO PROCEED

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 341, Senate Resolution 227 regarding the Special Committee on Whitewater.

The PRESIDING OFFICER. Is there objection?

Mr. SARBANES. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BENNETT. Mr. President, I now move to proceed to calendar 341, Senate Resolution 227.

The PRESIDING OFFICER. The question is on the motion.

Is there further debate?

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MACK. Mr. President, we are here today primarily because the White House has not been dealing with the special committee in good faith. I know that there are those who would accuse this committee of conducting a political witch hunt in an election year. But I submit that there are legitimate and powerful reasons to be investigating Whitewater Development Corp. and all of the related matters.

At the outset, it should be made clear that the main reason this committee needs additional time is the abject failure of this administration to cooperate. Contrary to all of their public statements, I believe the White House has been actively engaged in a coverup. They have repeatedly refused to turn over relevant evidence and have often failed to remember key facts under oath.

To give just one example, Bruce Lindsey was asked on numerous occasions whether he had produced all relevant documents to the committee, and he insisted under oath that he had. In particular, the committee asked about any notes he might have taken during the November 5, 1994, meeting of the Whitewater defense team. That is the same meeting where William Kennedy took notes, and we almost had to go to court to obtain them. Last Friday—that is the very date the special committee's funding was set to expire—he turned over his clearly marked notes of the November 5 Whitewater defense team meeting.

The American people deserve better than that. Again, this is only one example—where Bruce Lindsey was asked over and over again whether he had taken notes during that November 5 meeting, and we were told over and over again that he had not. On the day this committee's funding expired, they turned over these notes of the meeting.

In my opinion, the White House has done everything in its power to hide the truth. That is why we are here asking for additional funds to continue the committee's work.

Mr. President, I suspect that over the next several hours we obviously will hear from both sides of the aisle on this. But on our side of the aisle, I expect that most of our Members who participated in these hearings will probably do as I have done; that is, to focus my attention on some specific areas where I focused my attention during the committee hearings. So my comments now will be somewhat focused on the behavior of the White House officials immediately after Vincent Foster's death.

The death of White House Deputy Counsel Vincent W. Foster, Jr., on July 20, 1993, marked the first time since Secretary of Defense James Forrestal died in 1949 that such a high-ranking

U.S. official took his own life. Mr. Foster was a close friend of both the President and Mrs. Clinton, and provided legal counsel to them on a number of sensitive personal matters, including Whitewater. Given Mr. Foster's sensitive position within the administration and his close personal friendship with the Clintons, there were legitimate questions to be asked about the way he died.

The reason I raise this is because I have a feeling that those who may have just casually been observing or watching these hearings may have asked the question, What is all the concern about how the White House handled the review of documents in Vince Foster's office? I have already indicated that he was a personal friend of the Clintons, but there are questions that would be raised about any suicide of an individual in this kind of position.

Questions, for example, could be: Was there blackmail involved? Was he a victim of a crime that had something to do with his position? Could he have been the subject of extortion? Was our national security compromised in any way? Officials would certainly be concerned with finding out the answers to these questions as soon as possible.

In the days following his death, White House officials—in particular, members of the White House counsel's office—searched the contents of Mr. Foster's office and at the same time prevented law enforcement officials from conducting a similar search. In doing this and later covering it up, they have come to look like the guiltiest bunch of people I have ever seen.

Section (1)(b)(1) of Senate Resolution 120 authorizes the committee to inquire "whether improper conduct occurred regarding the way in which White House officials handled documents in the office of White House Deputy Counsel Vincent Foster following his death."

Pursuant to this directive, the committee conducted 69 depositions and held 17 days of public hearings to investigate the actions of White House officials in the week following Mr. Foster's death. The committee's investigation revealed, among other things, the following facts.

Fact: Foster's office was never sealed the night of his death despite four separate official requests.

Fact: High-ranking White House officials searched it without supervision.

Fact: Maggie Williams was seen by an unbiased witness carrying a stack of documents out of Foster's office.

Fact: Nussbaum made an agreement for Justice Department officials to conduct a search of Foster's office.

Fact: Nussbaum told Stephen Neuwirth that the First Lady and Susan Thomases was concerned with the Justice officials having unfettered access to Foster's office.

Fact: A flurry of phone calls occurred at critical times—17 separate contacts in a 48-hour period among Hillary Clin-

ton, Maggie Williams, Susan Thomases, and Nussbaum.

Fact: After those calls, Nussbaum reneged on the deal with the Department of Justice investigators. He insisted on searching the office himself.

Fact: Once the investigators left the scene, a real search occurred with Maggie Williams' help, and afterwards she took documents to the residence.

Mr. President, I am going to go back through those various facts that I have raised, and again I am focusing on a very, very small portion and limited area of this whole debate. The area that I will be focusing on again is the night of Foster's death and the few days following that death.

Seven different persons recalled four separate requests to White House officials to seal Vincent Foster's office on the evening of his death. This was not done until the next morning. Hillary Rodham Clinton called Maggie Williams, her chief of staff, at 10:13 p.m. immediately upon hearing of Mr. Foster's death on July 20, 1993. Right after talking with Mrs. Clinton, Ms. Williams proceeded to the White House to Mr. Foster's office. White House Counsel Bernie Nussbaum and Deputy Director of the White House Office of Administration, Patsy Thomason, met her there and conducted a late-night search of Mr. Foster's office without law enforcement supervision.

Mrs. Clinton then called Susan Thomases, a close personal friend, in New York at 11:19 p.m. Secret Service officer Henry O'Neill testified that on the night of Mr. Foster's death, he saw Ms. Williams remove file folders 3 to 5 inches thick from the White House counsel's suite and place them in her office.

Now, why would this Secret Service individual lie about that? This could constitute obstruction of justice, particularly if the billing records were in those files. If this is true, there could be two possible separate counts, the first against Maggie Williams for knowingly taking relevant documents out of Foster's office with the intent to hide them from investigators, and the second for turning them over to someone else, possibly the Clintons, who then intentionally withheld them from us in violation of numerous document requests and subpoenas.

This is one of the central questions which the committee must resolve.

After searching Mr. Foster's office on the night of his death, Ms. Williams called Mrs. Clinton in Little Rock at 12:56 a.m. on July 21, 1993, and talked with her for 11 minutes. Again, this is 12:56 a.m., middle of the night. Once that call was concluded, only 3 minutes later, at 1:10 a.m., after her conversation with Mrs. Clinton, Ms. Williams called Ms. Thomases in New York and they talked for 20 minutes.

I wish to note here that when we first spoke to Ms. Williams, she categorically denied talking to Ms. Thomases that night. Imagine, that was a 20-minute conversation that took place at

1:10 in the morning and Ms. Williams categorically denied talking to Ms. Thomases. When the committee asked her for her phone records to prove her claim, she and her lawyer stated they were not available from the phone company. We asked the phone company for the records and, voila, 1 week later, we had them.

Susan Thomases, a New York lawyer, is a close personal friend of President and Mrs. Clinton. She has known the President for 25 years and Mrs. Clinton for almost 20 years. She was an adviser to the Clinton 1992 Presidential campaign and remained in the close circle of confidants to the Clintons after the election. One article referred to Ms. Thomases as the "blunt force instrument" of enforcement for the First Lady. She was the one who got things done in a crunch. As my colleague, Senator BENNETT, described her during the hearings, she was the "go-to" guy on the Clinton team. If the First Lady wanted to make sure that her people got to Foster's files before outside law enforcement, Susan Thomases was just the person to get the job done.

Department of Justice officials testified that they agreed with Mr. Nussbaum on July 21, 1993, that they would jointly review documents in Mr. Foster's office. Let me just say that again. There was an agreement between the Justice Department and Bernie Nussbaum as to how the documents in Mr. Foster's office would be reviewed.

Then there is a flurry of phone calls that occurs at what I would call critical times. We then begin a period of time in which a multitude of calls took place involving Thomases, Williams, and the First Lady. I believe the purpose of these calls might have been to make sure that the agreement Bernie Nussbaum had made with the Justice Department concerning the search of Foster's office was not kept.

Call No. 1. At 6:44 a.m.—fairly early in the morning. I am trying to think about how many phone calls I have actually placed at 6:44 a.m. Anyway, 6:44 a.m. Arkansas time on July 22, Maggie Williams called Mrs. Clinton—this is the day following—called Mrs. Clinton at her mother's house in Little Rock, and they talked for 7 minutes. Ms. Williams initially did not tell the special committee about her early-morning phone call to the Rodham residence.

After obtaining her residential telephone records documenting the call, the special committee voted unanimously to call Ms. Williams back for further testimony. When presented with these records, Ms. Williams testified, "If I was calling the residence, it is likely that I was trying to reach Mrs. Clinton. If it was 6:44 in Arkansas, there's a possibility that she was not up. I don't remember who I talked to, but I don't find it unusual that the chief of staff to the First Lady might want to call her early in the morning for a number of reasons."

Maggie Williams said, "I don't recall" or "I don't remember" so many

times I lost count. According to one New York paper, as of last month, all of the Whitewater witnesses combined said this a total of 797 times during the hearings alone.

Call No. 2. This is a call that takes place now 6 minutes after the call that Maggie Williams forgot or just did not mention to the committee until we had records of the call. But 6 minutes after she apparently was willing to wake up the First Lady 6:44 Arkansas time, 6 minutes later Mrs. Clinton called the Mansion on O Street, a small hotel where Susan Thomases stayed in Washington, DC. The call lasted 3 minutes. Oddly enough, Ms. Thomases did not remember this call again until after the committee was provided with her phone records.

Call No. 3. Upon ending her conversation with Mrs. Clinton, Susan Thomases immediately paged Bernie Nussbaum at the White House, leaving her number at the Mansion on O Street. When Mr. Nussbaum answered the page, they talked about the upcoming review of documents in Mr. Foster's office. Ms. Thomases actually told the committee that these two phone calls had nothing to do with one another. After obtaining records documenting that she talked with Mrs. Clinton for 3 minutes immediately prior to paging Mr. Nussbaum, the special committee voted unanimously to call Ms. Thomases back for further testimony.

She maintained, however, that she called Nussbaum, because again, "I was worried about my friend Bernie, and I was just about to go into a very, very busy day in my work, and I wanted to make sure that I got to talk to Bernie that day since I had not been lucky enough to speak with him the day before."

I will come back to the busy day she was having later. At this point I will say that she was busy all right, but not with her private law practice.

Mr. Nussbaum has a different recollection of his conversations with Ms. Thomases. On July 22 he testified that Ms. Thomases initiated the discussion about the procedures that he intended to employ in reviewing documents in Mr. Foster's office.

"The conversation on the 22d"—this is a quote now—"The conversation on the 22d was that she asked me what was going on with respect to the examination of Mr. Foster's office." "She said \* \* \* people were concerned or disagreeing \* \* \* whether a correct procedure was being followed, \* \* \* whether it was proper to give people access to the office at all."

According to Mr. Nussbaum, Ms. Thomases did not specify who these "people" were to whom she was referring, nor did Mr. Nussbaum understand who they were. Mr. Nussbaum testified he resisted Ms. Thomases' overture, but he said, "Susan \* \* \* I'm having discussions with various people," which, by the way, we determined those various people were Hillary Clin-

ton, Bill Clinton and Maggie Williams. Again quoting—"Susan \* \* \* I'm having discussions with various people. As far as the White House is concerned, I will make a decision as to how this is going to be conducted."

He did decide to renege on his deal with the Department of Justice, but only after more phone calls from Maggie Williams and Susan Thomases. We have independent corroboration from Steve Neuwirth. Steve Neuwirth, a member of the White House counsel staff, testified under oath that Bernie Nussbaum told him Susan Thomases and the First Lady were concerned about giving the officials from Justice "unfettered access" to Foster's office.

While the Justice Department officials were kept waiting outside, Nussbaum continued his discussions, as more phone calls ensued, presumably about how to search the office.

Call No. 4. We are back again to this series of phone calls I was describing a little earlier. This is the fourth phone call. This is 8:25 in the morning of July 22. Thomases called the Rodham residence and spoke for 4 minutes.

Call No. 5. At 9 a.m., Thomases called Maggie Williams and left the message "call when you get in the office."

Call No. 6. 10:48 a.m., Thomases calls Chief of Staff McLarty's offices, spoke with someone for 3 minutes.

