

look at this matter, consider the first amendment implications and other implications and do it right, although I have some sympathy with what the Senator said.

I am prepared to yield back the remainder of my time, and I move to table.

Mr. BIDEN. Mr. President, I yield myself 20 seconds on the bill.

The PRESIDING OFFICER. The Senator has that right.

Mr. BIDEN. Mr. President, no one asked for a study on pornography. No one asked for that. I did not hear anybody stand up here and say, "Let's have a study on pornography. I wish to stop pornography on the Internet." I did not hear anybody say, "Let's not do it. Let's have a study." When it comes to a bomb, teaching our kids how to make bombs, we want to study it.

Mr. HATCH. Mr. President, like I say, I am sympathetic to what the Senator is trying to do. He knows that. But he also knows that we have gone through this and we have come up with this bill after a year of intensive battling, fighting. And it is not just the conservatives that were there; it is the far left.

We have worked hard on this, and this is the bill we could come up with. Do we want to do something about terrorism or do we want to kill the bill? That is what it comes down to. Frankly, it is not just any one of these things. It could be any one of these things. We have worked it out. It is a good bill, and it will make a difference. It will start fighting terrorism right now. In the end, it seems to me if we can ever get to a final vote on this, we will have something of which virtually everybody who thinks about it will be proud.

So I move to table the motion on behalf of Senator DOLE and myself and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question now occurs on agreeing to the motion to table the motion to recommit. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

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

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 67 Leg.]

YEAS—51

Abraham	Cohen	Gramm
Ashcroft	Coverdell	Grams
Bennett	Craig	Grassley
Bond	D'Amato	Gregg
Brown	DeWine	Hatch
Burns	Dole	Hatfield
Campbell	Domenici	Helms
Chafee	Faircloth	Hutchison
Coats	Frist	Inhofe
Cochran	Gorton	Jeffords

Kassebaum	Murkowski
Kempthorne	Nickles
Kyl	Pressler
Lott	Roth
Lugar	Santorum
McCain	Shelby
McConnell	Simpson

Smith
Snowe
Stevens
Thomas
Thompson
Thurmond
Warner

NAYS—48

Akaka	Feinstein	Lieberman
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breaux	Hollings	Pell
Bryan	Inouye	Pryor
Bumpers	Johnston	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Specter
Exon	Leahy	Wellstone
Feingold	Levin	Wyden

NOT VOTING—1

Mack

So the motion to lay on the table the motion to recommit was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

#### CLOTURE VOTE VITIATED— SENATE RESOLUTION 227

Mr. DOLE. Mr. President, I ask unanimous consent that the cloture vote with respect to the Special Committee to Investigate Whitewater be vitiated.

The PRESIDING OFFICER (Mr. SMITH). Without objection, it is so ordered.

#### WHITEWATER DEVELOPMENT CORP. AND RELATED MATTERS

Mr. DOLE. Mr. President, I send a resolution to the desk, and I ask unanimous consent that the Senate turn to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 246) to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and related matters, and for other purposes.

The Senate proceeded to consider the resolution.

Mr. DASCHLE. Mr. President, the Senate is about to reauthorize the special committee's operations for a specific, limited period.

It is my understanding, and that of all my colleagues on this side of the aisle, that the special committee will conclude its hearing schedule no later than June 14, 1996, and further, that no other committee of the Senate intends to hold hearings on Whitewater-related matters thereafter. I have also discussed with the majority leader and will commit to him that it is not the intention of Members on this side of the aisle to object to the special committee meeting under the provisions of rule XXVI nor to obstruct the special committee's progress, thereby preventing them from completing their

work pursuant to the latest deadlines outlined in this resolution.

It is the further understanding on this side that the report of the special committee, required to be submitted to the Senate pursuant to Senate Resolution 120, will be submitted no later than the close of business on June 17, 1996.

It is also our understanding that the majority leader does not believe any amendments, motions, or resolutions will be offered in the Senate regarding further extensions of the operations of the special committee beyond June 17, 1996.

Mr. President, I ask the distinguished majority leader whether I have correctly stated the situation as he now sees it?

