

get over half of what they make. They work to get it down.

We should change rates. When we change rates, my colleague from Minnesota mentioned, when we lower that tax on transactions, there are more transactions, and the Government makes more money. A lot of people are sitting on a lot of transactions. They would like to sell this land for that, and buy this land, or sell this stock and buy that stock, but they do not want to if Uncle Sam says, "We want 28 percent for that exchange." If you reduce the tax on that exchange, capital gains, you will have a lot more trading, a lot more buying and selling, and Government will make money on the transactions. The Government does not make money if people sit on the assets and do not trade the assets.

The point is, we can reduce the rates and generate more money for the Federal Government, and, I think, create a healthier, more stable economy.

So, Madam President, I make this statement urging my colleagues that this is the year that we can balance the budget and provide tax relief for American families. It should be a done deal. President Clinton campaigned for tax relief in 1992. He did not deliver. Actually he delivered just the opposite. In 1993, he passed the largest tax increase in history. In 1996, President Clinton campaigned for tax relief. Bob Dole, the Republican candidate, campaigned for tax relief. Both said they favored a \$500-tax-credit per child. You would think that would be a done deal. We passed that last year in the last Congress. President Clinton, unfortunately, vetoed it. You think it would be a done deal and now it would happen. I am not so sure everybody on the other side is willing to do that. Hopefully the President will.

I want to work with the President. I want it to become law. I do not have an interest in passing a tax bill just to have it vetoed. I want to pass a tax relief package this year that includes relief for American working families, that includes a reduction in capital gains, that includes estate tax relief, that includes incentives to save, IRAs, saving for retirement and education, I want to pass that and have it become law.

We look forward to working with the President and other Members in this body to pass a bipartisan package that can actually reduce taxpayers' taxes this year.

Madam President, I ask unanimous consent for an additional 5 minutes.

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

#### GENERAL RENO'S ACTIONS UNDER THE INDEPENDENT COUNSEL LAW

Mr. NICKLES. Madam President, Attorney General Janet Reno's refusal to appoint an independent counsel to investigate the Clinton administration's highly questionable fundraising activities is based upon a shocking misinter-

pretation of the history, purpose, and requirements of the independent counsel law.

Ms. Reno states that the act "does not permit" invoking the independent counsel provisions unless there is "specific and credible evidence that a crime may have been committed by" a person covered by the law. In fact, the law requires that it be invoked whenever there is "information sufficient to constitute grounds to investigate" whether any person covered by the law may have violated Federal law. In short, even though General Reno acknowledges that there are "sufficient grounds to investigate," and even though that investigation is ongoing as I speak, she insists on controlling the investigation herself.

There remains no conceivable room for doubt that the Clinton administration, the Clinton-Gore campaign, and the Democratic National Committee engaged in fundraising practices that must be investigated. Virtually every editorial page in the Nation, from the Wall Street Journal to the New York Times, have demanded an investigation. Indeed, even the highest officials at the DNC have acknowledged that their practices were questionable and have agreed to return over \$3 million in contributions from foreign nationals, persons who gave contributions in the names of others, and contributions that may have come from foreign governments. And serious questions exist as to the use of Government property to solicit contributions and reward contributors.

The Vice President has admitted that he made numerous telephone calls from his official office using a Clinton-Gore campaign card to raise funds for the purpose of furthering the Clinton-Gore reelection campaign. Several of the recipients of those calls said that they felt pressured to contribute because they had ongoing business with the Government. Other telephone call recipients perceived these calls as constituting a shakedown. When a charge was recently aired that a prominent Member of Congress had pressured a potential contributor, a Federal grand jury investigation was launched within days of the allegation. Shouldn't the Vice President, or the President, who had pointedly not denied making fundraising calls from his office, be investigated as well?

The purpose of the independent counsel law is to entrust the investigation of these matters to someone who is not a subordinate of the official or officials being investigated. Yet General Reno refuses to invoke the independent counsel law until she is satisfied that laws have, in fact, been broken. That decision is not hers to make. That interpretation stands the law on its head.