A meeting involving numerous members of the White House staff was going on in McLarty's office at this time to decide how to handle the search of Foster's office. In the meantime, the officials from the Justice Department, Park Police, and other agencies were waiting around for the search to begin.

Call No. 7. 11:04 a.m., Thomases called Maggie Williams, spoke for 6 minutes.

Call No. 8. This is occurring 1 minute after the conclusion of the previous call—Thomases calls Chief of Staff McLarty's office, spoke with someone for 3 minutes.

Call No. 9, just a couple minutes later, Thomases calls Chief of Staff McLarty's office again; spoke with someone for 1 minute.

Call No. 10. 11:37 a.m., Thomases called Maggie Williams, spoke for 11 minutes. Three minutes after that call was completed, Thomases called Maggie Williams and spoke for 4 minutes. Do not forget, this is all taking place during the time that Ms. Thomases said she was going to be very, very busy on conference calls related to her private legal practice.

When we asked Ms. Williams about all these calls to her office from Susan Thomases, she denied talking to her, and told us it could have been anybody else in her office, could have been an intern, a volunteer, or another staffer. Her refusal to take responsibility for the calls resulted in 32 different staffers having to be interviewed about who might have spoken to Susan Thomases that day, and all said they do not remember talking to her.

By doing this, Maggie Williams asked the committee to believe that Susan

Thomases regularly calls unpaid interns at the White House just to chat. Her testimony to the committee was frankly typical of her whole approach to the process. In my opinion, both Maggie Williams and Susan Thomases are openly contemptuous of the committee's work. Their attitude toward this inquiry has never been one of cooperation, but rather blatant hostility.

Their behavior, coupled with the documentary evidence we have acquired, lead me to no other reasonable conclusion than that Maggie Williams and Susan Thomases were involved or influenced the decision to breach the agreement with the Department of Justice. Their behavior, and what I believe to be the reasons behind it, are frankly an insult, not just to us, but to the credibility and integrity of the Presidency.

Call No. 12. At 12:47 p.m., Capricia, an individual who is Hillary Clinton's personal assistant, paged Maggie Williams from the Rodham residence.

Call No. 13. 12:55 p.m., Maggie Williams called the Rodham residence and spoke for 1 minute. The pressure on Nussbaum must have been too great. He broke his agreement with the Justice Department and conducted the search essentially unsupervised. After learning of Nussbaum's reversal, David Margolis, one of the seasoned DOJ officials sent over for the search, told Nussbaum, that he was making a big mistake.

Once he heard this news, Philip Heymann, the Deputy Attorney General, later asked, "Bernie, are you hiding something?"

Call No. 14. At 1:25 p.m., the White House phone call to Rodham residence. Conversation for 6 minutes. Was this to tell Mrs. Clinton the deal with the Justice Department had been reneged upon?

Then we move to the search which takes place in Foster's office from approximately 1 p.m. to 3 p.m. The Department of Justice officials again are kept at bay.

Call No. 15. 3:05 p.m., Bill Burton, McLarty's deputy, called Maggie Williams and left a message. He had been asked by Nussbaum, after the review of Foster's office, to locate Maggie Williams. This signals the attempt by Nussbaum, through his deputy, to get the real search of the office underway, but only with Ms. Williams' help.

Call No. 16. 3:08 p.m., Thomases called Maggie Williams. Spoke for 10 minutes.

Call No. 17. 3:25 p.m., Steve Neuwirth called Ms. Williams and left a message. They are still trying to find Ms. Williams.

Call No. 18. It occurred somewhere between 4 and 4:30 p.m. Bernie Nussbaum personally called Maggie Williams to summon her to Foster's office. They searched the office for about half an hour.

Call No. 19. Somewhere between 4:30 and 5 p.m. Maggie Williams phoned Hillary Clinton.

Call No. 20. 5:13 p.m., Thomases called Maggie Williams. Spoke for 9 minutes, 30 seconds.

Then Maggie Williams takes the documents to the residence. Although the public was initially told by the White House spokesperson that all the Clintons personal documents were immediately turned over to their lawyers after Foster's death, once again, we later learned this was simply untrue.

Tom Castleton, a White House employee, spoke against his own interest and told us Maggie Williams asked him to take boxes of documents from Foster's office to the residence on July 22, 1993, so the First Lady and the President could review them.

I want to go back to this point again. This is Maggie Williams who again says that this did not occur. We have got testimony under oath from Tom Castleton that when he and Maggie Williams were taking these documents to the third floor of the White House, that Maggie Williams told Tom Castleton that the reason they were doing this is so that the First Lady and the President could review them.

What I see is a day that begins and ends with Maggie Williams, Susan Thomases and Hillary Clinton conversing. I think Maggie Williams started the day at 6:44 talking with the First Lady about the need to keep law enforcement out of Foster's office and to get certain documents into a safe place.

She ended the day with a conversation with Thomases and a conversation with Hillary Clinton to let them know—mission accomplished. Bernie Nussbaum was able to control the document review. Nothing was divulged to the Department of Justice investigators. The sensitive documents of the First Lady were whisked away to the private quarters where months later Carolyn Huber discovered critical billing records which had Foster's handwriting all over them.

Hubbell even told us he had last seen them in Foster's possession. I believe those records may have been among the files Maggie Williams took out of Foster's office.

The first time we talked to Ms. Williams and Ms. Thomases, we only had a record of 12 of these phone calls. They denied talking to each other, except maybe once or twice, during this period. We received the phone records in three separate installments and, in the end, we see their testimony was nothing but deception.

There were 17 separate contacts in a 48-hour period among Hillary Clinton, Maggie Williams, Susan Thomases and Bernie Nussbaum, which I believe were related to how to handle the documents in Foster's office. Thomases was on the phone to the White House for 28 out of 58 minutes when Nussbaum was trying to decide how to handle the search of Foster's office.

Again, this was on the day that, in her own words, again I quote, "I was just about to go into a very, very busy

day in my own work." It now appears that her work was, in fact, the First Lady's work.

But that is not all. There is more deception about the suicide note and the documents removed from Foster's office. I want to reiterate, I have picked out one small segment of the investigation of the testimony that we reviewed, and it certainly ought to become obvious to people, as they listen to this, the lack of cooperation that we received from the witnesses, the lack of cooperation that we received from the White House. As I said earlier, I believe that the White House was actively involved in trying to cover up.

I am moving now to July 27, 1993. It is an important day. This is the day that the suicide note was turned over. Vince Foster's suicide note had been found the previous day. It was only turned over to the Park Police after a meeting with Janet Reno where she instructed the White House to do so. Attorney General Reno was very strong and decisive in her direction to the White House. I am paraphrasing, but basically the impression she left was, "Why did you waste my time? Why did I have to come to the White House to tell you to turn these documents over?"

I raise the question, Why were the documents not turned over the same day they were found? If you think about it for a moment, what possible reason could the White House have for keeping that note overnight, 30 hours? Why?

In retrospect, it is stunning that the White House did not turn it over to the Park Police right away. Obviously, as we can see by their handling of the note, they had no real intention of cooperating. Prior to the note being turned over to the Justice Department or Park Police, Hillary Clinton and a horde of other White House officials saw it. From what it sounded like, there were a large number of people—again, what I am referring to is from the testimony. The note was found, taken to Nussbaum's office, and people were coming in and reviewing this note. The people who, in fact, had seen the note were asked to testify about that note and who else was in the room, who else saw the note.

Oddly enough, everyone who was later interviewed by the FBI about the circumstances of finding the note forgot about the First Lady having seen it. Only during our second round of hearings did we learn about this important fact.

As for the documents that Tom Castleton and Maggie Williams took up to the residence on the 22d, they were turned over to Bob Barnett, the Clinton's personal attorney, on this day, on the 27th. Susan Thomases has testified she did not recall seeing Mrs. Clinton on July 27 and that she was not involved in Ms. Williams' transfer of Whitewater files from the White House residence to Clinton's personal lawyer, Mr. Bob Barnett, this despite records showing that Susan Thomases entered

the residence at the same time as Mr. Barnett.

Thomases spent 6 hours there, yet she does not remember anything about being in the White House that day. I mean, they are really asking us to stretch our willingness to understand how this could happen.

I want to go over that point again because I find this really—6 hours she was in the White House. It would be one thing if somehow or another she just happened to either bump into Maggie Williams or bump into Bob Barnett and forgot it, but to, in essence, have forgotten anything about the 6 hours at the White House, I just find that very, very, very hard to believe.

As recently as January 9, 1996, we received another phone record of a message from Mrs. Clinton to Susan Thomases from July 27, 1993 at 1:30 p.m., asking Thomases to please call Hillary. Ms. Thomases was in Washington, DC on that day when she would not normally have been in town, and she had received a message from Mrs. Clinton's scheduler the day before. This is also the first time Ms. Thomases saw the First Lady after Vince Foster committed suicide.

So that is two personal requests by the First Lady to speak to her, but Thomases has no memory of the occasion. Ironically enough, she was able to tell the committee in some detail the specific reasons why she happened to be in Washington on Tuesday instead of on Wednesday but has absolutely no memory of a White House visit when there. This type of memory loss is, first, unbelievable and, second, I believe a purposeful attempt to avoid giving the committee information that it is entitled to.

What I have gone over is just, again, one small portion of the body of evidence this committee has uncovered.

Here are some other items which form my view of the situation and explain why I have arrived at the conclusion that this White House has engaged in an attempt to completely stonewall the committee and the American public.

Unethical Treasury/White House contacts led to the resignation of Altman and Hanson and Steiner, saying he lied to his diary. You may recall that from earlier hearings we had. These contacts were a systematic effort to gain confidential information from Government sources and ultimately influence the criminal and civil investigations of Madison.

The President's refusal to turn over vital notes under the guise of attorney-client privilege—this kind of coordination among White House staff and personal lawyers resulted in a multimember Clinton defense team at taxpayers' expense.

Now we understand why they did not want to turn over those notes, because they contain phrases such as "vacuum Rose law files."

The coverup has now reached the third floor of the White House residence. It is difficult to construct a scenario where whoever left billing records on that table is not guilty of a felony. It is the most secure room in the world. Are we supposed to believe, as my colleague from North Carolina indicated during the hearing, that the butler did it?

Hillary Clinton has publicly floated the possibility that construction workers may have placed those billing records in the book room. After committee investigation, we now know that workers are under constant Secret Service supervision and they would be fired if they moved anything around.

The White House has seriously delayed document production from key White House players in the Whitewater legal defense team: Gearan, Ickes and Waldman—and, as I said earlier, just last week, Lindsey.

Even when documents were turned over, there were redactions which were just plain wrong. The notes Mr. Gearan produced to us of a series of meetings of the Whitewater legal defense team were so heavily redacted that the committee insisted on a review of the complete notes. As it turns out, the White House chose to redact highly relevant statements.

For example, one redacted portion—and I guess maybe I ought to stop for a minute, because some people may not understand what "redaction" means. It would be, for example, if I were to take this page and make the determination that there were some things on here that were not relevant; I would just white them out and white out everything on the page I thought was irrelevant, leaving only, let us say, a note on here that says, "Quality, not quantity of evidence" that is important.

So, for example, one of the redactions said that "the First Lady was adamantly opposed to the appointment of a special counsel." What I am saying to you is, when we first got the document, a lot of information that we believed was relevant was whited out, redacted. We could not see it. It was only after we demanded to see it, after they said to us, "Do not worry, there is nothing else of any relevance on this document to what you are investigating." This one redacted portion said, "The First Lady was adamantly opposed to the appointment of a special counsel."

I think that is relevant and it is another example of the White House's efforts to keep us from moving forward. I know that the White House, as well as Members on the other side of the aisle, keep hammering on the fact that over 40,000 pages of documents have been produced. But it is not the quantity of documents that matter. They could produce a million pages but deliberately withhold one key page. By telling us to be satisfied with what they have already given us, it is like telling us we can have everything but the 18-minute gap in the 4,000 plus hours of Watergate tapes. Plain and

simple, in my opinion, this amounts to contempt of the Senate and obstruction of justice.

We in the Senate have a serious responsibility to investigate abuses of power in the executive branch. It is one of our constitutional obligations and is a responsibility which the people of Florida expect me to carry out.

The obligation of the legislative branch to hold the executive branch accountable goes back to the beginning of our American heritage. The Founding Fathers had this very role in mind when they debated ratification of the Constitution. In *Federalist Paper No. 51*, James Madison explained the need for checks and balances among the branches of Government.

If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself.