Mr. DOLE. The Senator has correctly stated the understandings on both sides of the aisle as I see it at this time.

Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

So the resolution (S. Res. 246) was agreed to, as follows:

S. RES. 246

#### SECTION 1. FUNDS FOR SALARIES AND EXPENSES OF SPECIAL COMMITTEE.

There shall be made available from the contingent fund of the Senate out of the Account for Expenses for Inquiries and Investigations, for use not later than June 17, 1996, by the Special Committee to Investigate Whitewater Development Corporation and Related Matters (hereafter in this Resolution referred to as the "special committee"), established by Senate Resolution 120, 104th Congress, agreed to May 17, 1995 (as amended by Senate Resolution 153, 104th Congress, agreed to July 17, 1995) to carry out the investigation, study, and hearings authorized by that Senate Resolution—

(1) a sum equal to not more than \$450,000.

(A) for payment of salaries and other expenses of the special committee; and

(B) not more than \$350,000 of which may be used by the special committee for the procurement of the services of individual consultants or organizations thereof; and

(2) such additional sums as may be necessary for agency contributions related to the compensation of employees of the special committee.

#### SEC. 2. TERMINATION OF THE SPECIAL COMMITTEE.

(a) HEARINGS.—Not later than June 14, 1996, the special committee shall complete the investigation, study, and hearings authorized by Senate Resolution 120, 104th Congress, agreed to May 17, 1995 (as amended by Senate Resolution 153, 104th Congress, agreed to July 17, 1995).

(b) REPORT.—Not later than June 17, 1996, the special committee shall submit to the Senate the final public reported required by section 9(b) of Senate Resolution 120, 104th Congress, agreed to May 17, 1995 (as amended by Senate Resolution 153, 104th Congress, agreed to July 17, 1995) on the results of the investigation, study, and hearings conducted pursuant to that Resolution.

Mr. DOLE. Mr. President, I understand Senator D'AMATO and Senator SARBANES may want to speak briefly.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, let me just take several moments to thank the distinguished leaders, the majority leader and the minority leader, and a number of my colleagues on the Banking Committee on both sides of the aisle for helping us arrive at an agreement that will permit the business of the Senate to be conducted in an orderly, thoughtful, thorough fashion so that we can complete the work of the Whitewater Committee in a timely manner, recognizing that we are fast approaching—we are already in—the political season, but that season becomes even more and more political as the days and weeks move ahead.

It is my hope that working together, as we have in most of our undertakings on the Banking Committee and on the special Whitewater Committee, we can handle the matters that come before us, even those that may be somewhat contentious, in a bipartisan manner.

Ours was to get the facts. Ours is to report back to the Senate of the United States as best we can. Ours is not to prejudge. Ours is not to preclude. But ours is to be the searcher of facts, again, given the limitations that exist. It does not pay for us to go into what the limitations are. I must say that there are those areas beyond the ability of the Senate and its investigation to control or to deal with as it relates to time, availability of witnesses, et cetera.

So, recognizing those, we may never be able to satisfactorily complete the job of getting all of the facts or determining all of them, recognizing the limitations that we have. But I think if we do the best we possibly can, if we work together in the spirit of people who are willing to understand each other's problems, the limitations that we do have on us, ours will be an important task, it will not be an easy task, but it will be one that we can attempt to fulfill and meet the mandates of the Senate and, indeed, of the Constitution and, more importantly, of our people. We are going to be thorough, comprehensive, but yet fair.

Let me conclude by saying that I hope that we can finish by the 14th of June. That is the time which we have spelled out. I believe that reasonably, if we see that there are matters that are yet to be addressed that are important, that are substantial, that we can come to an accommodation to deal with that. It is my hope, though, that we will be able to deal with this, conclude the public hearings by the 14th of June, and thereafter have our report within the 3 days that we have provided.

I believe this is the best manner in which to proceed, less in the way of contention. I certainly hope—as my colleagues have, my Democratic colleagues have helped and assisted in arriving at this agreement—that they will work with us. We pledge to work with them to get all of those concerns,

all of those people that we wish to get evidence from, testimony from, to be as cooperative and to use the good offices of my colleagues on the Democratic side to accomplish this goal.

