

will remove roadblocks that can prevent surviving spouses and former spouses from getting the benefits they are entitled to from both private sector pension plans and Federal retirement programs.

Beyond women's equity, we also dealt with the issue of pension portability. We have a very significant problem in this country that exists every time someone wants to leave their job to go to another job. Pension portability is almost as serious a problem as health care portability. We need to find ways with which our workers can take pensions with them and keep increasing retirement savings without obstacles or cutbacks as they move from one job to the next. This bill will expand the PBGC's missing participant program to help ensure that retirees who have lost touch with their former employer never find their benefits unexpectedly forfeited when the pension plan terminates. It will also make it easier for new employees to enter their employers' 401k plan immediately, rather than waiting to benefit.

Finally, there are a number of issues relating directly to pension security that have to be addressed. Security for pensions is something that increases in urgency for workers as they get closer to that date when they will retire. There is a pervasive sense of insecurity about pensions in retirement today. Working people, men and women, are very concerned about whether or not they will have the capacity to deal with the problems that they know they will confront with regard to their own income viability, their own ability to ensure some confidence that they will have the necessary means to live in some security and comfort during retirement. The way that we are going to be able to address that effectively is to put the kind of priority and attention on pension security that it deserves. We took an important step yesterday by increasing the guaranteed benefit provided to retirees from multiemployer pension plans that become insolvent.

Several months ago, we laid out our desire to see an action agenda addressed. That action agenda has four components. The first was personal security and the need to ensure that people are safe in their neighborhoods. The second was paycheck security and the real desire that working people have to earn more income. The third was health security. And the fourth is pension security.

Madam President, we are now at a point where we have been able to address all four of those security questions. We have been able to protect the cops on the beat program. We have made a downpayment in providing better personal security out on the street than we had before. Yesterday, we passed the minimum wage bill.

We are working on both sides of the aisle, hopefully, to resolve our differences in the Kennedy-Kassebaum legislation. I hope we can, at some

point, put that bill back before the Senate in an effort to resolve what remaining differences there are, in an effort to move it forward and to have a Presidential signature and, at long last, declare our victory with regard to the Kennedy-Kassebaum bill.

Health insurance portability is something we all ought to support, and, in fact, have supported. The Kennedy-Kassebaum bill passed by a vote of 100 to 0. There is no reason whatever that we cannot finish that legislation this month. I hope we can continue to keep our eye on the ball. Our eye on the ball in this case is clearly portability for health insurance.

All the other issues, as important as they may be, can be resolved, as well. But the important issue, the one matter that unites us all, is the need to have that portability. We ought to use this legislation to get that job done.

Now, finally, pension portability and pension security—it is critical we get that legislation passed. I am hopeful with the action taken yesterday that will happen.

This is part of a larger agenda the Democrats have laid out, having three components—security, which I have addressed, opportunity, and responsibility. We will have a lot more to say about those three components in the weeks and months ahead. I know that we are now prepared to go to the pending matter. For that, I yield the floor.
(Mr. DEWINE assumed the chair.)

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, we have now completed the process that was laboriously worked out to take up and consider the small business tax relief package, the House-passed package that included minimum wage and some tax considerations. Then we added to it the Finance Committee's work and the managers' bill. We completed that whole process yesterday, and we have now taken up and considered amendments to the TEAM Act. We have passed the TEAM Act.

In connection with all of that, earlier, we had caught up in that maze the taxpayers bill of rights II. I tried yesterday to clear that for unanimous consent because I believe there is overwhelming support for the taxpayers bill of rights bill. I know one of the principal architects of that legislation is Senator PRYOR from Arkansas. But there was objection heard to it because I understood maybe there were amendments that were being considered to be offered to that bill. I understand now that maybe that is not true. I know that Senator PRYOR, Senator FORD, and I think maybe Senator GRASSLEY, and others, are working to see if we can get agreement on that. That is something that we clearly should do to give the American people some further rights with regard to how they are dealt with by the Internal Revenue Service. That is something we should do, and it is long overdue. But there was objection.