The special committee's work is an attempt to ensure that we are controlling government in the way our Founding Fathers envisioned. We owe it to the American people. This is their Government, and we are accountable to them.

Now, the failure of Madison Guaranty cost the taxpayers \$60 million. I have attended hearings day after day and heard some amazing incidences of wrongdoing, only to turn around and hear administration apologists proclaim, "So what." This is my reaction to the "so what" response. In other words, what they are saying is, "You have not proved anybody guilty of anything. There is no smoking gun. So what." It is like saying that if somebody takes a gun and shoots at somebody and misses, no harm was done. I think, in fact, there is harm that has been done; and it has, in fact, been uncovered.

To those who insist that nothing wrong was done, I suggest you look to the results obtained so far from the independent counsel's work: Nine guilty pleas and indictments against seven others. That tells me that the issues we are pursuing are important.

In fact, in the most recent round of indictments, the President's 1990 gubernatorial campaign is specifically mentioned as the direct beneficiary of criminal behavior.

It is also interesting to note that the work of this committee has helped, not hindered or duplicated, the work of the independent counsel. The Albany Times Union observed that without the public demand in our hearings for the First Lady's billing records, the special prosecutor might still be waiting for them.

The public has a right to know the truth about this administration. On February 25, the Washington Post ran an editorial favoring an extension of the special committee. The main reason stated for needing additional time

was the failure of the White House to cooperate. This is what the Washington Post said: "Clinton officials have done their share to extend the committee's life."

A January 25 editorial in the New York Times said, "Given the White House's failure to address many unanswered questions, there is . . . a strong public interest in keeping the committee alive."

One Florida newspaper, the St. Petersburg Times said, "Forget election year politics. The American people deserve to know whether the Clinton administration is guilty of misusing its power and orchestrating a coverup. For that reason—and that reason alone—the Senate Whitewater hearings should go on."

Further, they cited the most important and most democratic reason to continue these hearings was, "Ordinary citizens need to learn what all this Whitewater talk is about. Americans deserve a President they can trust, someone who embraces questions about integrity instead of running from them. If the answers make Clinton's campaigning more difficult, so be it."

Wrongdoing should not go unpunished just because it was discovered during an election year. "The search for answers cannot stop now."

I agree wholeheartedly with the St. Petersburg Times. This committee's work must continue in order to preserve the future integrity of the office of the President. The Presidency of the United States is an office which should be looked to as a beacon of trust. Our President should be honest and forthright, and so should his staff. Our duty is to ensure that the President upholds this basic standard, abides by the laws of the land, and avoids any abuse of his sacred office.

Apologists for the administration's behavior have complained this investigation is costing taxpayers too much money. I agree with my colleague, again, from North Carolina, who said, "You cannot put a price tag on the integrity of the Presidency."

For those of my colleagues who may still be deciding how to vote on this matter, I suggest they ask themselves a few basic questions. Have all the White House staffers been forthcoming, candid, helpful, and informative in their testimony and conduct? Did the career employees of key agencies who contradicted White House staff lie when they told us of White House interference? Has the President fulfilled his pledge to cooperate fully with the committee? If you answer one or more of these questions with a no, do as I will, and support the resolution so that we might finally learn the truth.

Thank you, Mr. President. I yield the floor.

Mr. SARBANES addressed the Chair. The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, the issue before us is a resolution that has

been reported from the Rules Committee, introduced by Senator D'AMATO, the chairman of the Special Whitewater Committee, which would indefinitely extend the special committee and provide another \$600,000 over and above the almost million dollars that was provided last year for it to continue its work.

The distinguished minority leader, Senator DASCHLE, has proposed that the committee's work continue until the 3rd of April with an additional \$185,000. The question is really whether the life of this committee ought to be given an indefinite extension throughout the 1996 Presidential election year.

I am going to retrace the history of our inquiry with respect to this particular issue, because I am very frank to say that I think the indefinite extension of the work of this committee will only result in politicizing the committee. It will be increasingly perceived by the public as an investigation being conducted for political purposes.

Now, that was recognized last year when the resolution establishing the committee was first passed. Last May—on May 17—the Senate adopted Senate Resolution 120, which provided for the establishment of the Special Committee To Investigate the Whitewater Development Corporation and Related Matters. That resolution, which provided \$950,000—almost \$1 million to carry out that investigation—provided that the funding would expire on February 29, 1996.

The reason it provided that was that from the beginning the intent was to carry out this inquiry in a fair, thorough, and impartial manner, and complete it before the country enters into the Presidential campaign. Therefore, Resolution 120, by authorizing funding only through February 29, accomplished this objective. In fact, the resolution states that the purposes of the committee are "to expedite the thorough conduct of this investigation, study and hearings" and "to engender a high degree of confidence on the part of the public regarding the conduct of such investigation, study and hearings."

In fact, Chairman D'AMATO, before the Rules Committee, stated when funding for the inquiry was being sought, "We wanted to keep it out of that political arena, and that is why we decided to come forward with the one-year request."

So it is very important to understand that at the time the resolution was adopted there was a concern about this inquiry becoming a partisan political endeavor. It was very clear that to avoid that it was decided not to extend the inquiry well into the Presidential election year. In fact, the resolution provided that the committee should report to the Senate in mid-January, evaluating its progress and the status of the investigation. When that report was made, regrettably the majority took the position they needed an unlimited extension of the inquiry—un-

limited. In other words, it could go throughout 1996.

The minority took the position—and this was back in mid-January—that the committee should complete its investigation by the date contained in the resolution; namely, the 29th of February. We argued in that report, "It is well within the ability of the committee to complete its investigation by the February 29th date provided for in the resolution. The committee should undertake a schedule for the next 6 weeks that will enable it to meet that objective."

In fact, the Senate leadership had announced that the Senate would not be in regular voting sessions from the period of mid-January until near the end of February, and without any competing legislative business, it was our view that the committee could devote full attention of this investigation, hold an intense series of hearings and complete its inquiry on schedule—on schedule—and within budget as provided for in Senate Resolution 120 which this body adopted last May on a vote of 96-3.

It was possible for the committee to have met 4 or 5 days a week, a pace the committee has on previous instances followed. This very same committee has followed that pace on other occasions. That would have given the committee the opportunity to do the Arkansas phase of the inquiry, part of which remained to be completed, the committee having largely completed the work on the Foster papers phase and the Washington phase.

Now, between July and August of last year, between July 18 and August 10, at a time when the Senate was in session and Members were handling extensive legislative business, this special committee held 13 days of public hearings and examined 34 witnesses. That is a period of 3 weeks last summer, this committee, working hard, held 13 days of public hearings and examined 34 witnesses. The Iran-Contra committee, which I will turn to in a bit to make some other contrasts, held 21 days of hearings back in 1987 between July 7 and August 6 in order to complete its work.

Now, there is an important reason not to carry this matter well into a Presidential election year. By authorizing the funding only through February 29, Senate Resolution 120 stated that the purpose was to engender a high degree of confidence on the part of the public regarding the conduct of such investigation, study and hearings. Extending the life of the committee beyond that date, and in particular extending it for an indefinite period of time would undermine this objective. Inevitably, in my judgment, it would diminish public confidence in the impartiality of this inquiry.

Now, regrettably, an intensification of the hearing schedule was not pursued through January and February. So we came to the end of February and the majority, now led by Chairman D'AMATO, has proposed an unlimited

extension of time to continue the Senate investigation. That proposal was reported out of both the Banking Committee and the Rules Committee on a straight partisan vote, in contrast to the vote on Senate Resolution 120 last May.

The minority proposed an alternative. We took the position in mid-January that this inquiry could be finished by the end of February, pursuant to Senate Resolution 120, but the kind of hearing schedule that would have been necessary to accomplish that was regrettably never adopted. In fact, we have a situation in which in the 2-month period, we saw opportunities to conduct hearings simply pass by. In January, we held one hearing this week, two hearings this week, two this week, two that week. So we held seven hearings in the entire month of January, January—seven hearings.

I remind Senators that last summer this very same committee in the period between July 18 and August 10, a period of 3 weeks, held 13 days of public hearings, 13 days of public hearings. The Iran-Contra committee, in a month, held 21 days of public hearings. Mr. President, seven hearings in the month of January; the pace in February was the same. The month of February we held eight hearings. All of these opportunities to hold hearings on all these other days did not take place, and in the last 2 weeks we held 1 day of hearings out of nine possibilities. So we came to the end of February not having intensified the hearing schedule, and Chairman D'AMATO and the majority now propose an indefinite extension of the hearing schedule.

Additional funding, \$600,000, which, of course, would bring Senate expenditures on the investigation of Whitewater matters to \$2 million—\$400,000 in the previous Congress, \$950,000 thus far by this committee, and an additional \$600,000. Now, of course, that does not take into account the money spent by the independent counsel, which is now understood to be above \$25 million, and increasing at about the rate of \$1 million a month; or the money spent by the RTC on a civil investigation carried out by the Pillsbury Madison firm, which comes in at just under \$4 million. We have no firm figure on the amount spent by House committees looking into the Whitewater matter, nor a figure for the money spent by Federal agencies assisting with or responding to these investigations. In any event, it is very clear that the amount spent in total, including all of these various sources, is over \$30 million.

Senator DASCHLE wrote to Senator DOLE on the 23d of January, at the time the report was filed, in which the minority argued very strongly that the committee should undertake an intensified hearing schedule in the final 6 weeks, to complete its investigation by the February 29 date, and said in his letter, and I am quoting Senator DASCHLE now:

It is well within the special committee's ability to complete its inquiry by February 29. The committee can and should adopt a hearing schedule over the next 6 weeks that will enable it to meet the Senate's designated timetable.

As I indicated, no serious effort to intensify the hearing schedule in order to meet the February 29th deadline occurred. In fact, in the last week no hearing whatever was held. In the week before, only one hearing was held. In other weeks, more hearings were held, two hearings, maybe three hearings, but often with witnesses who had little new to contribute to the investigation.

Senator DASCHLE has put forth an alternative proposal in an effort, really, to demonstrate reasonableness, with respect to the work of the committee, and that is to provide an additional 5 weeks, until April 3, for the special committee to complete its hearing schedule, and until May 10 for the committee to complete its final report and to pay for this extra time by additional funding of \$185,000.

In my view, 5 weeks of additional hearings should be more than adequate to complete the so-called Arkansas phase of this investigation, a phase which concerns events that occurred in Arkansas some 10 years ago, events which have been widely reported on since the 1992 Presidential campaign, about which much is already known.

So, in an effort to reach an understanding, Senator DASCHLE said we felt that you could have completed your work by the deadline, by February 29, as was enacted by the Senate last May when they passed the resolution establishing the committee. That represented the judgment and the consensus of this body in passing that resolution 96 to 3. And when we reached the mid-January point, it was clearly stressed that an intensified schedule would enable the committee to complete its work on time and within budget. That did not happen. We did not get that intensification of schedule. Now we come, having passed the 29th of February, with Chairman D'AMATO and the majority arguing that they now want an indefinite extension of this inquiry.

I think the proposal put forth by the minority leader, Senator DASCHLE, is an eminently reasonable one. Regrettably, it was rejected in the Banking Committee on a straight party-line vote and rejected again in the Rules Committee by a straight party-line vote. In other words, the Democratic position was, we are willing to provide a limited extension in order to finish up the things that you assert are not yet done and will provide a limited amount of time. We do not want to, in effect, commit \$600,000, but we will commit \$185,000.

Let me compare and contrast the procedure that has been followed with respect to this resolution and the question of its extension with what occurred on the Iran-Contra hearings which took place in 1987, namely the

year preceding a Presidential election year, just as 1995 precedes a Presidential election year. In considering a resolution with respect to Iran-Contra, Senator DOLE took the very strong position that the inquiry ought not to extend into the Presidential election year.

In fact, in early 1987, when Congress was considering establishing a special committee on Iran-Contra, some advocated that it have a long timeframe, extending into 1988, in order to complete its work. There was a conflict between some Democrats in the House and Senate who wanted no time limitations placed on the committee, and Republican Members, led by Senator DOLE, who wanted the hearings completed within 2 or 3 months. And, of course, it was pointed out at the time, and escaped no one's attention, that an investigation that spilled into 1988 would only place the Republicans in a defensive posture during the Presidential election year.

