

Second, are you married?

If so, President Clinton's veto is denying you tax savings from a higher joint standard deduction. Married couples with average incomes of \$50,000 who claim the standard deduction are paying \$217 more than they would otherwise, because of the President's veto.

Third, are you trying to save for your retirement?

If so, and you earn more than \$40,000 a year or have a nonworking spouse, President Clinton's veto cost you \$1,120 in IRA tax savings.

Fourth, are you planning to adopt a child?

If so, President Clinton's veto cost you a credit of up to \$5,000 to defray adoption expenses.

Fifth, do you care for an elderly parent at home?

If so, President Clinton's veto is denying you savings from a \$1,000 eldercare deduction—that's between \$150 and \$280 out of your pocket and into the Government's.

Sixth, do you plan to earn taxable capital gains—for example by selling your house when you retire?

If so, President Clinton's veto is preventing you from keeping more of your profits. The GOP reforms would have seen that you were taxed on only half of your net capital gain.

And finally, are you paying off a student loan?

If so, President Clinton's veto is costing you savings from a maximum \$2,500 deduction on the interest paid for the first 5 years of repayment.

This veto delayed tax freedom day to May 7—the latest date ever. This veto extended to 3 hours, out of the typical 8-hour workday, the time Americans must work just to pay taxes, the longest ever. This veto means that the value of the dependent exemption continues to decline. Our families are having a harder time supporting their children, in part because the exemption has lost much of its value. For the dependent exemption to be worth the same it was worth in 1960, it would have to be \$3,800 today—\$1,300 more than the current \$2,500.

In short, President Clinton's policies have chained America's working families to ever-higher taxes, making it harder and harder for them to support themselves.

His policies have cut the growth of Americans' real personal disposable income. They have hurt the economy, increased taxes and reduced by nearly \$2,600 the amount of money every American household can use to support itself. They have contributed to a situation in which more and more families have two working parents not out of choice but out of economic necessity. At the same time these policies have reduced the size of parents' paychecks—even as parents face increased costs for their children's education, worries over their own retirement and concern that they are spending enough time with their kids.

Americans today are, and have every right to be worried about their jobs,

concerned about their future, and angry that the American Dream of moving up through hard work seems to be slipping out of reach.

In one generation, Mr. President, the Government has doubled the amount of money it takes from the American people. It has severely restricted our freedom from taxation. And what have we gotten in return? Certainly not safer and better schools. Certainly not cleaner streets. Certainly not reduced drug-use and juvenile crime. Certainly not lower levels of welfare dependency and hopelessness.

No, Mr. President, what Americans have bought with their tax freedom is nothing more than increased Government control over their lives. And this must end.

We must free our people from the chains of overtaxation and overregulation.

We must see to it that Americans earn more and keep more of what they earn so that they can do more for their families and communities.

We must institute reforms that will encourage economic growth, lower tax burdens, and empower America's working families to once again take charge of their own lives, helping themselves and their neighbors.

What does this mean in practice?

To begin with, Mr. President, it means relieving American families of the burden imposed by the Clinton tax increases. This is why we must pass the \$500 exemption for all children under the age of 18.

It also means reducing the amount Americans must pay for gasoline by rolling back the 1993 Clinton gas tax increase that unfairly burdens lower income working families.

It also means we must create more and better paying jobs through incentives like a capital gains tax cut that will encourage businesses to invest in resources that create jobs.

And it means helping people save for the future by encouraging retirement savings and portability.

Finally, Mr. President, it means balancing the budget and stopping Government from overspending. It means regaining control over the cost and size of Government so that the tax burden and regulatory burden both may be lifted from the shoulders of the American people.

America always has been the land of freedom and opportunity. In large measure this has been true because we have recognized that opportunity—the chance to build a decent and rewarding life for yourself and your family—depends on freedom.

Only with the freedom to work, move, and invest as we see fit can we make the most of our capacities.

It is our job, Mr. President, to restore Americans' opportunity by freeing them from a Government that taxes too much and prevents them from pursuing their own good, and the good of their families and neighbors.

Tax cuts, growth incentives, and renewed responsibility in government

spending and regulation will emancipate the American people from the chains of taxation and overregulation.

More than this government cannot provide. Less than this, Mr. President, we dare not provide.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Utah.