Now, today, also caught up in the small business tax relief, minimum wage, TEAM Act, and gas tax act was another matter commonly referred to as the White House Travel Office. So I wish to seek unanimous consent that we could get that legislation taken up and acted on because, once again, it is clearly something that involves equity for the people involved. I thought that once we got all these other issues dealt with, this would be something we could move.

So I am going to continue to try to move bills that are pending before the Senate. Some have been pending for a long time. It is my intent to try to clear for a unanimous consent agreement the bill dealing with the Gaming Commission, which is not something I am particularly excited about, but there is a lot of interest in it, again, on this side from Senator LUGAR and Senator COATS of Indiana. I know that Senator SIMON is interested in that. My intent is to try to get it up and have it considered and deal with it, vote it up or down, but stop holding things up.

I am trying to develop a pattern here of moving legislation, certainly legislation that is not controversial, such as the taxpayers bill of rights, the White House Travel Office, and the Gaming Commission—although that could get to be controversial. If I find out that there will be a lot of amendments beyond what were agreed to in the committee, after consultation with the Democratic leader, we might decide not to bring that up if we are going to have protracted debate on that. We have work we need to do, such as the Department of Defense appropriations bill. The two managers are here and are ready to go. We need to get on with that. If we are going to have objections, then I guess we will not be able to proceed.

UNANIMOUS-CONSENT REQUEST— H.R. 2937

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 380, H.R. 2937, relating to the White House Travel Office. This provides for the reimbursement of attorney's 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; further, that a substitute amendment, which is at the desk, offered by Senator HATCH, be offered and agreed to, the bill be deemed read the third time and passed, as amended, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object, Mr. President. We have not seen this amendment, to my knowledge. I do not know that anyone has shared it with us. I have not seen it. But I say that, beyond the issue of the Hatch amendment, there are Members

on this side who believe that it is important that we have a good debate about this bill and about this issue. They have amendments that they may be interested in offering. They want the opportunity to offer those amendments, or to at least have the right to offer them at some point.

So we would not be in a position to agree today to pass this piece of legislation. We would need to look at the Hatch amendment. We need the opportunity, at least, to offer amendments. I think it is important that that be done.

So, on that basis, we object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I would like to yield to the distinguished Senator from Utah, the manager of this legislation, and just note that this was brought up and debated for a period of time. I was under the impression that the Hatch amendment was available. I have a copy. I know the other side does have it now. I would like to hear from Senator HATCH on this matter. If, after review, perhaps they find that they could then agree, then we would be prepared to ask for unanimous consent later today to get this matter taken up and considered.

I yield to the Senator from Utah.

Mr. HATCH. Mr. President, the minority has had this amendment for a long time. Frankly, all it does is it takes the House bill, which would reimburse Billy Dale for his attorney's fees incurred in the criminal matter. Our amendment makes it clear that we are only reimbursing him for those attorney's fees, not for any congressional appearances; nor are we reimbursing anybody else for any congressional appearances. It clarifies and, I think, refines the bill so that it can be sent back to the House. I believe they will take that in an instant because there is a terrific injustice here. It is time to solve it. It got embroiled within the minimum wage debate. This is one of the reasons why many of us on our side agreed to go ahead with the minimum wage, which I believe the distinguished Senator from South Dakota and others on that side believe was a victory for them yesterday. I thought that once the minimum wage problem was solved, there would be absolutely nobody in this Chamber who would not want to resolve what is really a tremendous injustice to a person who has been treated very badly. I do not believe there is anybody here who would really object to this bill.