Senator INOUE, who was selected to chair the special committee, and Congressman HAMILTON, who was selected as its vice chairman, recommended at the time rejecting the opportunity to prolong, and thereby exploit for political purposes, President Reagan's difficulties. They determined, in fact, that 10 months would provide enough time to carry out the inquiry, and that was the requirement under which the Iran-Contra Committee moved forward. In fact, during the Senate debate on the resolution to establish a select committee on Iran-Contra, Senator DOLE noted the good-faith effort of these two congressional leaders to have the committee complete its work in a timely manner.

He stated:

I am heartened by what I understand to be the strong commitment of both the chairman and vice chairman to avoid fishing expeditions and to keep the committee focused on the real issues here.

And the time period then was shortened from what many had been proposing in order to expedite and complete work on the matter and not carry it into the 1988 election year. Senator DOLE argued during floor debate that the country had many other matters to deal with, and stated:

With all these policy decisions facing us, the Senate—and the country, for that matter—cannot afford to be consumed by the Iranian arms sales affair.

So the Senate, when it passed the resolution, established a termination date well before the end of 1987. The termination date in our resolution was in February 1996. But it was recognized that that was to avoid going further into a Presidential election year. In doing that, Senator DOLE said:

There is still a national agenda that needs to be pursued. There are a number of issues that must be addressed, and the American people are concerned about the Iran-Contra matter. But they are also concerned about the budget, about the trade bill, about health care, and a whole host of issues that we will have to address in this Chamber.

He went on to say:

The problems of the past, as important as they are, are not as important as the future. And, further, if we get bogged down in finger pointing, in tearing down the President and the administration, we are just not going to be up to the challenges ahead, and all of us—all Americans—will be the losers.

I want to compare these two ways of proceeding because it was debated at the time of Iran-Contra, and recognized some push to extend it into 1988 and into the Presidential election year. That was very strongly opposed by Senator DOLE, and by his colleagues. In the end, Senator INOUE and Representative HAMILTON turned down the opportunity to prolong the inquiry into the election year and extend it for political purposes.

This Senate last May took, in effect, the same position by establishing the February 29, 1996 date. We have now reached that date. And we find the majority asking for an unlimited extension of this inquiry after we have been through a period in which neither in January nor in February did the committee embark upon an intense hearing schedule in order to finish its work by the cutoff date.

As I have indicated, we had hearings only 8 days in the month of February, a month when the Senate was not in session. And, therefore, when it was possible to really devote all day every day to this issue, there were no hearings in the last week in February—only one hearing in the next to the last week. And in the month of January, once again, many days without any hearings by the special committee, 7 days of hearings out of the entire month, 8 days in February. That is a total of 15 days over 2 months.

As I indicated earlier, this very committee last summer in the latter part of July and the first part of August—over a 3-week period—held 13 days of hearings. But let us compare it with Iran-Contra because that was a situation in which the Democrats controlled the Congress. There was a Republican administration.

The question then was, what was fair in terms of carrying out this inquiry, and how far should it extend into the Presidential election year? And the Democrats took the position that they were not going to extend it into the Presidential election year. They were going to try to keep politics out of the inquiry. Obviously, the further it goes into a Presidential election year, the more politics will come into the inquiry. And there is just no doubt about that, and the more the public's confidence in the impartiality of the inquiry will be eroded.

In 1987, in order to meet this schedule, the Iran-Contra committee held 21 days of hearings between July 7 and August 6. It met literally every Monday through Friday with three exceptions over a 5-week period.

So there was an intense set of hearings in order to carry through on the undertaking that had been made to finish up its work in a timely fashion and



avoid keeping the matter out of the 1988 Presidential election year—21 days of hearings with only three open days during that period so it could complete its hearing work within the timeframe set forth in the resolution which established it; 21 days of hearings.

Contrast that—the undertaking made by the Democratic Congress then dealing with a Republican administration to honor the effort to keep it out of the election year and out of the political context and not to have it turn into a partisan endeavor. Contrast this hearing schedule—21 days of hearings in a 1-month period—with a hearing schedule that has been pursued by this committee over the last 2 months. There were only 8 days of hearings in February, and only 7 days of hearings in January for a total of 15; 15 days over 2 months when Iran-Contra had 21 days in a month and finished up its work to honor the undertaking not to project it into a political year.

My own view is that the committee could and should have finished its work by the 29th of February as it was charged to do by the resolution that was adopted by this body last May. I think that was well within the ability of the committee. It did not happen. We are now confronted with a situation in which Chairman D'AMATO and his colleagues seek an unlimited extension of the work of the committee.

Senator DASCHLE indicated on the 23d of January that he thought the committee could complete its work by February 29. Now he has prepared and has offered an alternative in an effort to accommodate providing some additional time and funding for the committee to carry on its work.

In other words, we felt the committee should have finished by February 29. They did not follow a schedule in order to do that. The question is, what now? Senator DASCHLE, in an effort to accommodate, proposed providing additional weeks of hearings, until April 3 to complete a hearing schedule, until May 10 to complete a final report, and funding to carry out this work of \$185,000 as contrasted with the \$600,000 that Chairman D'AMATO is seeking for an indefinite extension of the work of the committee. In other words, an extension that can go throughout 1996 and obviously right into the Presidential campaign—an extension which, in my judgment, by prolonging the investigation well into a Presidential election year, will contribute to a public perception that the investigation is being conducted for political purposes.

It needs to be understood, of course, that the independent counsel's inquiry will continue. The independent counsel operates under, in effect, his own statute. He has unlimited funding. So that inquiry will go on as long as the independent counsel deems that it should go on. Judge Walsh, as we know, went on many, many years with respect to Iran-Contra and, in fact, continued his work after the hearings were concluded.

These hearings have never been related to the work of the independent counsel because the independent counsel is on a separate track. As we saw in Iran-Contra, those hearings ended in the latter part of 1987, but the independent counsel continued his work. Of course the work of the current independent counsel, Kenneth Starr, will go forward. He was given broad authority by a special panel of Federal judges to investigate Whitewater. He has a staff that eclipses anything that is available to any other inquiry that is now going on—we understand 30 attorneys and over 100 FBI and IRS agents; and the Independent Counsel Reauthorization Act sets no cap on the cost of his investigation, which has been over \$25 million thus far.

So, in fact, many have raised the point: Let the independent counsel do the inquiry, on the premise that that is a less political arena than hearings conducted here in the Congress, particularly hearings that go into the election year itself, so you have politicians looking at politicians in a political year, and that is almost certain to guarantee a political endeavor.

Now, in addition, it is important to realize that the RTC-commissioned report, the comprehensive report by an independent law firm, Pillsbury, Madison & Sutro, headed by a former Republican U.S. attorney, Jay Stephens, that report has now been made public. It cost almost \$4 million. And the conclusion transmitted to the RTC was that they found no basis on which the RTC should bring any actions, civil actions, with respect to the various matters which they investigated.

That represents a very thorough and comprehensive review.

Let me turn for a moment to the argument about requiring an open-ended extension in order to get more material. It is my understanding that the White House has now provided all material requested with the exception of those further requests made to it by the special committee over the last 2 or 3 weeks.

A great to-do is made about material that has been provided 2 weeks ago, a month ago, in early January. But the important thing to remember is that that material was provided; so it was made available to the committee. People raise a lot of commotion about the fact that Mr. Gearan's notes were not provided earlier on. Well, they were provided. He has an explanation as to why they were not provided earlier on. In any event, the committee got them, reviewed them, and held a hearing with Mr. Gearan, an all-day hearing, in which we went over those notes. The same thing is true of the notes with respect to Mr. Ickes.

On March 6, today, Jane Sherburne, the special counsel to the President, sent a letter to Chairman D'AMATO and to me as the ranking member in which she states the following, and I am quoting the letter:

Since the issuance of the Special Committee subpoena on October 30, 1995, the White

House has received some 30 new requests from the Chairman. This letter summarizes the status of our response to those requests.

We have provided responses to every request with the exception of two new requests for e-mail made by the Chairman in February after we reached what we had understood was the Committee's finalized e-mail request memorialized in my letter to the Committee on January 23, 1996. One of these additional e-mail requests relates to the discovery of copies of Rose Law Firm billing records which were provided to the committee on January 5, 1996, 2 weeks before the Committee staff finalized its e-mail request.

The other outstanding e-mail request relates to the period January 3 through January 12, 1994. This request was first made on February 16, 1996, but without the necessary detail to conduct the retrieval process. The detail was later provided by staff orally.

As you are aware, the Executive Office of the President already has incurred over \$138,000 in out-of-pocket costs for the e-mail described in my January 23, 1996, letter. Although we retrieved and reviewed 10 boxes of e-mails, this effort produced nothing of use to the committee's inquiry. Nonetheless, we are undertaking to respond to the new requests and hope to provide you with the results shortly.

Those are additional requests that were made. The original e-mail requests—well, the original request was so broad that no one really reasonably could be expected to respond to it, and after extended discussions, we were able to reach an agreement to focus those e-mail requests and to narrow them down, and they now have all been provided.

In addition, the White House undertook to verify that all documents provided to the counsel's office by White House staff beginning in March 1994 had been reviewed and produced to the committee as responsive. They also undertook to verify that all relevant White House files of certain former White House officials that may contain responsive material had been reviewed. So they undertook to go back and scrub down the files as a consequence of a couple of these late-arriving requests.

As a consequence of that work, some additional material—not much—has been provided to the committee. Most of them are copies or duplicates of matters that had previously been produced to the committee.

But that material has also now been received by the committee. So the committee now has all of this material in hand, which seems to me argues very strongly for an approach as the one contained in that put forth by the minority leader, by Senator DASCHLE, which would provide the committee an extension of 5 weeks from the termination date in order to complete its inquiry, some additional time in order to do its report, and would really serve to keep this matter out of the election year.

There has been no counterresponse to that proposal of the distinguished minority leader, Senator DASCHLE. I mean, the original proposition put forward by Chairman D'AMATO was an indefinite extension and \$600,000. Senator



DASCHLE and his colleagues on this side of the aisle indicated that that was unacceptable because it would really politicize this inquiry even further in an election year and guarantee that it would turn into a partisan political endeavor.

The Democrats did not seek to do that with Iran-Contra in 1987, and I am frank to say I do not think the Republicans should seek to do that with Whitewater in 1996.

The leader, faced with this proposal for an unlimited extension, offered what I think was a very reasonable proposal. That is for an extension until the 3d of April for hearings and until the 10th of May for the report. That has not elicited any response from my colleagues on the other side other than simply to press forward with their original proposal, which was for an indefinite extension and an additional \$600,000.

As we have indicated, Mr. President, we do not think that is necessary or required. We believe an indefinite proposal would make this inquiry simply a partisan political endeavor. We note that while the original resolution was passed by a very overwhelming bipartisan vote of 96 to 3, the proposal for an unlimited extension is moving along simply on the basis of a straight party vote.

We do not believe that is the way this matter should be handled. I urge my colleagues on the other side to look again at the proposal put forth by the minority leader, which I think represents a very reasonable proposition.

I yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I have several observations and reactions to the statement by the Senator from Maryland, who has done his usual thorough job of examining a whole series of issues. But if I may, Mr. President, without being disrespectful of my colleague, I would like to say that those issues are not particularly significant or relevant to what we are talking about here. I was not in the Senate when the Senate discussed Iran-Contra or the October Surprise or Watergate or any of the other hearings that he has discussed in such detail.

The issue before us is not whether or not those hearings were conducted well or badly, whether they were conducted in a speedy and expeditious manner or whether they were dragged out. The issue is whether or not this committee deserves more time to do its work. For that reason, I will not really debate with the Senator from Maryland anything regarding Iran-Contra or October Surprise or any other such issue.

The committee clearly needs more time to conclude its work. That is a given. The proposal offered to the Senate by the distinguished Democratic leader very specifically demonstrates a recognition of the fact that the committee needs more time. So I do not think that question is at issue.

The only question at issue before us is, how much time do we need? To me, the answer to that is very simple—as much time as it takes to get the facts. It is not that complicated. I know my colleague from Florida spoke for 45 minutes, close to an hour. My colleague from Maryland has spoken for the same period of time.

To me, the issue is very simple—how much time will it take to get the facts? Not how much time has elapsed or how many witnesses we have heard or how many documents have been furnished or how much time was taken in another controversy that took place years ago. How much time do we need to get the facts?

In an effort to try to come to that point, Mr. President, I turn to the press. I will quote briefly from three editorials. They have been quoted extensively before. They have been put in the RECORD. So I will simply summarize some of them on the point that I have tried to make.