It is impossible to defend the proposition, as the Attorney General attempts to do, that covered persons are not implicated in the investigation that she is presently conducting and which should be conducted by an inde-

pendent person. Documents released by the White House prove conclusively that the fundraising by the President's reelection campaign and by the DNC was run, on a day-to-day, hands-on basis by the President, himself, and his direct subordinate, Deputy Chief of Staff Harold Ickes. The DNC took orders directly from the President through Mr. Ickes. And the President and the Vice President and the First Lady were directly and substantially involved in all fundraising activities by the Clinton-Gore campaign and by the DNC, which was raising not soft money, but money that was raised for the purpose and used directly to fuel the President's reelection drive.

The Attorney General seems to feel that some of the laws implicated by these practices may not or should not be prosecuted. But that prosecutorial decision must not be made by someone who owes her position in Government to the official who may have possibly violated those laws. It does not answer this concern for the Attorney General to state that she is relying on career officials in the Department of Justice. As long as they are reporting to her, they are reporting to the President. She may not independently investigate the conduct of President Clinton any more than Attorney General Mitchell could investigate President Nixon or Attorney General Meese could investigate President Reagan.

I am not prejudging the results of the investigation which must be conducted into these matters. But I know that the practices that must be investigated may have violated Federal criminal laws, and that those violations may have been encouraged, inspired, directed, or condoned by the President or his immediate subordinates. The people of the United States are entitled to a prompt, full, fair, and independent investigation of these matters, and that investigation cannot be controlled by a person who serves at the pleasure of the President.

#### TAX RELIEF, TAX REFORM, AND IRS REFORM

Mr. CRAIG. Mr. President, an estimated 30 million taxpayers will file their Federal income tax returns today. They will be among the more than 100 million households filing returns so far this year.

Most of these households do not have charitable feelings about the process to which their Government has just subjected them.

Today, tax day, is the right day to call for tax relief, tax reform, and reform of the Internal Revenue Service.

The Tax Foundation has announced today that tax freedom day for 1997 will be May 9—128 days into the year and later than it has ever been in our taxpaying history.

Mr. President, our colleague, the senior Senator from West Virginia [Mr. BYRD], is a student of classical history. I read recently that subjects in some of

the outer provinces of the Roman Empire stirred up civil unrest when Roman plus local taxation reached an estimated 25 percent of their income.

Today, the typical American family of four pays 38 percent of its income in taxes at all levels—working 3 hours of every 8-hour day just to pay taxes.

Tax-and-spend liberals don't like it when taxpayers are reminded that it is the taxpayer's money—not the Government's—that is taken in taxes.

I continue to support reasonable, fair tax relief that is pro-family and pro-economic growth.

Among other efforts, today, I am joining again as an original cosponsor, with Senator ASHCROFT, of the Working Americans Wage Restoration Act.

American wage-earners are double taxed. They pay Social Security taxes and income taxes twice on the same wages. The least they deserve to an above-the-line deduction against their income taxes for the taxes they pay into Social Security.

Too often within government, common sense is the least common kind of sense.

The Ashcroft-Craig bill would be one important step in the right direction.

American workers and their families need tax relief as soon as we can enact it. They are also clamoring for fundamental tax reform.

Compliance with the current Federal income tax system costs 5.4 billion hours a year and \$200 billion—\$700 for every man, woman, and child in America.

The IRS publishes 480 different tax forms, and another 280 forms to explain the first 480 forms.

If laid end-to-end, the 8 billion pages of instructions sent out by the IRS every year would circle the Earth 28 times.

The Internal Revenue Code is too complex, produces arbitrary results, and is far too involved in social engineering.

It is costing the Government the trust and confidence of the American people.

That's why Senator SHELBY and I will reintroduce the Freedom and Fairness Restoration Act—the flat tax bill—in the coming weeks.

Our bill would create a single, flat, tax rate of 17 percent. Families of modest and middle-class means would be protected—by a personal exemption amounting to \$33,800 for a family of four.

A fair, flat tax system would reward work, promote savings and economic growth, and increase willing compliance with the law. As much as Americans distrust the tax laws, they fear the tax collector who enforces them.

Small wonder: Drug dealers, child molesters, and organized crime hit men have more legal rights than an average taxpayer whom the IRS suspects of underpaying his or her taxes.

Blatant disregard for individuals' rights has all been in pursuit of one goal: Get the money.