Let me just say this. In the wake of this FBI matter, Mr. Dale and his colleagues have found themselves in the news once again. After trying to put the circumstances of their firings behind them, it was discovered that Mr. Dale's FBI file was requested by the White House Security Office after—let me repeat, after—he was fired—7 months after—and right before he was indicted. It appears that the Travel Office seven were not only fired

unjustifiably, but in some cases their personal and private FBI background investigation files, or file summaries, were inappropriately requested and possibly reviewed.

I find it outrageous—as I think most others do on both sides of the aisle—that the Clinton White House would have fired these public servants in such an insensitive and unfair manner and then improperly access private information on some of them—especially Mr. Dale. That is how this whole Filegate thing has arisen. When they found that long after they fired this man, and had done so inappropriately, and then intended to indict and prosecute him unjustly, they got these special secret files from the FBI on Billy Dale.

Now, this just simply demonstrates the arrogance of power of some in the White House with regard to this matter. To hold this up any further, even for amendments, it seems to me is something that really anybody has to think about, because previous attempts to pass this measure were stalled by our colleagues on the other side of the aisle, even though many of them told me they support the measure, including the distinguished Senator from Arkansas, Senator PRYOR, who was the one who spoke up when we first brought this bill to the floor.

First, Members on that side wanted to offer the GATT amendment. That was Senator PRYOR. Then there was the minimum wage amendment. I thought once we solved the minimum wage issue, we would surely be able to bring this up and get it done. Now the Senate has dealt with both the GATT program and the minimum wage. And now I understand, if I heard correctly my colleague from South Dakota, that some of his colleagues have a desire to bring up additional unspecified amendments. Indeed, I have to say it was requested at the staff level that the Senate delay consideration of this legislation until Mr. Dale responds to some questions submitted to him at the Filegate hearing.

Give me a break. It is beginning to look like some of my colleagues on the other side of the aisle want to kill this bill more than anything else. I do not know of anybody who is willing to stand up and say that. But that is what it looks like.

If there are legitimate germane amendments to the Billy Dale bill, I encourage my colleagues to produce them. Let us review them.

My hope would be to work something out and pass this bill today. And I am willing to work with my colleagues and accommodate it. This is a bill with the support of both Republicans and Democrats alike in the House.

Frankly, I fail to see any reason for holding up a measure that would simply remedy the injustice resulting from the Travel Office firings. Throughout the lengthy debate on this bill, we must not forget that the bill is about Billy Dale and the other Travel Office

employees. It is a bill that would reimburse their legal expenses for defending themselves against an unjust criminal investigation and prosecution.

Let me again explain unbelievable circumstances for their terminations.

After years of faithful service to the Government, Mr. Dale and other Travel Office employees were fired on May 19, 1993. In an attempt to justify the firings of these loyal public servants who worked for both Democrats and Republicans in the White House, the current White House met with and urged the FBI to investigate the Travel Office. The allegations brought against the Travel Office employees were conducted by those who had a vested interest in running the office themselves. If being fired was not tragic enough, the Department of Justice launched a Federal criminal investigation against the Travel Office employees.

As I have said, Mr. Dale was subsequently indicted, and despite the weakness of the case against him and after only 2 hours of jury deliberations he was acquitted. Because of this questionable use of the Federal criminal justice system, Mr. Dale was forced to spend \$500,000 in legal fees. The other Travel Office employees collectively spent \$200,000 in legal fees for their defense. And aside from the crushing financial burdens on these people, these individuals were also burdened and continue to be burdened with defending their reputations.

The targeting of these dedicated public servants because they held positions coveted by political profiteers, I think, demands an appropriate response by this institution. And, although we can do absolutely nothing to restore their reputations, their dignity, and their faith in the White House, it is only just that the Congress do what it can do to rectify this wrong.

By providing attorneys' fees we can at least financially make these Government employees whole—these innocent Government employees whole.

That is why we are here. That is why we would like to do it. This bill will be a mere statement by Congress that there was clearly an arrogant abuse of power by White House officials against seven innocent employees in favor of some close to the President who stood to gain financially.