The Washington Post on the 25th of February, after examining many of the outstanding issues says this in conclusion:

Who knows where this all will lead? The committee clearly needs time to sift through these late-arriving papers as well as interview witnesses now unavailable because they are key figures in the Whitewater-related trials. So like it or not, the Senate committee is unlikely to go off into the sunset at month's end when its mandate expires. Clinton officials have done their share to extend the committee's life.

That summarizes it for me, Mr. President. Why do we need more time? Because Clinton officials have not been as forthcoming as they should have been. The committee clearly needs time for two reasons. One, to sift through these late-arriving papers. Why are they late arriving? Again, ask President Clinton and his staff. The committee has been asking for them for months. One, to sift through these late-arriving papers, and, two, interview witnesses who are now unavailable because they are key figures in the Whitewater-related trials. Very straightforward. All right.

The New York Times, making comment in the aftermath of the Iowa and New Hampshire primaries says:

The excitement of Iowa, New Hampshire has diverted attention from the Senate Whitewater committee and its investigation into the Rose Law Firm's migrating files.

I think that is an interesting phrase, the law firm's "migrating files."

Naturally this pleases the White House—

Referring to the lack of focus on this—

Naturally this pleases the White House and its allies, who hope to use the interregnum to let their 'so what' arguments take root. David Kendall, the Clinton's private attorney, says the curious paper trail is just one of the meaningless mysteries of Whitewater.

Then the Times says:

There are mysteries here, but they are not meaningless.

Then it goes on again through that which has been covered so many times.

I do not feel the necessity of covering it one more time. But the Times concludes:

Perhaps the files will also show that there was no coverup associated with moving and storing these files.

And this sentence—I love it, because it summarizes what we are talking about.

Inanimate objects do not move themselves. It is pointless to ask Senators and the independent prosecutors to fold their inquiry on the basis of the facts that have emerged so far. To do so would be a dereliction of their duties.

I love the way this is written. The "migrating files," "inanimate objects do not move themselves."

Another newspaper, USA Today, offered these comments in an editorial. It leads off with this statement:

This week author Hillary Rodham Clinton was supposed to inform the nation about the truths kids can tell us. Instead, the nation is confronted with questions about whether the First Lady is telling the whole truth about her role in two scandals, Whitewater and Travelgate, and whether she and her husband can stop acting like children when asked about it.

It then goes on to list a series of questions. Again, they have been talked about at great length here on the floor. I see no point in asking them again just for the sake of asking them.

But I like the conclusion, again, out of this editorial, after renewing all of these questions. It says:

Mrs. Clinton and the President have raised these questions, not Republicans.

I would like to repeat that for emphasis, Mr. President:

Mrs. Clinton and the President have raised these questions, not Republicans. They've created the impression they may be covering something up by being less than thorough in responding to legitimate demands for information. This is not the first time Mrs. Clinton has run into such a problem. She never fully explained profits from the 1970's commodities trades. Concerns linger that the profits came from wealthy friends seeking political favors.

And then the conclusion, with which I heartily agree:

Rather than pointing fingers at the investigators, the Clintons need to offer some apologies, plus the whole truth of what went on with Madison, Whitewater and the travel office. Nothing less will do.

That is the end of that editorial.

So, Mr. President, I could go on for a significant period of time and review what we found out in the committee, rehearse the various things that were said, comment once again on the inconsistencies and all of the rest of that. I do not see that it serves much purpose. The issue is very clear: How much more time does the committee need?

I believe that the offer made by the Democratic leader is for an insufficient amount of time. The argument is made that the request made by the chairman of the committee for no firm date is too much time. I hope both sides can sit down and say somewhere between the offer made by the Democratic leader and the request for an open-ended

inquiry made by the chairman, we can find a date that can satisfy the two requirements, which are sufficient time to sift through the late-arriving documents and enough time for us to hear from the witnesses who are currently unavailable.

To me, it is not that hard to figure out. I hope that we can arrive at that point instead of tying up the Senate in endless rehashing of issues that, as I say, in my view, are not relevant.

I go back to the New York Times for the final summary of that when the New York Times said editorially, for the Democrats to filibuster this request will look like silly stonewalling.

Mr. President, I suggest the absence of a quorum.

Mr. SARBANES addressed the Chair.

Mr. BENNETT. I withdraw the request.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I always enjoy the opportunity for an exchange with my distinguished colleague from Utah. I listened carefully as he quoted from the Washington Post editorial headed "Extend the Whitewater Committee." The Post then, in a subsequent editorial headed "Extend, But With Limits," said:

... but the Senate should require the committee to complete its work and produce a final report by a fixed date.

It then goes on to say, and this may, in effect, get into the area that the Senator was perhaps suggesting in his comments because I listened very carefully and as I made the point myself, the proposal we had from the other side was an unlimited extension.

Mr. BENNETT. Yes.

Mr. SARBANES. The distinguished Democratic leader said, "Well, we can't agree to an unlimited extension, but we are prepared to offer carrying it forward." We have heard nothing back with respect to that. So that is the play on this issue.

This editorial said:

Democrats want to keep the committee on a short leash by extending hearings to April 3rd with a final report to follow by May 10th. A limited extension makes sense, but an unreasonably short deadline does not. Five weeks may not be enough time for the committee to do a credible job. Instead, the Senate should give the committee more running room, but aim for ending the entire proceeding before summer when the campaign season really heats up. That would argue for permitting the probe to continue through April or early May.

And, of course, we had suggested April 3.

I know the Senator has quoted some editorials that say go on with this thing. There are other editorials, of course, which take just the opposite point of view.

Mr. BENNETT. Mr. President, may I respond to that very quickly?

The PRESIDING OFFICER. The Senator from Maryland has the floor. Does the Senator yield?

Mr. SARBANES. I certainly yield to my colleague.

Mr. BENNETT. I have to leave the floor, and I thank my colleague from Maryland for his courtesy. I simply say, Mr. President, that subsequent editorial that the Senator from Maryland quoted is in exactly the vein of what I am talking about, that I find the Democratic leader's proposal to be too short a leash, but this Senator would not object if we met the two objectives called for of enough time to sift through the late-arriving papers and the ability to interview witnesses who are currently unavailable. My only objection to the proposal made by the Democratic leader is that it does not provide for meeting those two.

So I say to the Senator from Maryland, Mr. President, that this Senator would be willing to have some kind of agreement along the lines that he is now talking about. My objection is to the cutoff date in the proposal made by the Democratic leader which I think is too short a leash.

Mr. SARBANES. Mr. President, let me point out that there are other editorial comments around the country which actually think this should end right now, period.

The Sacramento Bee on March 2 had an editorial, "Enough of Whitewater." Let me quote a couple of paragraphs:

Senator Alfonse D'Amato, the chairman of the Senate Whitewater committee and chairman of Senator Bob Dole's Presidential campaign in New York, wants to extend his hearings indefinitely, or at least one presumes until after the November elections. The committee's authorization and funding ran out Thursday, and the Democrats, in part for related political reasons, want to shut the committee hearings down. In this case, the Democrats have the best of the argument by a country mile. With every passing day, the hearings have looked more like a fishing expedition in the Dead Sea.

I ask unanimous consent that the entire text of that editorial be printed in the RECORD.

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

[From the Sacramento Bee, Mar. 2, 1996]

#### ENOUGH OF WHITEWATER

Sen. Alfonse D'Amato, the chairman of the Senate Whitewater Committee and chairman of Sen. Bob Dole's presidential campaign in New York, wants to extend his hearings indefinitely—or least, one presumes, until after the November elections. The committee's authorization and funding ran out Thursday and the Democrats, in part for related political reasons, want to shut the committee hearing down.

In this case, the Democrats have the best of the argument by a country mile. With every passing day, the hearings have looked more like a fishing expedition in the Dead Sea.

Given the fact that D'Amato's mighty and costly labors have so far caught little but crabs; that there is a special prosecutor going over the same ground; that there have already been nearly 20 months of Senate hearings, first under the Democrats, then under the Republicans; that a couple of House committees have held their own hearings; and that an armada of journalists has covered the ground for more than three years, you'd think that whatever Whitewater is had been covered to death.

Thursday, the Democrats, though in the minority, managed to use parliamentary devices to block the indefinite extension that D'Amato asked for. They're willing, they said, to accept a five-week extension to wrap up the hearings, then another six weeks to allow the committee to write a report. That, said D'Amato, sends "the unmistakable message that (the Democrats) want to prevent the American people from learning the full facts about Whitewater."

In fact, it ought to be plenty. Even if every charge were true, the political cronyism and favoritism allegedly bestowed in connection with the Whitewater development while Bill Clinton was governor of Arkansas—and so far only alleged—would be of no interest to any congressional committee were it not for the fact that Clinton is present. Similar shenanigans—and worse—occur routinely in state after state. Why isn't D'Amato investigating Lamar Alexander, who benefited richly from business cronies during his days as governor of Tennessee and as president of its state university?

There may well have been attempts in the Clinton White House to cover up the dealings among the Clinton, the Whitewater development company and the failed Arkansas savings and loan that helped to bankroll it. There was certainly a great deal of stonewalling and evasive behavior. But Kenneth Starr, the special prosecutor, has been sparing no effort to investigate both that and related matters. What is it that D'Amato can credibly establish that Starr can't.

Mr. SARBANES. Mr. President, finally an editorial in the Atlanta Constitution which calls for bringing this inquiry to an end. It goes on to point out, "one, that a recent Resolution Trust Corporation investigation found no hint of impropriety by the Clintons regarding their Whitewater involvement."

It goes on to say:

The first couple is still under investigation by Independent Counsel, Kenneth Starr, a former Reagan Justice Department official, who can be expected to scrutinize the Clinton's legal and business affairs rigorously. Any additional sleuthing by Senator D'Amato would be a waste of taxpayers' money.

I ask unanimous consent that that editorial be printed in the RECORD as well.

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

[From the Atlanta Constitution, Feb. 15, 1996]

#### TAKE D'AMATO OFF CLINTONS' CASE

The Senate's Watergate hearings of 1973-74 were momentous, delving into White House abuses of power and leading to the resignation of a disgraced president and the imprisonment of many of his aides. They lasted 279 days.

Next week, Sen. Alfonse D'Amato (R-N.Y.) and his fellow Whitewater investigators will surpass that mark (today is the 275th day), and they have nothing anywhere near conclusive to show for their labors. To put matters in context, all they have to ponder is a fairly obscure 1980s real estate and banking scandal in Arkansas.

With a Feb. 29 expiration date for his special panel staring him in the face, D'Amato has the effrontery to ask the Senate for more time and money to continue drilling dry investigative holes. Specifically, he wants open-ended authority and another

\$600,000. That's on top of the \$950,000 his committee has spent so far, plus \$400,000 that was devoted to a Senate Banking Committee inquiry into Whitewater in 1994.

The partisan motives behind D'Amato's request couldn't be more obvious. Here he is, a chief political strategist for the leading Republican contender for the presidency, Bob Dole, seeking to legitimize the committee's hectoring of President and Mrs. Clinton well into the campaign season.

If the panel could demonstrate a glimmer of a hot new lead connecting the Clintons to the Arkansas scams, D'Amato's appeal for an extension might have merit. Invariably, though, the committee's supposed revelations have evaporated for want of substance. Witnesses who testified in the past are being summoned back, often to go over familiar ground. Chelsea Clinton's former nanny had to appear again this week, for heaven's sake.

This is not to let the Clintons off the hook. They might have allayed suspicions about themselves long ago if they had promptly produced documentation of their Arkansas business and legal dealings. But lawyerly reticence, however politically unwise, by no means indicates guilt. Remember that a recent Resolution Trust Corp. investigation found no hint of impropriety by the Clintons regarding their Whitewater involvement.

The first couple is still under investigation by independent counsel Kenneth Starr, a former Reagan Justice Department official who can be expected to scrutinize the Clintons' legal and business affairs rigorously. Any additional sleuthing by D'Amato would be a waste of taxpayers' money.

Mr. SARBANES. Mr. President, the Greensboro, NC, News and Record had an editorial headed "Whitewater Hearing Needs To Wind Down." Let me just quote a couple of paragraphs from that:

A legitimate probe is becoming a partisan sledgehammer.

Let me repeat that:

A legitimate probe is becoming a partisan sledgehammer. The Senate Whitewater hearings, led since last July by Senator Al D'Amato (R-NY), have served their purpose. It's time to wrap this thing up before the election season.