So I want to commend both leaders. I want to thank Senator SARBANES, Senator DODD, the other members, the Republican members, of the committee for being patient, for being thoughtful, and doing a very difficult process. I believe that the agreement that we have hammered out is in the best interest of the Senate and, more importantly, the people of the United States. I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, let me say that the resolution which has just been passed represents a great deal of effort over a considerable period of time and obviously encompassed accommodations and adjustments on both sides and from many parties. I believe the resolution provides us now with the framework for the completion of the work of the special committee on Whitewater. The resolution requires the submission of the special committee's final public report by the 17th of June, and provides a budget to carry forward this work which we believe is adequate for the task. It provides for the hearings to end by the 14th of June.

I must say, I hope, as the chairman has stated, that we are able to conduct through this period of time fair and thorough and objective hearings.

The chairman is right, an effort has been made to do that in the past, I think with a fair amount of success, although as he observed we have had on occasion perhaps strayed off that path somewhat. I hope we do not, as we move forward now from today into the middle of June.

Many people contributed to making this possible. I want to recognize the contributions of the colleagues on my side, Senators DODD and BRYAN and BOXER and MURRAY and MOSELEY-BRAUN and KERRY and SIMON and, of course, the chairman and his colleagues who have worked on this. And, of course, the two leaders have been involved to some extent in order to bring this matter to this point.

The committee back in January, pursuant to the previous resolution, was required to report to the Senate about whether additional time was needed. At the time, there was a difference of opinion about that. The majority said additional time was needed; the minority felt not. We had a sharp difference about that. The minority leader made a proposition for an extension. The majority, of course, had a resolution before us for an unlimited extension. This, of course, is not an unlimited extension, and I think it is very important to recognize that.

I simply close by saying that I hope in the weeks to come, now as we approach the 17th of June for the submission of the final report, that we will be

able to move ahead expeditiously with our work. It is the intention of the minority to seek to work in a constructive way with the majority to carry out these hearings in a responsible manner, not really to explore allegations, not to make allegations, but to carry out the kind of hearings for which the Senate can take some measure of comfort that it has been done according to appropriate standards. Mr. President, I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I want to join my colleague from Maryland in thanking our colleague from New York, the chairman of the committee, and others for putting this together. I want to commend as well my colleague from Maryland, who has done a very fine job in helping to fashion this resolution. I join with him and the chairman of the committee and others in hoping that we will be able now over the next several weeks to conduct a thorough and complete and fair investigation.

I will say, Mr. President, there are many people, of course, on this side of the aisle who, frankly, in fact, may have voted, if there were a recorded vote, may have voted even against that resolution, who felt that we should have wrapped this up and it is over with. So there is no recorded vote on this, and apparently there will be none. So there will be no actual recording, but Members can obviously speak for themselves. I would have voted for this resolution if there was a recorded vote. I want my colleagues to know that.

It would not be any great surprise to my colleague from New York if I say to him, Mr. President, that I would do so with great reluctance because I, frankly, would have liked to wrap this up earlier. So I read this and see this as a determination now to conclude our work by the 14th of June, with a couple extra days to get our report done. That is our goal and our determination. Certainly our colleague from New York has made it clear to us that that is his intent as well. We respect that and take that. The distinguished majority leader has indicated that as well.

So we have a lot of work, I know, to do in the coming weeks. But we are confident we can do it and bring this to a conclusion. It has been a long process, Mr. President. I think, as someone pointed out, it may be the longest set of hearings in the history of the Congress on a particular matter like this. Someone may challenge that, but certainly in modern Senate history, I think, the longest record, the longest set of hearings, at great cost. I am not speaking now exclusively of our work here, but the overall investigation. So the American public, I think, wants us to complete our work on this.

Also, I point out that because this is a special committee but made up primarily of members of the Banking Committee—of course, the chairman is

the chairman of the Banking Committee as well—there is a great deal of work we have to do on the Banking Committee before this Congress ends. Our colleague from California has a number of issues that she is interested in. Senator MURRAY, from the State of Washington, has mentioned several issues she is interested in, along with our colleague from Maryland and others.

