

we need to wait to see what will happen with the independent counsel, as I will address in a few moments.

We have a Federal Election Commission, and were they strong enough they could have acted already on these very, very important matters.

Mr. DODD. I made the point last October when the allegations arose about the Democratic National Committee, Don Fowler, who is the chair of the DNC, and myself, asked the FEC to immediately conduct an investigation into these allegations.

The FEC came before the Rules Committee a couple of weeks ago to present its budget, as they do on an annual basis. I asked them how the investigation was going. This was now March. I was stunned to have them report they have not even begun to look at this.

So here is a request made 6 months ago on, obviously, a very serious matter, and they have not even begun to work on it. The reason, they say, is the caseload is backed up so much on them and there has been a reduction in their staff allocations. Now, obviously, more probing about that may be necessary.

Mr. SPECTER. Did the Senator make a suggestion that they might look upon the current matters on a priority basis? I had not known of the request which was made, obviously. It is surprising to me that in light of the pressing public policy on current matters that they would not address them but would be addressing other matters.

Mr. DODD. That is a good point.

Mr. SPECTER. It is a matter of prioritizing. We have a hemorrhaging system. There is blood on the floor and there is blood coming out of the patient. I would think as a matter of priority they would at least address that and try to give some first aid. I do not know what they have found, and I do not know the specifics upon what injunctive relief they might seek, but they have attorneys that might look at the current system and act now.

They are a constituted agency and they have conducted criminal investigations. They could work this in the civil field. It comes as a surprise to me when a Senator of your standing, Senator DODD, makes that suggestion to them, and months go by without any response to it.

Mr. DODD. I thank my colleague, Mr. President, for his observations. I do not think I asked that question because I think I was so stunned by the response, I assumed things were moving along. I do not know how they determine—of course, it is a bipartisan Commission—how they determine what basis they look at matters, but I do not disagree.

My colleague has been generous in his comments.

#### A TRAGEDY IN JORDAN

Mr. SPECTER. Mr. President, I came to address the subject of independent counsel and, en route, I picked up the morning newspapers. I am horrified by what has occurred in Jordan. The head-

line is blaring: "Jordan Soldier Kills Seven Israeli Schoolgirls."

The lead report from the Philadelphia Inquirer is:

A group of Israeli schoolgirls was standing on Peace Island yesterday, overlooking the Jordan River and fields of wild yellow flowers, when a Jordanian soldier opened fire with an assault rifle, killing seven students. Six other pupils were wounded, as girls dove into the bushes and screamed for help.

After seizing a comrade's M-16 rifle, the soldier fired from an observation tower, then descended and chased the screaming junior high school girls down a hill firing wildly.

According to a report in the Washington Post, Rosa Himi, a teacher of the Orthodox Jewish school in Beit Shemesh, near Jerusalem, that the 51 students attended said:

At the beginning, Jordanian soldiers didn't overpower him and didn't do anything. . . . They even pushed one of our teachers and wouldn't let him near the injured girls to care for them. It is only when he failed to put his second [ammunition] clip in the gun that the other soldiers took him.

It is really a very shocking turn of events, Mr. President, in circumstances where one would almost think we were beyond the point of being shocked. There is a sequence of violence that has occurred—candidly, with both sides—like the event at the tomb of Abraham some time ago, where an Israeli fired on people. I suggest that it really requires a new level of sober examination as to what is going on in the Mideast and what the so-called "leaders" in the Mideast are doing which is really inflammatory. King Hussein had sent a letter to Prime Minister Netanyahu, saying that Prime Minister Netanyahu was engaged in the deliberate humiliation of Arabs and was accumulating tragic accidents leading to bloodshed and disaster brought about by fear and despair. There have already been suggestions from a number of quarters that King Hussein was inciting a riot by those inflammatory statements.

I think it is inappropriate to join that chorus. But I do think that King Hussein and others have to tone down the rhetoric and have to be a lot more thoughtful than they have been. I know King Hussein—not well, but I have had occasion to talk to him when he has been in Washington. I talked to him when I have visited in Jordan. I do believe that King Hussein is sincere in his efforts for peace.

The morning press comments about the Crown Prince of Jordan coming to the scene and that he was stricken with remorse and grief, as King Hussein's statements issued after this tragedy reflected his own view. But what is happening in the Mideast requires that there be more restraint by people like King Hussein. That, of course, is easy to say after the fact. But I think it has to be said.