An ever-growing Federal Government, with its voracious appetite for taxpayers' hard-earned dollars, has led Congresses dominated for decades by tax-and-spend liberals to expand the powers of the Internal Revenue Service and allow the agency to ignore the due process of law protections to which American citizens otherwise have been entitled.

Americans expect to enjoy due process of the law as one of their fundamental rights. But that's not the case when you're dealing with the IRS.

Most of the time, if a criminal suspect is not publicly attracting the attention of a law enforcement officer, no one from the government—from the FBI to the local sheriff—can search their home or seize their property without a warrant from an impartial court, based upon a showing of probable cause.

But if the IRS thinks someone has underpaid their taxes, it can seize cars and freeze bank accounts on its own authority—without obtaining any kind of impartial, prior approval.

It can consider the taxpayer guilty until proven innocent. It can impose costly penalties until the taxpayer—sometimes after years of court proceedings—conclusively proves they did nothing wrong.

So-called "horror stories" about the IRS are multiplying. Sometimes the problem is brought on by a Tax Code that is too complicated even for the IRS to understand. Sometimes the problem is with IRS agents who act outside the law. And sometimes, it happens when IRS officials push to the limit the legal powers they've been granted by past Congresses and Presidents. In any case, there's never an excuse for such behavior.

Congress is now investigating these incidents. We are working to make the IRS more accountable and the process fairer.

One of these efforts will take a major step closer to becoming law today—S. 522, the "anti-snooping" bill introduced by Senator COVERDELL. I am proud to be a cosponsor.

This bill will clamp down on rogue IRS agents and put a stop to the unauthorized inspection of taxpayers' information. Years into the age of the computer, this is overdue. Absolute power corrupts absolutely.

Congress never should have granted powers to the IRS that allow it—that, in fact, have encouraged it—to trample the due process rights that all Americans should enjoy.

Criminal activity by individual, rogue IRS agents should not be hidden behind a shield of sovereign immunity.

We will pass the anti-snooping bill today. It is one small part of a larger reform package that still needs to be passed.

Many of the other needed reforms are included in another of Senator COVERDELL's bills, S. 365, the IRS Accountability Act. I am also proud to be a cosponsor of that bill, as well.

No people can remain free, or their government effective, if they do not display trust and confidence in each other.

Yet America's tax system increasingly eats like a corrosive acid at these very bonds of support and legitimacy.

I am committed to the three-step program necessary to restore fairness to the tax system and trust to the people:

Pro-family, pro-growth tax relief; a simpler, fairer, flatter Tax Code; and reform for the tax collector, increasing accountability and requiring the IRS to treat the taxpayer with dignity, respect, and due process of the law.

#### STUDY ON TAX CONTRIBUTIONS OF IMMIGRANTS

Mr. KENNEDY. As tax day is here, it is worth considering the contributions of legal immigrants to Uncle Sam.

A new study by the Library of Congress highlights the extraordinary level of Federal taxes paid by legal immigrants. Recent immigrants—including both those who have not yet naturalized and those who have become citizens—paid an estimated \$55 billion in Federal income taxes in 1995. Without immigration, the Government would have had \$55 billion less to pay for key services or deficit reduction.

We have long known of the major contributions of immigrants in developing innovative technologies, creating jobs for American workers, vitalizing our inner cities, serving in our Armed Forces, and in many other ways. But this report also shows that immigrants pay their way in Federal taxes.

The \$55 billion that recent immigrants contributed is almost three times what the Federal Government will spend this year on law enforcement to deal with crime. It is twice what the Federal Government will invest in education. It is nine times the budget of the Environmental Protection Agency.

Often in recent years, Congress has been too quick to engage in immigrant-bashing, or too slow to recognize the immense contributions of immigrants to the Nation's heritage and history. Studies like this help to redress the balance, by demonstrating the continuing important role of immigration in our modern society.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 14, 1997, the Federal debt stood at \$5,378,600,468,556.80. (Five trillion, three hundred seventy-eight billion, six hundred million, four hundred sixty-eight thousand, five hundred fifty-six dollars and eighty cents.)

Five years ago, April 14, 1992, the Federal debt stood at \$3,895,238,000,000. (Three trillion, eight hundred ninety-five billion, two hundred thirty-eight million.)

Ten years ago, April 14, 1987, the Federal debt stood at \$2,280,863,000,000.