Then they end that editorial with this comment:

Let the GOP use the fruits of D'Amato's labors as they will in the coming campaign, but don't let the opposition party run a smear campaign at public expense.

I ask unanimous consent that that editorial be printed in the RECORD.

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

#### WHITewater HEARING NEEDS TO WIND DOWN

A legitimate probe is becoming a partisan sledgehammer.

The Senate Whitewater hearings led since last July by Sen. Al D'Amato, R-N.Y., have served their purpose. It's time to wrap this thing up before the election season.

The committee has documented the Clinton's various relationships with a bankrupt Arkansas savings and loan and related enterprises. It has developed evidence of a damage control campaign run from the White House. And it has revealed a mean and petty episode involving the White House travel office. The portrait of Arkansas politics during the '80s is not a pretty one.

All of this—including the mysterious, belated appearance in the White House of documents that had been subpoenaed by the committee months earlier—will surely be politically damaging to the Clintons. D'Amato's

committee should sum up its findings, publish them for all to see, and go on to something else. The committee has done its work, sometimes more than once.

Still, D'Amato and company haven't had enough. The New York senator wants his mandate, which has already eaten up \$1 million of your money, extended indefinitely. He has asked for another \$600,000.

Republicans charge that it has been the White House's desultory compliance with the committee's requests that has slowed its work, necessitating the extension of this expensive and fruitless exercise. But that argument is becoming tedious.

The committee has already subpoenaed everybody and every document in sight. The committee's thoroughness is not in question. The committee's excesses are. They have begun to eat into its credibility.

Senator D'Amato tries to explain away his obvious conflict of interest by making the laughable argument that his role as New York chairman of the Bob Dole campaign has no connection to his use of the Senate committee. Here's what's happening.

D'Amato is carrying on Dole's campaign in the Senate with repetitious hearings that highlight testimony from the White House staff, then outside the Senate chambers with press conferences. Covering Whitewater once in 1995 was a legitimate Senate inquiry. Rehashing it in 1996, an election year, is exploiting the forum to damage the president.

What began as only a partly political exercise has over the months become blatantly that, thanks to D'Amato and his North Carolina ally, Sen. Lauch Faircloth.

The committee had good reason to look into the Clintons' role in the Madison Guaranty Savings & Loan mess and related matters. But the panel majority, and especially the chairman, have turned a search for the truth into a partisan vendetta against the Clintons. Not even a casual observer of these proceedings could miss the contempt that the committee chairman has for the president and his wife. Allowing these hearings to go on indefinitely would be giving D'Amato—and by extension the legislative branch—a license to harass the executive.

There's no reason to let the Clintons off the hook. An independent counsel is plowing the same ground—including the serious allegations that the White House may have attempted to obstruct justice and that Clinton exercised undue influence over savings and loan regulators while governor of Arkansas. There is no need for taxpayers to pay for this work twice and then again, particularly not when the Senate committee has so obviously become an arm of the Republican campaign to unseat the President.

Let the GOP use the fruits of D'Amato's labor as it will in the coming campaign. But don't let the opposition party run its smear campaign at public expense.

Mr. SARBANES. Mr. President, I yield the floor.

Mr. FAIRCLOTH. Mr. President, it would appear that we are going into not a debate on the issues here, but a debate on who can find the best editorials. I say to the Senator from Maryland that he read from the Greensboro, NC, News and Record. I have found, over the few years that I have been in the Senate, when I get an unfavorable editorial in the News and Record, I finally did something right. But since we are going into the editorials, I will read one from USA Today. I am quoting from the last four paragraphs:

Why did it take so long to find the papers? Subpoenas for Travelgate and Whitewater

documents are many months old. Failure to provide them quickly warranted legal action. The statute of limitations for filing suits against Madison lawyers lapsed just days before the bills were produced. How could the White House have missed them? Mrs. Clinton and the President have raised questions, not Republicans. They have created the impression they may be covering up something by being less than thorough in responding to legitimate demands for information. This is not the first time Mrs. Clinton has run into such a problem. She never fully explained profits from a 1970 commodity trade—

And they are being kind to her when they say "never fully explained." She never even slightly explained.

Concerns linger that the profits came from wealthy friends seeking political favors. There has never been any explanation of that. Rather than pointing fingers at the investigators, the Clintons need to offer some apologies, plus the whole truth about what went on with Madison, Whitewater, and the travel office. Nothing less will do.

Now, that is from USA Today, January 10, 1996.

Mr. President, we have been through this charade with the administration for more than 2 years now. It is time that it ends, and the length and amount of time that we have expended in these investigations is brought on not by the Republicans on the committee, but by the delay of the White House in providing subpoenaed information. That is simply the reason we are here today asking to extend the length of the resolution.

Mr. President, the central issue in this debate is this: Will the U.S. Senate, for the first time in my memory, take the affirmative step of refusing to investigate a scandal of public corruption? That is very simply what we are talking about doing with the filibuster here today—it is that the Senate is saying, "We are not going to investigate these people. We do not want to get into it."

The length of the investigation is irrelevant. As I said, the delays have come about not by the investigating committee, but by the White House itself. It has been nothing more than an attempt to wear it out, to use it up, to exhaust the people, to exhaust the money, to hope it would go away, and the length and time set for the investigation would lapse.

Just a few weeks ago, we received key documents from Mark Gearan. We received new documents from Harold Ickes, the White House Deputy Chief of Staff. And even just this week, still documents are coming in from White House lawyers. If the legal staff and the White House do not know where their notes and papers are, maybe that explains some of the confusion we see coming out of the White House. What do they know if they do not know where their notes and papers are?

Last December, on the Senate floor, we voted for a resolution to subpoena William Kennedy's notes from a November 5, 1993, meeting concerning Whitewater. The full Senate voted a subpoena. And last Friday, Bruce

Lindsey admitted that he, too, had notes from this meeting. Last Friday. That is 2 years and 3 or 4 months. He brought those notes forward for one reason, which is that he believes this investigation is going to go on and he has a fear of obstructing justice. Can you imagine someone of that rank at the White House telling the committee that he did not take notes and then find them after the deadline has expired? We are asked to believe that. Furthermore, the accidental discovery of documents always seems to occur on Friday afternoon after the news deadline. This is when Bruce Lindsey turned over his documents. This is when the First Lady's billing records were released. I do not think a committee of the U.S. Senate should be treated with the disrespect the White House has shown this committee.

The cost of the investigation is not small, but I have asked, "Can we put a price on the integrity of the White House?" Mr. President, it is worth discussing how we arrived at this point? It is worth reviewing how Whitewater became a congressional issue, because it tells us something about the failure of the savings and loan industry and also tells us a lot about the ethics of Bill and Hillary Clinton?

In February 1989, Madison Guaranty Savings Loan failed. The failure cost American taxpayers an estimated \$60 million at that time. I see figures today that it is over \$70 million. But, whatever, it was a lot of taxpayer dollars. In fact, the entire savings and loan crisis cost the American taxpayers \$150 billion—an unbelievably staggering amount of money. The Banking Committee has every right—and, in fact, a duty—to review the cause of the crisis. Is there any question that the American people, who are paying this bill—they are paying the \$60 or \$70 million Madison lost, and they and their children and grandchildren are going to pay the \$150 billion, and they have a right to know where the money went and how it happened.

While Madison was a small institution, its failure was one of the worst in the Nation. When it failed, the cost to the taxpayers was 50 percent of the assets of the institution—50 percent.

In Arkansas, 80 percent of the State-chartered S&L's failed while Bill Clinton was Governor. Jim McDougal took over Madison from 1982 to 1986. In 4 short years, the assets grew from \$6 million to \$123 million. Now, if we will back up and look at what assets mean, that means he borrowed \$117 million more in a period of 4 years. He borrowed \$117 million that wound up being guaranteed by the taxpayers of this country. In 4 years, he borrowed \$117 million that the taxpayers of this country wound up paying off for him. Part of that money, a good bit of it, went to Whitewater Development.

He increased his loans to insiders. That is what Bill and Hillary certainly would have been, since they were his

partners in a real estate deal. He increased his loans to insiders. When he took it, the insider loans were \$500,000. Four years later, he had increased his loans to insiders, which were Bill and Hillary Clinton, the President and First Lady, to \$17 million. Whitewater was one of the ventures that caused Madison to fail.

Furthermore, the claims that the Clintons lost money is false. They never had any of their money at risk. You cannot lose money you did not have. It was a sweetheart deal for the new Governor, tracking and congruent with the commodity trade in which Hillary Clinton earned \$100,000. Do you know how she earned \$100,000 in the most speculative business in the world? She read the Wall Street Journal. After she earned \$100,000, without explanation, in this brilliant, brilliant trade, worked by a commodity broker named Red Bone who was investigated for everything, she quit. No more commodity trades. If she possessed the skill to turn \$1,000 into \$100,000 in that length of time by being First Lady, she is wasting the most valuable and potential money-making asset this Nation has ever known.

The Pillsbury report that has been referred to many times by Senators in the minority showed that the taxpayers of this country lost far more money on Whitewater than the Clintons. To me, that alone is a scandal.

Furthermore, there are reports in today's Washington Post that Mrs. Clinton herself was much more involved in Whitewater than we believed, that she was fully aware that the McDougals had put more money into the deal than the Clintons did. Again, we have two Yale-educated attorneys that today tell us they were oblivious to the whole affair, that they did not understand it. It is almost beyond the concept of most of us on the committee to see two of the "smartest lawyers"—said her press people or somebody; we were clearly often told Mrs. Clinton was one of the 100 smartest lawyers in the Nation, and he certainly was at Oxford—could not buy 300 acres of cheap Arkansas land without a national scandal. The two smartest lawyers in the country could not buy 300 acres of cheap Arkansas land without creating a national scandal.

Why? Because it was not a clean legal deal. That is why you could not buy it without a scandal. Madison Guaranty was a high-flier savings and loan. It has been called the personal piggy bank for the political elite in Arkansas. I called it a calabash or a pot of money that the politicians were dipping in and taking out. I do not often agree with the editorial pages of the New York Times, but they have called the Whitewater hearings a stew of evasion and memory lapses. They do not often get it correct, but they did that time.

Mr. President, the central issue in Whitewater has been whether Madison received favorable treatment from Ar-

kansas savings and loan regulators because of Jim McDougal's close ties to President Clinton. Essentially, the question is this: Did the losses to the taxpayers increase because Jim McDougal pressed his case with State regulators, which President Clinton, then Governor Clinton, Bill Clinton, had appointed?

The notes from Gearan's meeting, from the meeting he was in, suggested the White House wanted to send somebody down to Little Rock to get the story straight with Beverly Bassett Schaffer, the State savings and loan regulator. Get the story straight. The folks we were talking about, if we send them—and I do not remember the initials—but if we send CP, HL, and CB, it will come out. We cannot send them. Maybe we could get somebody from New York to go. They probably would not be recognized very quickly in Little Rock. Maybe we can get somebody from here or there to go. If we send our people, they will be recognized; it will get out.

Well, if it were an honest, clean trip, what was there to get out? Why not go down and talk to Ms. Schaffer and say, "Here is what we are here for. Tell us the truth." That was not the purpose of the trip. The purpose of the trip was to get the story to match.

Had the American public been given the real picture in the wake of the savings and loan crisis, I think they would have reacted very differently to the inside quid pro quo way of doing business in Arkansas and Little Rock, particularly since the American taxpayers paid for the lax regulations. We will be paying for this into the whole next century.

Mr. President, Whitewater extends even farther than Madison Guaranty. It involves a small business investment corporation called Capital Management Services. This company was run by a man named David Hale. It, too, served as a personal bank for the politically connected in Arkansas. Its purpose was to make loans to the disadvantaged, but that turned out to be the rule-making politicians of Little Rock. Regrettably, the American taxpayers paid over \$3 million for the failure of Capital Management.

Mr. President, it is a fact that Capital Management made a \$300,000 loan to Whitewater. Now, inside the beltway of Washington and in the vernacular of the Congress, \$300,000 would not even be a blip on the screen. To the average American, \$300,000 is an enormous amount of money.

Now, Capital Management made a \$300,000 loan to Whitewater. That is far more than anybody had put into it in real money. We have strong evidence that President Clinton asked this loan be made. I think time will tell that David Hale is telling the truth when he says that Bill Clinton pressured him to make this loan to help benefit Whitewater. If it is not true that Bill Clinton pressured David Hale to make this loan, then we need to—and I hope

the Democrats would be pushing to extend these hearings so we can bring David Hale to the hearings and let him clear Bill Clinton's name.