It is one thing for the President to exercise his prerogative and dismiss them, it is another to do so and then concoct an investigation to justify dismissing them.

And we should all be embarrassed by the way our Government treated these seven Travel Office employees, and we should make up for it by passing this measure today.

One last thing: The President himself indicated that he would sign this bill. He knows that it was an injustice. I give him credit for that. And, frankly, it was his White House that caused these tragedies. And he is willing to sign the bill.

There are other bills that the amendments can be added to that are non-germane. If there is something that is germane to this bill, bring it up. We will bring it up now. We will solve those problems. But we will right this tremendous injustice and wrong. And this is the time to do it.

I am hoping that my colleague, the distinguished minority leader of the Senate, will recognize this. I hope that he can get the folks on his side to cooperate and get this measure passed once and for all and then let us go to battle on these other future issues at a later time.

On this one I do not think there is that much opposition among anybody on the Senate floor. At least I have never heard one ounce of opposition to this bill to right these wrongs.

Mr. LOTT. I yield the floor.

Mr. DASCHLE. Mr. President, the distinguished Senator from Utah raises a couple of points that I wish to take just a moment to respond to. I know there are others on the floor who want to go to the DOD bill.

The Senator from Utah indicated that there are those who are asking questions from Dale in particular with regard to his legal fees, and that we were using that as the reason for holding this bill up. We are not using that as the reason. We have not said that until we get that information we are going to prevent the bill from coming to the floor. That is not our desire necessarily. But there are reports that Mr. Dale had a fee arrangement with his attorneys, and that fee arrangement was just a fraction of what this bill would provide with regard to reimbursement for legal fees. If that is the case, then to provide a fee or a reimbursement many times what the fee may have been for Mr. Dale it seems to us to be inappropriate.

The second issue is how unprecedented the nature of this legislation really is. It is virtually unprecedented. I will not ask the distinguished Senator from Utah today if he can give me a list of all of those occasions when we have done this in the past. But I think he would be hard pressed to do that.

Mr. HATCH. Will my colleague yield on that point?

Mr. DASCHLE. Yes.

Mr. HATCH. I think it is unprecedented. Talk about unprecedented. It is unprecedented for the White House to order the investigation, which is what happened here.

Mr. DASCHLE. Mr. President, I take back the floor. Let me just say that is not the case. And the Senator from Utah certainly knows is not the case. That is not what happened, and I hope we could make sure that the RECORD at least would be accurate as we address the circumstances involving this matter.

But the issue is are we willing to establish a new precedent here; that every time somebody is investigated, every time somebody is found to be innocent of some charges, the Govern-

ment then automatically reimburses that person for whatever legal fees they have incurred. If we are prepared to do that, I think this side would have a very significant list of people that we may want to address. Shall we do that for Congress as well? Where does it stop?

I think all of this needs to be considered much more carefully than we have done thus far.

We have amendments we want to talk about. We think a good debate may be in order before we set this precedent. Before we are asked to put our names on the line and vote affirmatively or negatively on this issue, ultimately I think a much better understanding of the facts and a far better understanding of the complications regarding the unprecedented nature of this legislation ought to be considered.

So for those reasons, we are not prepared to go to the bill today.

I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. The minority leader is my friend. He knows that. I care for him. He is a very fine person. I have to tell you that I do not think anybody can come to the floor and say the White House in this instance did not do an injustice here; that they did not try to use the force of Government, the FBI, the Justice Department, and others to take apart a very, very good person, and others working with him who have worked for both Republican and Democrat administrations and to do it to take care of their own people.

I have to correct the record with regard to that. I do not think anybody doubts that. It is pretty much admitted. Even the President said he would sign this bill. That was not easy for him because he was in essence saying that he recognized that this is terrifically wrong and that his people in the White House did it.

This is what happened, on May 19, 1993 the White House fired all seven of these people. At least two of the individuals learned of their dismissal in the evening news that night. That is how they learned about it.