So our sincere hope is that not only will we get this done, I say to our colleagues—I know many are asking the question: Are you really going to get your work done? I am saying here we are going to have this done on June 14, a report several days afterward, and our Banking Committee is also going to get its work done on other issues that have been raised as well that should be addressed.

With that, Mr. President, I commend my colleague from New York, my colleague from Maryland, our ranking member, for bringing this to a final conclusion. We will have our work done by June 14.

Mrs. BOXER. Mr. President, I am not going to belabor the points that were made except to add my thanks to my ranking member, Senator SARBANES, and my chairman, Senator D'AMATO, for working this out with the able assistance of many people, particularly Senator DODD.

I have always taken the position as long as there are Senators on the floor making it sound like there are issues that are being covered up or not looked at, it was very important for us to continue, because frankly, I think we have had a sufficient amount of time. We have had more days of hearings than the O.J. Simpson trial. The fact is, this has gone on endlessly.

The people in California, and I cannot speak for the people of Connecticut or the people from Maryland or the people from New York, but I can say those who came to see me in this 2-week break, not one said, "Senator, the one thing I want you to do when you go back is hold more hearings on Whitewater." Not one person. No Republican came up and told me that. They never even mentioned it. They did say, "Go back and get the job done. Balance the budget. Pass a budget. Do not cut Medicare. Take care of education. Go after the situation in our exports where we have problems with nations who are not treating us fairly."

I sit on the Banking Committee and we have that jurisdiction. We have not done a thing about the issues that will make life better for the people of this country. It is Whitewater, Whitewater, Whitewater. What do the people think of it? I tell you what they think of it, they think it is a waste of time. They think it is a waste of time. We have a special counsel who has no limit on what he can spend going after the truth on Whitewater. There is no statute of limitations. We had little discussion about that earlier in relation to another bill. This special prosecutor

has the world at his fingertips, and yet we have to call up the same felons, the same felons that are spewing forth things against our President, we are going to bring them into the hallowed Halls of the Senate of the United States.

People are smart. The American people get it. This Congress has a bad reputation among the people. They do not think this Congress is doing its job. No wonder. No wonder. So there are a lot of accolades about how great it is that we reached an agreement on this. I say, good, I am glad, because the alternative was having this in the Banking Committee where we would get nothing else done, and waste the time of the Banking Committee.

I have a situation in California where we have a great industry which is the leader in CD's and laser disks. We are losing billions of dollars a year because of China piracy. What are we doing about it in the Banking Committee? Zero—no time. No time. I was encouraged when our chairman said that he agreed with me on this issue, and, yes, he will get that done. Well, that is good. I do not know how we will do it all, but my view has always been as long as there are allegations made on this floor that they have not unturned every stone, that I would vote to continue this, because the last thing I want is for people to think we are not willing to look.

Yes, I would have voted for this, but I have to say I hope we are better in this phase than we have been before, because there were days when we were supposed to have hearings and no one showed up. I am here, and I know there is a lot of comity on the floor today and everybody is thrilled. I am not so thrilled. Yes, I will vote for it, but I think it is a waste of time. It is political. Everyone in the country knows it is political. They are smart. They know the special prosecutor is out there, and they see Members of the Senate act like prosecutors and staff sitting there like that is their job. If they want to be prosecutors, God bless them, be prosecutors. Do not be a U.S. Senator, and do not come to work for U.S. Senators, because we have other things to do.

What we have to do is make life better for the people. It is embarrassing. It is embarrassing to me that I sit on one of the best committees in the U.S. Senate, and this is what we are going to be doing. I am glad we have an end date of June. We can wrap it up and do our work. I just hope we get back to the business of making life better for the people of our great Nation, because they deserve our attention. There is economic insecurity out there. There are things we can do in the Banking Committee to get to those issues. I stand ready to work in a bipartisan way to get to those issues and to move these hearings along.

I also have to say just because I am straight from the shoulder about this, that when we have witnesses up there

who are convicted felons, I hope my colleagues on the other side of the aisle will not be surprised if I get a little tough in my questions. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I will not delay the Senate. I know that Members would like to get back to the Terrorism Prevention Act.