If it is true, if it is true that the President, now President Clinton, pressured him, then that needs to be brought to the light and let the public see it.

Here again, the American taxpayers have paid to subsidize President and Mrs. Clinton's failed real estate venture in Arkansas. Again, our Whitewater hearings have uncovered that the White House was aware of the Hale investigation from the very beginning. They had testimony from a career SBA official that the SBA briefed Mike McLarty in May 1993, about the SBA investigation of David Hale. They briefed McLarty about the SBA investigation of David Hale, the man who said he was pressured by then-Governor and now President Bill Clinton to make the loan.

That is essentially what these hearings are about, the loss of taxpayer money in Madison, Whitewater, and Capital Management. We have never had Mr. Hale as a witness. We need him as a witness and we need to wait until the legal proceedings going on in Little Rock are over and bring him as a witness.

Mr. President, on another issue, Vince Foster's death and the handling of his papers on the eve of his death has raised the most questions with the committee. We know for a fact that the First Lady spoke with her assistant, Maggie Williams, before Maggie Williams went to the White House and Vince Foster's office. In fact, she spoke to her in almost record time that you could drive from Maggie Williams' house to get in Vince Foster's office. And we know by the telephone records when she left her home and we know by the Secret Service records when the alarm went off in Vince Foster's office and she went in. And she did it in almost record time.

We asked her before the committee, why did she go to the White House? And the explanation was a somewhat vague, that she was out riding and had to be somewhere. Well, she was somewhere, in Vince Foster's office.

We know that they spoke later in the evening, immediately upon Maggie Williams' return from the White House. We know that she called, Mrs. Clinton called her. She went to the White House. We know she went to the White House, she went to Vince Foster's office, she went directly back home, and she called the First Lady. That we know.

Then, in the morning, 1 a.m., Maggie Williams was talking to Susan Thomases. We have the sworn testimony of uniformed Secret Service Officer Henry O'Neill, who saw Maggie Williams remove documents from Vince Foster's office on the night of his death. All of this is undisputed fact.

Within the last few weeks we have gathered more information that I

think gives credence to the notion that files were indeed removed on the night of Mr. Foster's death. First, two files relating to the Madison Guaranty were sent back to the Rose Law Firm by David Kendall. They had to have come out of Vince Foster's office. Yet these files were never part of the box that Maggie Williams said she took from Foster's office 2 days after his death. These documents were reviewed and cataloged by Bob Barnett, the Clinton's other attorney. The two Madison files never appeared there.

Mr. President, what we have seen is massive inconsistency and confusion. It has gone on and on and on. The truth, as I use a poor simile, is that getting information out of the White House was akin to eating ice cream with a knitting needle. And that is about what it has been, a little bit here and a little bit there. But never enough to satisfy.

This is the way it has gone on since the beginning of the hearings and unbelievable stories we have been asked to believe. We can go back to the Maggie Williams/Susan Thomases flurry of telephone calls, and also to Mrs. Clinton's explanation of them.

Maggie Williams: I do not know why I went to the White House. I could not possibly have taken anything out. Yet she met a uniformed 18-year veteran of the Secret Service in a 5-foot hall, and neither of them are small people. He had no reason to tell it wrong. She immediately calls Mrs. Clinton from her home phone when she gets back to her house, and she went directly back to her house. There were many calls to Susan Thomases and Mrs. Clinton over a very short period of time. And the explanation we have for these calls is this one: They were commiserating with each other. They were making sure everybody was all right. They were checking to see if the bereaved were comfortable.

Mrs. Clinton herself said that these calls were commiserating and there was a lot of sobbing going on on those calls that night.

I find that extremely difficult to believe, and if I am wrong I would be delighted to be corrected by the facts. But we find no calls from Mrs. Clinton to Mrs. Foster or the children. The telephone records have not indicated those calls existed, and so far they have not been brought forward. I believe the documents that Maggie Williams delivered that night are the now-famous missing billing records. I fully believe that Maggie Williams had them in her arms that night. Certainly everybody agrees that Vince Foster's handwriting was all over these billing records—in the original writing, not copies. The records were copies but his handwriting was the original. It was all over them.

Many have said, Well, what is it in the billing records that is significant?

There are two very important significances. One of them is that they were subpoenaed by a Senate inves-

tigating committee, they were subpoenaed by an independent counsel, and whoever knew where they were should have brought them forward regardless of what they said. They were subpoenaed papers.

But the significance—another significance is the work on the Castle Grande project is important. That was the one project that RTC said: There may be legal liability for the Rose Law Firm. Is it any wonder that they stayed hidden until after the statute of limitation had expired?

The First Lady had over 14 calls with Seth Ward, according to her billing records. Seth Ward was the Castle Grande man. This was a known sham deal identified by the RTC as a sham deal. Is it reasonable to think that one of the 100 smartest lawyers in the country could have had 14 telephone calls with a client doing a sham deal and not suspect it or know it was wrong? I think she knew well what she was doing. She had to know. That is why the documents did not turn up.

Castle Grande cost the American taxpayers \$4 million. The RTC tried to collect some of the money. But Mrs. Clinton had disguised work on this issue. No wonder they were so concerned about the statute of limitations expiring in 1994 but extended until the end of 1995. This is what sparked the meeting that we saw in 1994.

Mr. President, in conclusion, we still have key witnesses to call, witnesses that know where the bodies are buried, witnesses that will talk and can talk, but they are tied up in a trial in Little Rock now. We need to get them here. Jim McDougal, Susan McDougal, and David Hale. Can you imagine if we held Iran-Contra hearings without Ollie North or John Poindexter or Bud McFarland? What would the hearings show? Can you imagine if the Republicans wanted to end these hearings and had wanted to end them? The media would have crucified us. It would not have happened.

To conclude, here are some of the questions that need answers. These we need answered before we conclude the hearings.

Who placed Mrs. Clinton's subpoenaed records in the White House book room? Nobody has given me any argument that the White House book room and Mrs. Clinton's private adjoining office are the two most secure rooms in the world. If they are not, they should be, because that is where the President spends his private time.

Were those records in Vince Foster's office the night he died? If so, who removed them? And where were they stored for 2 years?

Clearly, the records did not walk out of Vince Foster's office. They were walked out, and whoever walked them out knows where they carried them and where they were hidden for 2 years.

Did White House officials lie to investigators about what went on in the hours and days after Vince Foster's death? Did the White House response

team obstruct justice by attempting to control the scope of the investigation? Did the White House Whitewater response team obstruct justice by attempting to tamper with a witness? Did then-Governor Clinton pressure a local judge to make an illegal loan to his business partner? These we can answer if we get the people here.

Why did the Clinton business partner pay most of the Clintons' share of Whitewater Development Corps. bills? What motivated his generosity? Was the administration involved in any action which prevented, impeded, or obstructed the administration of justice? If so, who directed it, who carried it out, and what was done? Why cannot the American people get the answers to these questions?

If there is nothing to hide, which has been contended by the Democratic side and the White House, why not bring forth the facts, bring forth the documents and stop letting them out little by little by little? Nothing would clear the name of the Clintons quicker than to bring forth all of the facts, bring the people in from Little Rock, and conclude the hearings.

Would we be literally facing a filibuster if there were nothing to hide? If there is not, let us end the filibuster, and let us get on with the investigation.

Mr. President, I think it is time that we get on with the investigation. I agree with the Democrats: We need to bring it to a conclusion, but we need to complete our work before we bring it to conclusion.

Mr. President, I see my colleague and friend from California is on the floor. So at this time I will yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I thank my friend for yielding the floor at this time.

Mr. President, what I would like to do in the beginning of my remarks is to correct the record on a couple of matters that the Senator from North Carolina raised. First of all, the statute of limitations on the Castle Grande transactions had not expired when the Rose Law Firm billing records were found in the White House in early January 1996. In fact, by a agreement between the RTC and the Rose Law Firm, the statute of limitations had been extended until March 1, 1996.

So, Mr. President, we could have a disagreement on whether we ought to continue these hearings, but let us not get on the floor of the Senate and say things that are not true. It is simply wrong to suggest that the documents were discovered because the statute of limitations had expired when, in fact, the statute of limitations had not expired.

Second, Mr. President, I think it is very important when colleagues stand up and make comments that there be a basis for those comments.

I am happy to yield to my friend for a question.

Mr. FAIRCLOTH. I am very much aware, and we all are, that the statute of limitations was not applicable to the First Lady's business. But as a member of a Rose Law Firm, as the attorney involved, and as a billing attorney involved in this—and she was the billing attorney on Castle Grande—she would certainly have a responsibility, maybe not a personal financial responsibility, but she very much would be involved in the proceedings.

Mrs. BOXER. If I might reclaim my time, I think my friend is not contradicting what I said. I will repeat what I said.

The statute of limitations had been extended until March 1, 1996, and it is wrong to suggest that the documents were discovered because the statute of limitations had expired. That is the only point I am making to my friend. I think it is important we not stand up here and say the statute had expired.

I am going to have to take back my time and tell my friend he is going to have to seek time on his own only because of a pressing appointment in my office. I need to make this statement and finish it, if I might.

I am glad to yield to my friend, but I hope he would have a question.

Mr. FAIRCLOTH. My question is in answer to the statement. Mrs. Clinton's attorney, Mr. Kendall, said it was a legal question whether it involved the Rose Law Firm or Mrs. Clinton personally. I yield the floor.

Mrs. BOXER. I would just restate that whether it did or did not is not my point. My point is a statement was made here that the statute had expired, and the implication is that, if there was something wrong in the billing records, the First Lady and the Rose Law Firm would be off the hook. The statute did not expire. In fact, we know the billing records were turned over, and actually underscored what the First Lady had said, that the time she put into that is minimum.

That is the first point I want to correct, Mr. President.

Second, I want to quote from the Madison Guaranty Savings and Loan and Whitewater Development Co. supplemental report written by Pillsbury, Madison & Sutro. And we know part of that firm is Jay Stephens, who has strong ties to the Republican Party. This is what they found. I am going to state this and quote directly from the report.

There is no basis to assert that the Clintons knew anything of substance about the McDougals' advances to Whitewater, the source of funds used to make those advances, or the source of the funds used to make payments on the bank debt.

That is on page 77.

On page 78, quoting from an investigative report that cost about \$3 million—excuse me, I stand corrected, \$4 million—page 78:

There is no basis to charge the Clintons with any kind of primary liability for fraud or intentional misconduct. The investigation has revealed no evidence to support any such

claim, nor would the records support any claim of secondary derivative liability for the possible misdeeds of others.

Page 78. "It is recommended"—and this is very important, I say to my colleagues—"it is recommended that no further resources be expended on the Whitewater part of the investigation."

Now, this is an objective report, paid for by the taxpayers, done by the firm of Pillsbury, Madison & Sutro, a great law firm, including Jay Stephens, known for his ties to Republicans, and what do they say?

It is recommended that no further resources be expended on the Whitewater part of the investigation into Madison Guaranty.

So what are we doing in the Senate? Ignoring this, ignoring this and moving on with an investigation of a Senate select committee. I think we ought to start listening to people who are objective on this, who have no political ax to grind. As a matter of fact, people thought in the beginning, when Pillsbury, Madison & Sutro got that: My God, this is going to be political.

Well, it turned out that the Clintons have been cleared.

Now, I know that annoys a lot of my Republican friends, and I feel sorry for them, that this is the biggest thing in their lives, some of them. But I have to tell you there are other things in the lives of the American people that have to be addressed by this Senate. And I have to tell you, these attacks on the First Lady of the United States, these personal attacks, these personal attacks on the President of the United States border, in my opinion, on being unpatriotic. It is my personal opinion. But that is up to each individual Senator. And clearly it is up to the people of the country to decide.

I have to say, listening to these attacks, when my colleague says he believes David Hale, well, that is his right. This is a man who has already pleaded guilty to two felonies, as I understand it. And not only that, but we have word that the State is prosecuting him as well. And this is the individual that is quoted in this Chamber to prove that our First Lady and our President are not good human beings. Well, again, it is every Senator's right to call it the way he sees it, but I think the American people see right through this. And who are they going to believe? A man who has already stated that he committed two felonies or Pillsbury, Madison & Sutro, which says in their report: Let us spend no more time on this investigation. The Clintons are not guilty of anything.