The White House first stated that the firings came as a result of an internal audit revealing financial irregularities in the office. Several months of independent review and oversight hearings uncovered the actual motivation for the firings. Certain people in the White House and outside of the White House—friends of this President hoping to advance their own financial interests—attempted to destroy the reputations of the Travel Office employees and take over the Travel Office business.

This issue is not going away nor am I going to let it go away. It ought to be resolved. I am willing to say that the President has done what is right here in saying he will sign this bill. These same persons who did this to these seven Travel Office people used the White House staff members to initiate

a baseless criminal investigation by the FBI. That is outrageous.

If somebody in a Republican White House had done that, the fuss and furor would never end.

We have tried just to resolve this problem in a dignified, reasonable way, and do it by paying their attorneys' fees that they incurred just for this unjust criminal investigation and trial.

According to the congressional investigation, certain individuals in the White House and outside of the White House were responsible for these firings. Catherine Cornelius, a cousin of the President, employed at the White House, Harry Thomason, a personal friend of the President and First Lady, Darnell Martens, Mr. Thomason's business partner, and David Watkins, again—how often does he surface—assistant to the President for management and administration, these are the people who shoved it to these time-honored employees.

In December 1992, discussions took place between Miss Cornelius and World Wide Travel—a very appropriate name—the agency that served the Clinton-Gore campaign, about the eventual takeover of the White House Travel Office business.

In January 1993, Watkins hired Miss Cornelius—keep in mind, that is the cousin of the President—and soon thereafter, after he hired Miss Cornelius, the Travel Office began taking calls for Miss Cornelius as the new head of the Travel Office.

In February 1993, Miss Cornelius provided Watkins with a proposal that would make her, the President's cousin, codirector of the White House Travel Office and would hire World Wide Travel, the Clinton-Gore campaign travel group, as the outside travel specialists.

In April and May of 1993, Cornelius began to focus on the Travel Office and, with Harry Thomason, claimed that there were allegations of corruption within the office. During this time, Miss Cornelius and Mr. Thomason pushed that World Wide Travel take over the Travel Office business of the White House and other offices in Government.

In mid-May 1993, employees of the White House counsel's office, Miss Cornelius and others, met with the FBI regarding the Travel Office. Although the FBI was unsure that there was any evidence, or certainly enough evidence in existence to warrant a criminal investigation, William Kennedy, whose name constantly surfaces, former law partner of the First Lady's at the Rose Law Firm, who was then at the White House counsel's office, informed FBI bureau agents that a request for an FBI evaluation came from the highest levels of the White House.

At this time, they determined that Peat Marwick and Mitchell, the accounting firm, would be asked to perform an audit of the Travel Office.

On May 14, Peat Marwick's management consultants made their first trip to the White House.

On May 17, Mr. Watkins and Mr. McLarty decided to fire the Travel Office staff. Although Mr. Dale offered to retire, Mr. Watkins told him to wait until the review was complete.

On May 19, Patsy Thomasson informed Mr. Kennedy that a decision had been made to fire the Travel Office workers and employees. Kennedy informed the FBI, who warned him that the firings could interfere with their criminal investigation. Kennedy informed the bureau that the firings would go ahead anyway.

That same day, before the bodies were even cold, Mr. Martens called a friend from Air Advantage to have her arrange the Presidential press charters. Meanwhile, Mr. Kennedy then instructed Mr. Watkins to delete any reference to the FBI investigation from talking points on the firings. At 10 a.m. that morning, that very same morning, Watkins informed the Travel Office employees that they were fired because a review revealed gross mismanagement in the office. They were initially told that after all these years of service to this country, service to the White House, both Democrat and Republican administrations, that they had 2 hours to pack up their desks and leave.