Mr. HATCH. Mr. President, before we get into the Billy Dale bill, because it is a very important piece of legislation, as far as I am concerned, I thought I would spend a few minutes, as chairman of the Judiciary Committee, talking about habeas corpus reform because of the extraordinary action taken by the Supreme Court last Friday, and then I will launch into the Billy Dale legislation.

THE SUPREME COURT AND HABEAS CORPUS REFORM

Mr. HATCH. Mr. President, last Friday, the Supreme Court decided to hear a challenge to the constitutionality of the habeas provisions in the Anti-Terrorism Act. To examine this issue, the Court chose the vehicle of *Felker versus Turpin*, a case in which the prisoner, Ellis Felker, kidnaped, robbed, raped, sodomized, and then killed Evelyn Joy Ludlam, a 19-year-old college student who was working as a waitress. The Court ordered an expedited briefing and argument schedule, with the likely result that the Justices will decide the issues involved by the beginning of July.

Mr. President, I ask the Clinton administration, and in particular, its Solicitor General, Drew Days, to vigorously defend the constitutionality of our habeas reform. Habeas reform was the heart and soul of the Anti-Terrorism Act, and it is the only thing in the act that will directly affect the perpetrators of the heinous bombing in Oklahoma. Without habeas reform, those who murdered in Oklahoma, like other convicted murderers throughout our Nation, will be able to use frivolous petitions and appeals to prevent the imposition of their justly deserved punishments.

It is a sad day when we in the Senate must ask the Justice Department to vigorously side with the State in a death penalty case. But I am afraid to say that we must because of the Clinton administration's demonstrated reluctance to support habeas reform and the death penalty. Through its Solicitor General, the Clinton administration has failed to support State efforts to impose capital sentences—a 180-degree turnaround from the policies of the Reagan and Bush administrations. For example, in Judiciary Committee hearings led by myself and Senator THOMPSON, we learned that, during the 1994 Supreme Court term, the Solicitor General under the Clinton administration failed to file even one brief on the side of the State in death penalty cases. As this chart makes clear, this is a sharp drop off from the practice

under the Reagan and Bush administrations, when that number was 42.9 percent in 1991 and 37.5 percent in 1992.

The Clinton Solicitor General's failure to defend the death penalty is only part of the administration's soft-on-crime litigating positions. In case after case, the Solicitor General has refused to appeal cases in which the lower courts have overruled the Government, have overturned convictions, or have made it difficult to prosecute the defendant. Take, for example, the decision in *United States versus Cheely*, in which a panel of Carter judges in the ninth circuit struck down the Federal death penalty as unconstitutional. The Clinton administration's Solicitor General refused to appeal that case to the full ninth circuit or to the Supreme Court. When asked by Senator THOMPSON why no appeal was filed, Drew Days responded that he felt that the case did not raise large enough concerns to justify a rehearing.

Another example is the case of *United States versus Hamrick*. This is the case in which a prisoner sent a mail bomb to a U.S. attorney. Luckily, the bomb did not go off. Unluckily, a panel of judges on the fourth circuit overturned his conviction for assault with a deadly or dangerous weapon because those judges felt the bomb was an incomplete bomb and could not go off. Again, President Clinton's Solicitor General failed to appeal that decision, and the fourth circuit had to sua sponte order a rehearing to reverse that activist decision.

I could go on. I could describe the Solicitor General's effort to narrow the Federal child pornography laws. I could describe the Solicitor General's support for lawsuits by prisoners against the Arizona prisons. I could describe the drop-off in the Solicitor General's support for the State in all criminal cases before the Court. I have discussed these cases elsewhere, and I think that the point is clear. If the administration were truly serious about fighting crime, more than 90 percent of which is prosecuted in State court, then it should work harder to toughen the judicially created criminal rules that bind both Federal and State law enforcement, prosecutors, and courts.

The Solicitor General's conduct follows the rest of the administration's opposition to habeas reform and the death penalty. For example, on the eve of House debate on the antiterrorism bill, the White House sent emissaries to the Hill to lobby for weakening changes to the habeas reform package. Abner Mikva, the former White House counsel, lobbied to restore the *de novo* standard of review in habeas petitions, which would allow Federal judges to reopen issues that had been lawfully and correctly resolved years earlier.