Now, I supported every single vote here to move this investigation forward. I voted to set up the special committee. I voted to extend the special committee. I had nothing but support for those two resolutions. We reached across party lines. We worked together. We shaped resolutions that were not political. But I say it is time to step back and wind this thing down.

I have to tell you, the offer that we Democrats have made is extremely

generous in terms of the time and the allocation of funds we have recommended. Let me prove that point. We have already heard from 121 witnesses, some of them two and three times, mind you. They are brought back. They have to pay for attorneys. Some of them do not have means to do it. Some of them will be paying that off for decades, if ever. But we have done it.

We have met for 230 hours of hearings. I want you to keep that number in mind—230 hours of actual hearings. Now, the Democratic leader and ranking member, Senator SARBANES, and all of us are saying, let us have an additional 5 weeks of hearings, almost \$200,000 more, recommending also that there be 4 weeks allocated in addition to write a report, and our Republican colleagues say it is not enough. It is not enough.

Why? Why? This is their latest reason. Because they cannot get up here and say we want to keep investigating, keep the story alive because it hurts the First Lady and it hurts the President. You cannot say that. But this is what they say. In the court, there is a hearing. There is a trial in court, and we need to call those people. We need to wait.

Let me quote from a letter signed by our ranking member, Senator SARBANES, and our chairman, Al D'AMATO, that was written in October 1995. This is signed by both.

The special committee does not intend to seek the testimony of any defendant in the pending action brought by your office.

This is to Ken Starr.

Nor will it extend to expand upon the grants of immunity provided to persons by your office. Indeed, Senate Resolution 120 expressly provides the special committee may not immunize a witness if the independent counsel informs the committee in writing that immunizing that witness would interfere with the independent counsel's ability to prosecute.

So, in writing, our chairman said he had no intention of calling any witnesses. Now, the big reason we have to wait is we have to call the same people who are going before this jury.

Now, let me say something. And this was brought out by our ranking member, Senator SARBANES, but it bears repeating. I wish to say to my Republican friends, this is America. We do not have trials in secret in this country. Every one of these people involved in the trial, all the people who Senator FAIRCLOTH says he wants to hear from, they are going to be in that courtroom and we are going to hear from them. But, no, that is not enough. We want to play prosecutor. You know, this is not "L.A. Law." This is the Senate of the United States of America. We are legislators, not prosecutors. That is why we have the independent counsel.

And by the way, does the independent counsel have any limits to his investigation? The answer is no. He has, as I understand it, 100 FBI agents on this matter and 30 lawyers; unlimited

sums of money. But we are going to play prosecutor. Maybe some of them are jealous; they want to be prosecutors. Well, they ought to do that and not be Senators. That is fair. But do not turn this Senate into a group of prosecutors because that is not our role. That is why we have the independent counsel. Take the politics out of this thing. So we have had 230 hours of hearings, and now we are offering another 5 weeks.

Now, let me say this to anyone who is listening. I sat down with my pen and figured out how many hours of hearings we could have under the Democratic proposal. Let us say we worked 8 hours a day, taking an hour for lunch like most Americans, 8 hours a day, and held those hearings 5 days a week. Most Americans work 5 days a week. I think it is a sound idea myself. We could hear from so many witnesses. We could hear from 100 witnesses, maybe more.

As I figure it, we would have 175 hours of additional hearings. They have only had 230. They could have another 175 hours. What happens if we decide to work 10 hours a day? Just work a little harder, take an hour for lunch, a 10-hour day. We could have another 250 hours of hearings under the Democratic proposal.

We have only had 230. So we could just do as much as we have done, plus. If my Republican friends are so anxious to work on this, let us get to work. Let us go. Let us get your witnesses, let us line them up, an hour at a time. Let us do our work.

But, no, as the ranking member has pointed out, there are some weeks they have one witness. They harangue them for 9 hours—and I mean harangue—to no avail, by the way. So if we are really serious, the Democratic alternative has offered them more hours than they have already spent. So let us stop saying that we want to close it down. By the way, some Members on my side do want to close it down. They do not want any more hours. I happen to believe let us close it down in an orderly fashion. So I am supporting this additional 5 weeks, with 4 weeks to write a report.

I just cannot understand why my Republican friends do not want to take this, if they are serious about saying they want to get their work done. They want to hear from these witnesses in the jury trial. We can listen in, just as all Americans can, and read all the reports about the trial and get the information we need. If we feel we need to take more action legislatively because we found out new information, we can do that.

By the way, I also point out we do have a Senate Banking Committee that can meet any day of the week. Why do we need to hire all these special lawyers they bring in? They go on television every night and report, move their careers up the line. At what cost? At what cost? We have very good people on staff. We can do some of this in the Senate Banking Committee.

So we are legislators, not prosecutors. The Democratic alternative gives you more hours than you have already expended on this matter. The only reasonable conclusion I think the American people can draw is that that is not their interest. Their interest is in dragging this out until election day—until election day.

I have to tell you something. It is not working for them. From a political standpoint, if I were being political, I would just let them go right ahead, because the American people are disgusted. They are watching this, and they are saying, "This is incredible. These people are meeting back here in Washington, and what are they doing? Nothing to make our lives better, nothing to make our lives better. As a matter of fact, spending \$600,000"—which is the proposal of the Republicans—"which could be better spent either on deficit reduction or restoring some of the cuts to education they so happily made here."

Teachers are being laid off all over who teach reading to children, because of the actions of this Senate. They could not find the money for education. But boy, oh, boy, they find it pretty easy for this.

I have a Superfund site in San Bernardino, CA, where a poison plume is moving down into the water supply. That cannot be cleaned up because the Republicans, who control this body and the other body, do not even have the budget passed. I am on the Budget Committee. We are supposed to be working on the next budget. They do not even have the current budget passed.

But, oh, no, we have to talk about Whitewater. We need \$600,000, not to restore some of these cuts, not to reduce the deficit, not to clean up Superfund sites, not to raise the minimum wage. You do not even need money to do that; you just need time on the floor to vote on it. It is at a 40-year low. People try to live on it. They cannot take time for that.

I mean, it is just amazing to me. So politically, as far as I am concerned, when people look at this Congress, they are saying, "We didn't expect this kind of change. We didn't expect a whole breakdown in the budget process. They can't even get their act together to pass the debt." Hurting our ratings because we cannot even do our job. But they have a lot of time for Whitewater.

So maybe I should not be here complaining about it. Maybe, politically speaking, it will help, help change who is in control around here. But be that as it may, I have to say what I think. What I think is that this offer from the Democrats to extend these hearings for 5 weeks, another 4 weeks to write a report, if we got our act together and worked 8, 10 hours a day, we could just have well over 100 witnesses and wrap this up and get on to the work and keep this out of the political arena.

People want job training, education. They want pension protection. They



want health insurance that is portable. We have a great bipartisan bill. Why is that not up here? The Kassebaum-Kennedy bill will protect our people from getting their insurance canceled because of a preexisting condition. It would allow them to take that health insurance with them.

I ask you, what is more important for our people, standing up and berating the President and the First Lady on something that happened years and years ago, where the special counsel has all the resources he needs to bring justice, or doing the work of the U.S. Senate? I am absolutely amazed that, after all the bipartisanship we have had on that committee over so many years, our ranking member and our chairman cannot agree when we have offered hours and hours of hearings to them.

It is extraordinary to me. I think this issue of the trial is a false issue. Again, this is not going to be a secret trial. So, Mr. President, I am clearly distraught that this is the priority of the U.S. Senate.

Mr. President, I ask unanimous consent that I may speak for 3 minutes on a different subject. Then I will yield the floor.

The PRESIDING OFFICER. Is there objection? Hearing none, so ordered.

Mrs. BOXER. Thank you so much, Mr. President.

#### VIOLENCE BY TERRORISTS IN ISRAEL

Mrs. BOXER. Mr. President, I rise to discuss the recent violence in Israel and to express my profound hope that these cowardly terrorist attacks will not destroy the peace process that so many have worked so hard to cultivate.

In the past week, the extremist, terrorist organization Hamas has sponsored four deadly bombings, killing more than 60 people and wounding more than 200 innocent, innocent people. These vile and disgusting acts clearly targeted at innocent civilians on public buses and on busy streets must be condemned.

It is hard to imagine the kind of deranged mind that could contemplate such appallingly evil deeds. As the President said very eloquently yesterday, he cannot even imagine an adult who could teach a child to hate so much.

The most recent attack, which occurred this past Sunday, killed 14 Israelis, including 3 children dressed in their costume for the Purim festivals.

Purim is among the most joyous holidays for the Jewish people. It commemorates how the children of Israel overcame a genocidal plot thousands of years ago. Purim reminds us that in the end, good triumphs over evil and reminds us that the Jewish people have an indomitable spirit of survival. The Persians could not destroy the Jewish people thousands of years ago. The Nazis failed 50 years ago. And Hamas will fail, too.

The United States of America stands shoulder to shoulder with Israel during this crisis. Their battle against these evildoers will be the battle of all civilized people everywhere.

An all-out war on terrorism must and should be waged. But the Hamas terrorists want one thing more than anything else, Mr. President—to scuttle the peace process. We must not allow them to win. We must defeat the terrorists and ensure a lasting peace.

PLO President Yasser Arafat can and must do much more. His recent statements condemning these attacks unconditionally have been good, but his actions must now follow his words. Only he has the power, the position, and the influence to gain control over Hamas.

My heart goes out to the victims of this violence and to all the good people of the Middle East who pray and work for peace.

I thank you very much, Mr. President, and I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WHITewater DEVELOPMENT CORP. AND RELATED MATTERS—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. HATCH. Mr. President, I have heard just about all the whining about Whitewater that I can stand. To be honest with you, if this was a Republican President, what has already been uncovered would be front-page headlines all over the country everyday.

The fact is, it is a mess, and it does not take any brains for people to realize that if you set a short time limit, people are literally not going to comply with that time limit.

We have had more than ample proof that that has been the case here—more than ample proof. The fact of the matter is, we have had documents dribbling in at the last minute 2½ years since there has been a subpoena for them. There is no excuse for it. To hear our friends on the other side on this issue, it is outrageous what they are saying, and to act like this is not the Senate's business is also outrageous. There may not be anything more important for the Senate to do than to do its job in this area.

Now, I have to say, I hope personally that the President and the First Lady do not have any difficulties in the end, but there are a lot of unanswered questions. There are a lot of things that any logically minded person or fair-minded person would have to conclude create some difficulties for anybody, let alone the President and the First Lady.

It is one thing to stand up and defend your party and your party's President—I have done it myself, and I do not have any problem with that at all; in fact, I commend my friends on the other side for doing it—but it is another thing to act like this is not important business or that we should not be doing this; that there are other things more important. Of course, there are other things that are also important, but not more important, and we should be doing all of them. And I agree with some of the criticism that has been given with regard to some of the things that need to be done.

We have done a lot, but a lot has been vetoed. There is a lot tied up in conferences today. There is a lot that is not being done because of party warfare here. I have never seen more filibusters used in my whole 20 years in the Senate than I have seen in the last couple of years. Almost everything, even inconsequential bills. Why? Because they want to stop any momentum of the Contract With America. That is legitimate. I am not going to cry about that, but I do not believe you use filibusters on just about everything. To me that is wrong.

So I rise today to express my support for the extension of the Special Committee on Whitewater and Related Matters. As chairman of the Judiciary Committee, I see it as my duty to defend the separation of powers and the constitutional prerogatives of the executive branch. These are important things, and I have to say, in some ways, I resent some of the comments that indicate these are not important things. I guess they are not important because it is a Democratic President who is being investigated at this time. Boy, they were sure important when Republican Presidents were in office. You could not stop anything from going on, and you had both Houses of Congress controlled by Democrats in most of those cases.

We are talking about the separation of powers and the constitutional prerogatives of the executive branch. After giving this issue careful thought, however, I have decided that the special committee's investigation into Whitewater must continue. This issue transcends the claims of partisanship and goes to the very constitutional authority of Congress to investigate wrongdoing at the highest levels of Government.

Congress has the constitutional obligation to see that public officials have not misused their office, and we have a duty to bring these matters to the public eye so that the American people can be confident that their Government is operated in a fair, just, and honest way.

We must provide the special committee with more time in order to demonstrate that delaying tactics of a White House, whether Democrat or Republican, will not be permitted to frustrate a legitimate congressional investigation.