Watkins learned that Press Secretary Dee Dee Myers had publicly disclosed existence of the FBI investigation as well as the Peat Marwick review. Later that same day, Myers gave another press briefing in which she denied that an FBI investigation had taken place. She had been warned. She knew that what they had done was wrong. She claimed that the firings were based on the Peat Marwick review.

Interestingly, the Peat Marwick review was not finalized until May 21, 1993, 2 days after the firings. The report was dated on the 17th, however. So you can see what we are dealing with here. The report gave no assurances as to either its completeness or its accuracy. In any event, while the report found certain accounting irregularities, it found no—none—evidence of fraud.

In May 1994, the General Accounting Office reported to Congress that while the White House claimed the terminations were based on "findings of serious financial management weaknesses, we noted that the individuals who had personal and business interests in the Travel Office created the momentum that ultimately led to the examination of the Travel Office operations."

The General Accounting Office further noted that "the public acknowledgement of the criminal investigation had the effect of tarnishing the employees'"—that is s apostrophe—"reputations and the existence of the criminal investigation caused the employees to retain legal counsel, reportedly at considerable expense."

Of course, as everybody in this body knows, Mr. Dale was the only Travel Office employee to be indicted, and it took a jury only 2 hours to acquit Mr. Dale after a lengthy 13-day trial.

Mr. President, I sat on the Whitewater Committee. I have to say I was absolutely amazed at the improprieties and the wrongdoing and the other things that were really brought out. It was just a layer all across that event. Even so, it was very difficult to understand because there was just one thing after another, and I think people in this country are very mixed up about the Whitewater matter. They feel something is wrong, but it is so convoluted and complex, so filled with what some people call "the sleaze factor" that it is very difficult to point to any particular huge bubble in that sleaze. But one thing everybody in this country does understand and one thing that is not going to go away, certainly not until these people are reimbursed for their legal fees, will be the Billy Dale and the White House Travel Office matter.

In all honesty, I do not think anybody knows that there was a tremendous arrogance of power in the White House that really brought about this improper action and these unjustified actions, what really were offensive actions in misusing the FBI and other forces of law enforcement to indict and prosecute a really fine man that everybody today feels somewhat guilty about.

Let me tell you something. This is an appropriate case and one of the few that I can cite in the history of the country where the right thing to do is to reimburse these people for these reasonable costs. In all honesty, they have had even more legal fees because they have had to appear up here on Capitol Hill. My amendment however, would just correct the matter and make it very clear that the only reimbursement for attorneys fees that they can get through this legislation, the only reimbursement will be for what happened in that limited period of time when they were criminally prosecuted and unjustly persecuted, and I am using that word selectively, unjustly persecuted because of White House actions.

I do not care whether it is a Republican White House or a Democrat White House; we ought to all be concerned about doing what is right for these people. In this case, it was a Democrat White House.

This issue is not going to go away. We are still searching to get to the bottom of it. That is how the whole Filegate thing has come to pass. That is how we now find two political operatives, people who throughout their political careers have done opposition research, have spent their time trying to even sling mud at their own Democrat Presidential candidates—who were entrusted with the most sensitive, secret, FBI files pertaining to people who had patriotically served the White House for years and years, young people who no longer are going to go back, or certainly nobody expected them to go back but who believe to this day now that somebody, some-

where, especially since the reports of Mr. Marceca taking computer disks home with Filegate information on people, they are concerned that someday, sometime in the future when they want to serve the Government again some of these secret things that were in those files will be brought forth to smear them and their lives.

I happen to know a lot about FBI files because, as chairman of the Judiciary Committee, somebody who has been on that committee for 20 years, we review these judgeship files all the time. Some of the best judges on the bench today during their younger years did things that were not quite right. Some of them abused drugs. Some of them had problems with alcohol. Some of them did things that, really, you would find reprehensible today and would stop them from holding these positions. But they, in the intervening years, straightened out their lives, repented, did the things that were right, and we confirmed them because it is what they are today that counts.