I would like the record to reflect that I did vote against the establishment of the special committee to investigate Whitewater. I think it was not a proper function for the Senate this election year. I certainly would like the RECORD to reflect had there been a rollcall vote on this resolution extending the jurisdiction of that special committee, I would also vote against this.

I yield the floor.

Mr. PRYOR. Mr. President, I thank the Chair for recognizing me. I will speak only a very few moments. I know we want to get on with the business of the Senate.

I want to first commend my colleague, Senator SARBANES, the ranking member of the committee, and I want to commend the chairman of the committee for ultimately working out an agreement. Maybe this can be a solution by which we might proceed in an orderly way to end the quest to find facts, information, and to educate ourselves on the so-called issue of Whitewater.

Mr. President, if we had brought this issue to a vote, like my friend from New Mexico, I probably would have voted "no". I probably would have voted "no" on this resolution, Mr. President, simply because I think that there are enough forces out there occupying the time and resources of our Government and our judicial system to amply comply with the intent of this overall investigation.

These hearings have already gone, Mr. President, as my friend from California has stated, longer than the O.J. Simpson trial. Longer, I think, in many instances than the Iran-Contra trial. These were national issues of great importance. This is an issue of some importance, but it is of importance only because it affects what we know as a Whitewater issue. It relates to a matter that took place 12 or 15 years ago in the State of Arkansas. How important is it as it relates to the other issues that we have to defend and debate and concern ourselves with at this time? That is the question.

I do not feel that the Senate, nor this committee, should further utilize the resources of our Government to continue bringing witnesses up here from the State of Arkansas, week after week, day after day, and month after month, simply because it is a politically motivated endeavor. Mr. President, that is what it is. It is a politically motivated endeavor.

Yesterday, the distinguished chairman of the Banking Committee or the Whitewater Committee, if you might

call it that, issued a press release in which he basically said if he did not get his way, if he did not have his way and if the Senate did not allow the Whitewater committee to continue—then he would use the Banking Committee to usurp the powers of the Whitewater Committee. He was then going to seek the authority to have the opportunity to investigate and to subpoena all financial records of every financial institution in the State of Arkansas. from January 1978 until January 20, 1993, when Governor Clinton became President Clinton.

Mr. President, had that occurred—and I am glad it did not—and had the Banking Committee singled out one State, I was going to attempt to amend that resolution, if it was in the form of a resolution, and say, wait a minute, let us not just apply this to one State, Arkansas. Do not let this be the first time that a committee of the U.S. Senate has declared war on one of the States in this Union. Let us make it apply to New York, to all the banks and all the banking institutions, to Wall Street, and to the stock exchange. That has not been the prettiest picture for the last 15 to 18 years. Let us investigate them. Let us extend this authority there and see how far that resolution would have gotten.

Well, Mr. President, of course, I am using a little bit of exaggeration. But I want to state that, for 15 years, had the Banking Committee had that authority to subpoena any and all records and any and all documents from all financial institutions in our State, it would have been a matter, I think, of egregious overreach of this body and, certainly, of the U.S. Government.

Mr. President, further, I would like to state that—and I hope the Chair will pay close attention to this, as the distinguished Senator always does—we have recently asked the Federal Bureau of Investigation to do a little workup of the amount of resources that it has committed to the Whitewater issue. I was astounded and shocked when I found out what the five major ongoing investigations by the Federal Bureau of Investigation are right now. One is Oklahoma City, which takes priority. That is where most of the resources have been expended. No. 2, the Unabomber. Well, it has paid off because we may have caught the Unabomber. That is a lot of resources, and that is a proper use of the FBI. The third is another bank scandal. I can supply what State that is in for the RECORD. Evidently, a lot of FBI resources are being allocated to that particular bank scandal. But the fourth in priority of all the investigations where the FBI is allocating its major resources is—you guessed it—Whitewater. It even surpasses the commitment that we have made to the World Trade Center bombing by terrorists some 2 or 3 years ago. Whitewater has surpassed the use of FBI personnel and financial resources, and we have gone above and beyond those funds ex-

pended and agents expended to deal with the World Trade Center bombing of 2 or 3 years ago.