We are now seeing a conference in Gaza, sponsored by the Palestinian Liberation Organization and Chairman Arafat, where the United States has

agreed to participate and Israel has been excluded. I joined a large group of Senators in writing to President Clinton yesterday, urging the President to change his policy on that. In my judgment, and in the judgment of many of my colleagues far beyond this Chamber, there is a strong view that there ought not to be a conference where Israel is excluded. There will be no peace process in the Mideast to which Israel is not a party. For Chairman Arafat to convene a group of representatives of nations of the world to meet and talk about the peace process, which will inevitably involve charges of impropriety by Israel because they appear in the international media daily, without having Israel as a party to that process and allowing Israel an opportunity to reply, it seems to me to be absolutely inexcusable.

We ought not to be saying that parties in interest, like the Palestinians and the PLO, ought to be gathering international strength to attack, impugn, or otherwise move against a party to the peace process. If there is going to be peace, it is going to have to be worked out between the Palestinians and the Israelis. To have this kind of conference compounds the tragedy in Jordan, and I do hope, yet, that the administration will rethink what it has undertaken to do.

I know that a good many of these issues come before the Congress, come before the Senate, come before the Appropriations Committee, on which I serve, and before the Foreign Operations Subcommittee, where we are asked to appropriate money. We are now about to be asked to appropriate additional funds. The Congress does not have the power that the President has to conduct foreign affairs, although we do have considerable power in the appropriations process, the power of the purse. We are looking at requests for aid to Jordan. In fiscal year 1997, we gave Jordan \$67.1 million. In fiscal year 1998, the President has made a request for \$74.2 million, an increase of \$7.1 million. Jordan is also asking for an additional \$250 million in funding per year over the next 5 years. I have already been lobbied, individually, about supporting that increase in funding for Jordan.

The initial reaction that I had goes back to Jordan's conduct during the gulf war, where I and many others in this body, many other Americans, and many others around the world were very unhappy—to use a very mild term—with what Jordan did in aiding and abetting Iraq and Iraq's President, Saddam Hussein. They were complicitous in helping Iraq in that war, where American lives were laid on the line and American lives were lost.

A GAO report in February 1992 found specifically that Jordan gave Iraq access to American technology, that Jordan shared intelligence from the American-led coalition. When that happened, it seemed to me that there were strong reasons not to continue to give

foreign aid to Jordan. Jordan was giving aid and comfort to Saddam Hussein at a time of international crisis and war—a war which was authorized on this floor in debate that I very well remember back on January 10, 11, and 12, 1991—where notice had been given by the U.N. resolution that a war would be started on January 15.

So, speaking for myself on the Appropriations Subcommittee—and we make the first cut on aid, and that usually stands up with what the Appropriations Subcommittee does—I have grave reservations about aid to Jordan, and certainly about increasing aid to Jordan. And now to find the sequence of events in Jordan as to what has happened, and it follows in sequence, King Hussein's statement, I think that we have to be very reflective as to what aid and what American dollars we are going to give to Jordan.

One of the press reports contains a notation that a woman identified as the mother of the individual who fired the shots said that her son is mentally ill. Now, I don't know whether that is true or not, but I do know that if there is an indication of that, it requires an investigation and a determination by Jordanian officials, and perhaps by an international group, as to why you have somebody identified as being mentally ill in a situation to acquire the firepower which led to this tragedy. Those are all questions, Mr. President, that I think need to be answered.

When we look at the appropriations process, a commitment has been made by the United States to give some \$500 million to Palestinian authorities. Senator SHELBY and I offered a resolution which requires as a precondition to that funding that the Palestinians do two specific things: No. 1, change their charter which calls for the destruction of Israel and exercise efforts to stop terrorists. And I think, Mr. President, there is good reason to believe that the Palestinians have not fulfilled those requirements. What the Palestinians did was have a convention and say that everything in their charter inconsistent with the declarations of September 13, 1993—when Chairman Arafat was honored at the White House—would be null and void. But that is a long way from picking up the charter and specifically rejecting provisions of the charter which call for the destruction of Israel. This is something which Senator SHELBY and I discussed with Chairman Arafat in January 1996. This is something that Senator Brown and I discussed with Chairman Arafat in Gaza in August 1995. And this is something which a group of Senators, including this Senator, discussed with Chairman Arafat downstairs in the Capitol last week.

When these matters are called to Chairman Arafat's attention, he brushes them aside. He pooh-poohs them. He says, "Well, we have already done all that needs to be done." And the reality is that they have not done what the Specter-Shelby amendment calls for.