But if somebody got hold of these files, which contain written down—a bit like Mr. Aldrich's book—everything that is said, whether it is true or not, by people who have axes to grind, by people who are dishonest, by people who hate the nominee, by people who just plain are misinformed, if some of those matters came out, they could destroy the lives of some of these eminent people today who are doing terrific jobs, deserve our acclaim, deserve our support, and who, literally, are among the greatest people in our society today.

All of us are sinners in the sense that all of us fall short of the glory of God. These files show that in many ways.

Frankly, nobody to this day knows just what was taken out of those sensitive files. What we do know is that two people who had absolutely no qualifications, no credentials whatsoever, no training whatsoever, who were known to do opposition research—which is what politicians do, sometimes, to find out all they can about the other side; generally, it is called dirt digging—these people who were known to do this were placed in charge of that office, and one of them ordered up all these files that now are approaching almost 900 files. People thought it was only 307 at first, but now it is up to 900 files, and it may be more than that. We have no absolute way of knowing.

We do not know what was taken out of those files, but we do know there were pink slips put in some of the files that indicate the guts had been taken out and been used somewhere in the White House, and then the testimony was they put the guts back in and pulled the pink slip out. So we do not know how many of those files were copied. We do not know how many of them were on Mr. Marceca's computer disk that he took home from the office, this low-level employee. We do not know any of that.

What we do know is this. Senator DECONCINI, at a very appropriate time here, was chairman of the Senate Intelligence Committee. His top staffer in charge of security on that committee, and thus one of the top experts in the whole country on how you keep these files secure, conducted an investigation of the White House Security Office and found its operations seriously inadequate. Senator DECONCINI wrote to the White House, telling them they better fix up this problem of security at the White House over FBI files and recommended they get somebody other than Mr. Livingstone and Mr. Marceca to take care of these matters and to get some people there who are trained in that area.

As I understand it, Lloyd Cutler—for whom I have a lot of respect, who is certainly a brilliant White House counsel—agreed with the letter 2 years before all this surfaced, and still nothing was done.

Now, we do not know who in the world hired Mr. Livingstone and Mr. Marceca, other than Mr. Stephanopoulos said, "Well, it was Vincent Foster." Vincent Foster is no longer with us, tragically; tragically, now deceased. It is easy to blame somebody who is deceased, who cannot speak for himself. But we know there are others there who had something to do with hiring these two yo-yos and putting them in charge of these sensitive files.

That is what is involved here. The only way all of that came out was because when the excellent chairman of the House Government Reform and Oversight Committee, Congressman CLINGER, demanded papers that the White House refused to give, throwing up executive privilege. They refused to give those papers. Finally he forced them into giving 1,000 of 3,000 pages that clearly were not covered by executive privilege. The White House tried to hold back on him. And, lo and behold, looming up out of all of those names was the name of Billy Dale, that for which they were looking, to see how badly treated this man and his associates were.

Frankly, that is how this has all arisen. But it is not only Billy Dale, but all kinds of other former White House heavyweight Republicans, as well as many others who were not.

People all over the country are now asking, when is this all going to end? When is the Federal Government going to quit being the all-seeing eye into the backgrounds and personal matters of its citizens? How can we protect ourselves from a "1984"-type government that noses into everything that we do or have done? All of that came out of the Billy Dale matter.

To my colleagues on the other side, I am going to give them just a little bit of advice. I am not used to giving them advice, but I will. This is one you would not want to play around with. This is one that, it seems to me, would be well to pass. Do what is right and

get rid of it. I think the White House, my friends on the other side and everybody else will be much better off if we do.

If this is not resolved and resolved quite soon, I have to admit, this is never going to end, because it is a mess. It is wrong. I, for one, am very, very upset about it. I hope my friends on the other side will see the clarity of getting rid of this matter and going on to the business of the U.S. Senate.