That is unbelievably outrageous. In fact, some \$11 million to \$12 million of FBI resources have been expended just on Whitewater—\$11 million to \$12 million of FBI personnel, including 41 agents and 81 support personnel of the Federal Bureau of Investigation are looking at Whitewater events that happened 10, 12, 15 years ago.

Mr. President, it is time, as other speakers have said, to really get our priorities right. I am hopeful that this committee will continue, will move expeditiously, will come to a conclusion, write its report, throw that report at the Congress, and then let us let the people decide what we should do about it.

Finally, I want to say that this morning in the New York Times, finally—finally—under an editorial entitled “Replacing Kenneth Starr,” who is basically the special counsel—or what I call the “special prosecutor” in the Whitewater matter down in Little Rock. The New York Times has asked for Mr. Starr to be replaced. Why have they asked for Mr. Starr to be replaced, Mr. President? Well, it is very simple. It is because Mr. Starr has conflicts of interest, which are precluding him from presenting a fair image of investigation and of factfinding in the Whitewater matter. Here is the man who is charged with prosecuting and investigating this issue. But here also is the man who has the burden of bearing these conflicts of interest. The New York Times points out this morning in its editorial “Replacing Kenneth Starr,” that he is making speeches all over the country, representing controversial clients before the U.S. Supreme Court, representing, perhaps, the national Republican Party, and other groups that have direct conflicts of interest with the fair-mindedness that this hearing and process has to portray.

Mr. President, I ask unanimous consent that this editorial, “Replacing Kenneth Starr,” appearing this morning in the New York Times, be printed in the RECORD.

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

[From the New York Times, Apr. 17, 1996]

#### REPLACING KENNETH STARR

With a Presidential election only six months away, the public needs to have confidence in the fairness, good judgment and unselfish civic purpose of the independent counsel on Whitewater. It is also important that the months of work by a large, expensive staff not be squandered. After listening to Kenneth Starr's narrow, legalistic reasons for his continued representation of wealthy, politically active clients while serving as independent counsel, we have concluded that Mr. Starr is not the person to deliver on those two goals. It is time for him to step aside and let the investigation go forward under a replacement from the senior staff.

Mr. Starr seems defiantly blind to his appearance problems and indifferent to the spe-

cial obligation he owes to the American people. He and his ethics adviser, Sam Dash, keep pointing out that most of the 16 other people appointed under the independent counsel law have continued to work on private cases. They conveniently ignore the fact that Mr. Starr is one of only two such counsels to be given the task of investigating a sitting President.

“The independent counsel was never expected to become a full-time employee of the Government and leave his or her law firm,” Mr. Starr told the Federal Bar Association in a haughty speech last week. That could be because never before has a lawyer assigned to investigate high government officials maintained such a conspicuously fast-paced and politically freighted private practice while assuming a major national responsibility.

The cumulative weight of Mr. Starr's conflicts have become so heavy that Mr. Dash, the top lawyer for the old Senate Watergate committee, who is paid \$3,200 a week to advise Mr. Starr, defends only the formal legality of Mr. Starr's lucrative moonlighting. The law allows the court-appointed prosecutor to have an outside law practice, but Mr. Dash told Jane Mayer of The New Yorker that he would prefer that Mr. Starr serve full time. What the independent counsel is doing is proper, Mr. Dash argued later, but reasonable people may believe “there's an odor.”

Mr. Dash is right about the odor, but wrong about the propriety. The independent counsel law was enacted so the public could be assured that the President would not sway Justice Department officials who work for him. But if the counsel refuses to divest himself of his own political and financial baggage, he erases the gain in public confidence that his appointment is expected to solidify.

This page has steadily advocated the continuation of the Whitewater investigation in the belief that the public has the right to know the full facts about the Clinton's business dealings and related matters. But at the very outset, we asked Mr. Starr to step aside because his entanglement with conservative judges cast a shadow over his objectivity. When that did not happen, we urged him to take a leave from his law firm and appoint a deputy to oversee areas of the investigation where he had a clear conflict of interest.