Before that, the Clinton Justice Department in 1994 lobbied the House for passage of the so-called Racial Justice Act. This provision, in the guise of protecting against race-based discrimination, would have imposed a quota on

the imposition of the death penalty. It would have effectively abolished the death penalty. When the Senate refused to accept this death penalty abolition proposal, the Clinton administration issued a directive implementing its substance to require a racial review of all Justice Department death penalty decisions.

The weaknesses of the Clinton administration and of the Solicitor General to combat crime and to support the vigorous enforcement of the death penalty concern me in this case. The importance of winning this case cannot be overstated. One of the keys to winning the war on crime is to make clear society's determination to mete out swift, effective justice to those who are found guilty of violating its laws. Our habeas reform bill will prevent murderers from abusing our procedural system to forestall their punishments.

Because of my concerns about President Clinton's Solicitor General and the death penalty, let me announce today that I plan to file an amicus brief before the Supreme Court defending the constitutionality of habeas reform. I invite all interested Members of both the Senate and the House to join my brief. We cannot take the chance that the Clinton administration will pull another *Cheely*.

WHITE HOUSE TRAVEL OFFICE LEGISLATION

The PRESIDING OFFICER (Mr. BROWN). Under the previous order, the Senate will now resume consideration of H.R. 2937, involving the reimbursement to the former White House Travel Office employees, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2937) for the reimbursement of attorney fees and costs incurred by former employees of the White House Travel Office with respect to the termination of their employment in that Office on May 19, 1993.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 3952, in the nature of a substitute.

Dole amendment No. 3953 (to amendment No. 3952), to provide for an effective date for the settlement of certain claims against the United States.

Dole amendment No. 3954 (to amendment No. 3953), to provide for an effective date for the settlement of certain claims against the United States.

Dole Motion to refer the bill to the Committee on the Judiciary with instructions to report back forthwith.

Dole amendment No. 3955 (to the instructions to the motion to refer), to provide for an effective date for the settlement of certain claims against the United States.

Dole amendment No. 3956 (to amendment No. 3955), to provide for an effective date for the settlement of certain claims against the United States.

Mr. HATCH. Mr. President, today we turn to H.R. 2937. This is a bill to provide for the legal expenses of Billy Dale and other former White House Travel Office employees.

Mr. President, today I rise to urge my colleagues to support the pending legislation to reimburse the legal expenses incurred by Billy Dale and the other White House Travel Office employees who were summarily discharged from their jobs on May 19, 1993. This is a bill that I believe remedies the grave miscarriage of justice that resulted in the wrongful investigation and prosecution of Mr. Billy Dale and other former White House Travel Office employees.

President Clinton has said that he supports reimbursement of legal fees for Mr. Dale. I take him at his word. I am counting on him to make sure that people on the other side do not delay this bill, that cloture will be invoked tomorrow. It is surprising to me, however, that we are here trying to move this simple measure that the President supports, that had overwhelming bipartisan support in the House, but that some of my Democratic friends continue to seek to derail.

It is time to act on this measure and put to rest the years of unnecessary expense and inconvenience suffered by Mr. Billy Dale and his former colleagues of the White House Travel Office. To do anything less, in my opinion, would be to deny justice to those wrongfully prosecuted by the Government.

The issue is simple: Mr. Dale served his country, at the pleasure of eight Presidents, as the director of the White House Travel Office. He faithfully served both Democratic and Republican Presidents. He provided years of service that involved the thankless task of ensuring that the national and international media were in a position to cover and report the movements of the President to the public. For that, Mr. Dale and the entire White House Travel Office staff were fired on May 19, 1993, and fired in what really could be nothing less than a surreptitious manner.

As if that humiliation were not enough, Mr. Dale was thereafter indicted and prosecuted for embezzlement. On December 1, 1995, after 2½ years of being investigated by the FBI and IRS and incurring tremendous legal expenses, Mr. Dale was tried before a jury of his peers and, after fewer than 2 hours of deliberation, found not guilty of all charges.

The travesty in this story is that the White House Travel Office employees simply got caught in the political crossfire of the new administration. They had served both Democratic and Republican Presidents, but found themselves in jobs that apparently were an impediment to the ambitious money-making schemes of some of the new President's friends.

President Clinton certainly had the authority to dismiss the White House Travel Office staff without cause. I do not begrudge the President his right to control White House staff. But subsequent to the firings, the Clinton White House may have felt the need to justify