I hope we will not have any more desires to have nongermane amendments after we have gone through this fiasco of the minimum wage, which was ostensibly the reason for holding up the Billy Dale matter. If they have germane amendments, let us face them. Bring them out here, we will debate them, we will vote on them, and whoever wins, wins; whoever loses, loses. And we will pass this bill and do what is right, and, hopefully, when the President signs it, it will put it to bed. That is what I would like to do.

I know I have taken a little longer than I care to take on this, but this is something I feel very deeply about. I have gotten acquainted with Billy Dale through the hearing process and so forth. He is a very fine man. He did not deserve what happened to him. We should do what is right in rectifying this wrong that started in the White House, which misused the criminal process to abuse and persecute and, ultimately, prosecute this man at a huge cost, probably the cost of losing his whole estate under the circumstances.

So I apologize to my colleagues for taking so much time. I do feel deeply about this. I know my friend from Hawaii and others have important business to go ahead with.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, first, let me commend my colleague from Utah. I think he made a very able, very cogent presentation with respect to the merits of reimbursing someone who found himself in a situation, through no fault of his own, having to spend hundreds of thousands of dollars. I certainly think we should move with speed to deal with that.

SEVERE ECONOMIC CONSEQUENCES TO NEW YORK UTILITY RATEPAYERS

Mr. D'AMATO. Mr. President, I rise to speak on another issue. Yesterday, the Senate gave overwhelming passage to H.R. 3448. Among other things, H.R. 3448 contained the Small Business Job Protection Act. That bill did a lot of good things for many Americans. For example, it extended the employer-provided education expenses for undergraduates and graduate students, something that had been allowed to run out.

It helped provide volunteer firefighters with their service awards—hundreds of thousands throughout this

Nation. It brought about spousal IRA's for nonworking spouses, which is long overdue. Both Republicans and Democrats talked about this. And the tax provisions were provisions which were unanimously supported by the Finance Committee. Indeed, the distinguished senior Senator from New York, my colleague and ranking member of the committee, and I both supported this bill.

But, Mr. President, we supported it with a caveat, as it came up for markup—before the markup. We pointed out to the committee and to the chairman and to the staff that there was a provision that would bring about very severe economic consequences to the State of New York and to the ratepayers, the utility ratepayers, because in this bill there was a provision that would require those utility companies, namely Brooklyn Union Gas, Long Island Lighting Co., and Con Edison to redeem their tax-exempt bonds within a period of 6 months. Let me tell you what that would mean, and let me tell you how much in the way of bonds that we have.

We have outstanding \$3.3 billion worth of tax-exempt bonds. Con Edison has \$1.7 billion; LILCO, \$950 million; Brooklyn Union Gas, \$650 million. If these utilities were required to redeem their tax-exempt bonds with ordinary bonds, it would mean that the taxpayers and ratepayers of Long Island, Westchester, and New York City would pay an additional \$65 million a year over the life of those bonds. We are talking about \$1.6 billion—more than \$1.6 billion.

Let me say, we already pay the highest electric rates in the Nation. This would cost Long Islanders alone more than \$35 million a year.

That is just unconscionable. Let me say here and now, we are not going to stand still for this. This Senator is not going to agree to conferees being appointed until or unless this onerous, ridiculous, confiscatory provision is dropped from the bill.

Now, we were assured that it would be dropped from the bill, it would be dealt with, that technically they would take care of it. "Don't worry," in between the time of the markup and bringing this bill to the floor and passage, "don't worry about it. It will be taken care of."

We are not looking to disadvantage anybody. If my State and the taxpayers of my State have to pay \$65 million a year more in order to save \$80 million over a 10-year period of time, somebody's arithmetic does not add up, and it does not make sense. I am not going to stand by and have our ratepayers get hit with this unconscionable kind of nonsensical—nonsensical—legal gymnastics. It does not make sense.

Understand, the Treasury will pick up \$80 million—approximately \$80 million—over a 10-year period of time, but it will wind up costing the New York ratepayers and taxpayers and those