When it comes to the issue of fighting terrorism, I think again there has been insufficient action. There are terrorists who have been identified by Chairman Arafat and the Palestinian authorities who have not been turned over to Israel. I personally took a list of those which I had obtained and verified. I discussed them with Chairman Arafat. He had one excuse after another why that was not done. There are weapons in Palestinian-controlled territory which are supposed to have been identified and turned over. And that has not been done.

The President has certified that there has been sufficient compliance with the Specter-Shelby amendment. The President can make a certification. There is nothing that the U.S. Senate can do about that short of the appropriations process. But these are issues which I intend to bring to the subcommittee when we take a look at the moneys we appropriate this year.

The President has great authority, but he cannot appropriate money. He can veto appropriations bills, but he cannot appropriate money. That has to come from the Congress. That has to come from the House and from the Senate. When it comes to the funding for Jordan, or when it comes to the funding for the Palestinians, and we see them holding this meeting this weekend, the President may think that is fine. If he thinks that is fine, he can send a U.S. representative. But if the appropriators disagree with him, if the Congress disagrees with him, we don't have to appropriate money. That has to be taken into account by the President when he sets U.S. foreign policy.

So I make those comments. It is really very, very sad what has gone on, for the bloodshed of these seven girls and for the bloodshed which previously has occurred. I believe that we need some sober leadership to defuse the situation and to understand that there are very, very difficult problems facing the parties there. When Prime Minister Netanyahu takes steps that he has to withdraw a certain percentage from the West Bank, and he does so after a closely contested vote in the Israeli Parliament and the Israeli Cabinet, that is about as far as he can go. When those actions are rejected by Chairman Arafat, and Chairman Arafat gets aid and comfort from the President who criticizes what Israel did and from King Hussein who criticizes what Israel did, then I suggest that those matters really have to be worked out by the parties, and not by long-distance advice from the United States, or even short-distance advice from Jordan. But we had better tone down the rhetoric.

We had President Mubarak this week in Washington. He met downstairs in the Foreign Relations room. President Mubarak gave some good advice to those of us who were listening. It is worth repeating. President Mubarak said that the rhetoric ought to be toned down about Jerusalem. You have declarations by the Palestinians that

Jerusalem is the inviolate capital of the Palestinians and that the Palestinians are going to assert and succeed in that. And you have rhetoric at a high level by the Israelis saying that Jerusalem will be undivided and will not be a matter for Palestinian influence.

What President Mubarak was saying is, let's stop the rhetoric. Let's stop the declarations which incite people in the area. Let's tone down that rhetoric. And I think that is very good advice, indeed.

#### APPOINTMENT OF AN INDEPENDENT COUNSEL TO INVESTIGATE ALLEGATIONS OF ILLEGAL FUNDRAISING

The Senate continued with the consideration of the joint resolution.

Mr. SPECTER. Mr. President, I see my colleague, Senator DORGAN, on the floor waiting to speak. So I shall not take too long in commenting on the resolution calling for independent counsel, Senate Joint Resolution 22. But I came here to speak on this subject, and I think the time is past for independent counsel.

Independent counsel should be appointed where there is credible evidence that there had been criminal violations. You don't have to prove the case. Credible evidence is really a statement of prima facie which takes the case from the grand jury and on a fair evaluation as to what has occurred and what has been made public. It is my legal judgment, having some experience in the field, having been district attorney for Philadelphia for 8 years, and having served on the Judiciary Committee for many years, that we have long since passed that point.

It is not a partisan issue. It is not just Republican Senators who are saying that. The same call has come on the other side of the aisle from Democrats. You have ranking officials who have been involved in fundraising in religious institutions which raise violations of Federal law in a fairly clear-cut manner. You have, again, ranking officials who have engaged in campaign practices. Dick Morris was cited by the President himself as having identified the commercials. We know the President is bound not to accept additional money when there is Federal financing, which there was. And millions of dollars were raised, again, on both sides. Those moneys were used to further the President's campaign in 1995.

There is an issue about advocacy as opposed to the candidates themselves. But that line, I think, has been crossed. Certainly, there is credible evidence which warrants an investigation.

The day before yesterday the Judiciary Committee dealt with a resolution on this subject. Yesterday, a letter was circulated, which I signed, which was sent to the Attorney General requiring an answer within 30 days. She does not have to agree with the letter which was sent, but she does have to respond.