But the number of those conflicts—involving big tobacco, conservative foundations, the Resolution Trust Corporation, the International Paper Company—has grown so great that voters are bound to be confused about the integrity of Mr. Starr's decision on whether to prosecute the Clintons and their close associates.

There was a time when Mr. Starr could have ameliorated such doubt with openness and a sensitivity to his obligation to the American people. That time is past. He needs to honor the work of his staff and the investment of the taxpayers by stepping down.

Mr. PRYOR. Mr. President, also, let me state that in this New Yorker magazine, dated April 22, I believe—I do not have my glasses with me—there is a splendid article entitled “How Independent Is the Counsel,” once again, talking about the conflicts, talking about the image that this man who is burdened with these conflicts presents as he is attempting to portray that he is fair-minded, objective, and impartial in finding all the facts.

It is time, Mr. President, that, once again, we sort of set this ship straight, if I might say that. It is time that we move forward with a fair determination of the facts and finding of the

facts. I hope the committee will proceed expeditiously. But had I had the opportunity to vote, if it were a matter before this body that required a yes or no vote, I would have voted "no."

Mr. HATCH. What is the regular order, Mr. President?

The PRESIDING OFFICER. The conference report on S. 735 is the order of business.

Mr. HATCH. Soon we will proceed on that. But while we are waiting for Senator BIDEN to come, I want to say that I have sat on the Whitewater committee. I have to say I think it has been conducted very fairly. Senator D'AMATO has bent over backward to do it fairly. I know our counsel has done a fair and decent job. In fact, I have never seen two better counsel than the two we have on both the minority and majority sides on the Whitewater matter.

I also have to say that I hope it is resolved in favor of the President and First Lady. But there are a lot of things that are very much up in the air, matters over which we have a great deal of concern. You cannot just sweep them under the rug because it has taken time. There have been obfuscation, delays, and there have been deliberate refusals to give documents, and documents have suddenly appeared. These types of things do not ordinarily happen. It has been filled with all kinds of incidents and occurrences that literally would cause anybody to say, "What is going on here? If there is nothing wrong, why all these problems?" Personally, it is bothering me.

I have to say that I am glad we are getting this on the way to a resolution. I hope we can expedite it and do it in a fair and proper way, and get it over with one way or the other. I intend to do what I can to insist on doing that.

With that, I would like to go to the regular order, and I yield to Senator BIDEN.

#### TERRORISM PREVENTION ACT— CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

##### MOTION TO RECOMMIT

Mr. BIDEN. Mr. President, I offer a motion to recommit the conference report with instructions to add provisions on wiretap authority for terrorism crimes. I send the motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN] moves to recommit the conference report on the bill S. 735 to the committee of conference with instructions to the managers on the part of the Senate to disagree to the conference substitute recommended by the committee of conference and insist on inserting the following:

#### SEC. . AUTHORIZATION FOR INTERCEPTIONS OF COMMUNICATIONS IN CERTAIN TERRORISM RELATED OFFENSES.

Section 2516(1) of title 18, United States Code, is amended—

(1) in paragraph (c)—

(A) by inserting before "or section 1992 (relating to wrecking trains)" the following: "section 2332 (relating to terrorist acts abroad), section 2332a (relating to weapons of mass destruction, section 2332b (relating to acts of terrorism transcending national boundaries), section 2339A (relating to providing material support to terrorists), section 37 (relating to violence at international airports)," and

(B) by inserting after "section 175 (relating to biological weapons)," the following: "or a felony violation under section 1028 (relating to production of false identification documentation), sections 1541, 1542, 1543, 1544, and 1546 (relating to passport and visa offenses)."; (2) by striking "and" at the end of paragraph (c), as so redesignated by section 512(a)(2);

(3) by redesignating paragraph (p), as so redesignated by section 512(a)(2), as paragraph (s); and

(4) by inserting after paragraph (o), as so redesignated by section 512(a)(2), the following new subparagraphs:

"(p) any violation of section 956 or section 960 of title 18, United States Code (relating to certain actions against foreign nations);

"(q) any violation of section 46502 of title 49, United States Code; and"

The PRESIDING OFFICER. The time is 30 minutes equally divided.

Mr. BIDEN. Mr. President, I yield myself such time as I may consume within my allotted time.

Mr. President, before I begin on this amendment, I want to just tell you, and all of my colleagues who may be listening back in the offices, that while the last vote was going on a colleague of ours, Senator WENDELL FORD, came to the floor and said, "Let me show you something my staff just downloaded from the Internet." While you were all voting on whether or not to prohibit people from being able to teach people how to make bombs knowing or intending they be used to violate the law, let me read what was downloaded. This is roughly at 3:20 p.m. today.

Attention all Unabomber wannabes. You will first have to make a mild version of thermite. Use my recipe but substitute iron filings for rust. Mix the iron with aluminum filings in a ratio of 75 percent aluminum, 25 percent iron. This mixture will burn violently in a closed space (such as an envelope). This brings us to the next ingredient. Go to the post office and buy an insulated (padded) envelope. You know, the type that is double layered. Separate the layers and place the mild thermite in the main section where the letter would go. Then place magnesium powder in the outer layer. There is your bomb!!

Now to light it. This is the tricky part, and hard to explain.

I am still quoting now.

Just keep experimenting until you get something that works. The fuse is just that torch explosive I have told you about in another one of my anarchy files. You might want to wrap it like a long cigarette, then place it at the top of the envelope in the outer layer (on top of the powdered magnesium). When the torch explosive is torn, or even squeezed hard, it will ignite the powdered magnesium (sort of a flash light) and then it will burn the mild thermite. If the thermite did not blow up, it would at least burn your enemy (it does wonders on human flesh).

You all just voted to keep that legal—to keep that legal—because of the fear, apparently, or concern that we would not be able to convince 35 recalcitrant House Members to make that illegal. That is what you did. That is what you did.

I ask unanimous consent that this be printed in the RECORD along with the baby food bomb by Warmaster, also taken off the Internet.

For all of you who are concerned about the pornography on the Internet, as I am, how do you explain banning that, which we should, and not this? Pornography deforms the mind. These bombs burn the flesh.

I ask unanimous consent that these recipes available to our children and the demented people out there in the public, the few that exist, be printed in the RECORD to know what we have just done.

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

#### ATTENTION ALL UNABOMBER WANNABES

You will first have to make a mild version of thermite. Use my recipe, but substitute iron filings for rust. Mix the iron with aluminum filings in a ratio of 75% aluminum to 25% iron. This mixture will burn violently in a closed space (such as an envelope). This brings us to our next ingredient. Go to the post office and buy an insulated (padded) envelope. You know, the type that is double layered. Separate the layers and place the mild thermite in the main section, where the letter would go. Then place magnesium powder in the outer layer. There is your bomb!! Now to light it . . . this is the tricky part and hard to explain. Just keep experimenting until you get something that works. The fuse is just that touch explosive I have told you about in another one of my anarchy files. You might want to wrap it like a long cigarette and then place it at the top of the envelope in the outer layer (on top of the powdered magnesium). When the touch explosive is torn or even squeezed hard it will ignite the powdered magnesium (sort of a flash light) and then it will burn the mild thermite. If the thermite didn't blow up, it would at least burn your enemy (it does wonders on human flesh!).

#### BABYFOOD BOMBS

(By Warmaster)

These simple, powerful bombs are not very well known even though all the materials can be easily obtained by anyone (including minors). These things are so powerful that they can DESTROY a car. The explosion can actually twist and mangle the frame. They are extremely deadly and can very easily kill you and blow the side of the house out if you mess up while building it. Here's how they work.

Go to Sports Authority or Hermans sport shop and buy shotgun shells. It is by the hunting section. At the Sports Authority that I go to you can actually buy shotgun shells without a parent or adult. They don't keep it behind the little glass counter or anything like that. It is \$2.96 for 25 shells.

Now for the hard part:

You must cut open the plastic housing of the bullet to get to the sweet nectar that is the gunpowder. The place where you cut it is CRUCIAL. It means the difference between it blowing up in your face or not.

You must not make the cut directly where the gunpowder is or it will explode. You