pages of documents. The Senator from Maryland talked about this tremendous, voluminous amount of material that has been furnished to the committee, but have we received full cooperation from the White House? Have you received everything you have asked for?

I yield to the Senator.

Mr. D'AMATO. The Senator raised a very good point, because we have heard ''50,000 pages of documents being produced in response to requests,'' but the fact of the matter is, as Senator MACK pointed out yesterday that it is not the sheer quantity of documents that matter, it is the quality and relevance; for example, documents that were under the jurisdiction of key people with the so-called Whitewater defense team, the group that was attempting to deal with press inquiries and other inquiries, headed by Mr. Ickes. We just received about 200 pages, literally, last week. Incredible.

Now, we have requested that—

Mr. LOTT. You received 200 pages just last week?

Mr. D'AMATO. That is right.

Mr. LOTT. Where did those documents come from?

Mr. D'AMATO. It was indicated they were in a box, a file. He thought he maybe turned them over to his lawyer.

Mr. LOTT. Who is he?

Mr. D'AMATO. He is Mr. Ickes, deputy chief at the White House, and in charge of this task force dealing with this Whitewater and Whitewater-related matters.

Let me say that the production of those documents alone have raised very interesting questions, and I have to think that there are many more documents—because the produced records contain information relating to Mr. Ickes tasking assignments out to different people. You know something, we have not gotten any of those documents or any of the task reports from the other members of that so-called White House defense team. But that is only one individual.

With Mark Gearan several weeks ago, former White House communications director, the same kind of event. He claims that the documents were not found because he put them in a box while he was packing. He was going to head the Peace Corps, and he thought mistakenly that they had been turned over. An inadvertence. Interesting. Because he is another member of the defense team.

Guess what? Again, just several weeks ago, the same thing. This time Mr. Waldman, another member of the defense team, finds documents. Again, it relates to specifically Whitewater-related matters. No question. I have to tell you, it does lead one to believe—even if one were to accept that these were just accidental—these are delays that are no fault of the committee.

What about the manner in which the White House conducted an investigation to get the documents? Let me give you an example of what the Treasury Department did. They sent a team of IRS agents in to comb the files for relevant material. It is not what the White House did. They had a haphazard handling of this, almost with the back-of-the-hand attitude, designed—or certainly if not designed, they should have recognized that it certainly did not comply with the spirit and intent of what the President meant by promising full cooperation.

Last but not least is the miraculous production of the billing records—billing records that are very essential to analyze what Mrs. Clinton did or did not do for Madison. Where are they found? In the personal residence of the White House. I do not know how it got there. But I have to tell you, as our friend from North Carolina, Senator LAUCH FAIRCLOTH, points out, that is one of the most secure places in the world. He asked, tongue in cheek, ''Did the butler bring it there?'' Who do you think had control of the billing records of the Rose Law Firm? Who? It was not this Senator. I do not know. Where do you think they found them? They were found in the personal library of the First Family. Who brought them there? How did they get there?

Our colleagues complain that we are bringing in witnesses unnecessarily. An attorney, Austin Jennings, was brought in. Let me tell you why we asked for that poor attorney to come in. It was because he came up to Washington to meet with the Clintons' personal defense lawyer. Are we supposed to talk to him by telephone? Why did the Clinton's attorney not do that? He was writing a book—this is a great story—and he wanted to ascertain, was Mrs. Clinton a competent lawyer.

Could you believe he flew from Little Rock up here to the White House itself to meet with the Clintons' personal lawyer and Mrs. Clinton to spend 20 minutes simply to say that, yes, if asked any questions, he would say she was a competent lawyer? He did not even know who paid for his trip. You want to talk about disingenuous. I think it is disingenuous to ask why we asked this poor gentlemen to come here. Incredible. Sympathy and sop? Come on. Let us level somewhat.

I have to tell you something. The fact of the matter is that Mr. Jennings was Seth Ward's attorney. Who is Seth Ward? If my friends want to debate this, we will bring out what the committee has been doing on this floor. If you want to do it for 10 hours, we will do it for 10 hours. If you want to do it for 20 hours, we will do it for 20 hours, and we will spell it out.

Seth Ward is Webb Hubbell's father-in-law, and he participated in Castle Grande, the biggest of Madison Guaranty's sham deals—a $3.8 million loss. By the way, Mrs. Clinton, when asked by various investigative agencies of the Government, gave indications that she did not know about Castle Grande. She heard it referred to by a different name. She had 15 conversations with Seth Ward. Jennings was Seth Ward's attorney. That is why we brought him in. When an attorney says tongue in cheek, like Mr. Jennings did—a smart fellow—says, ''I do not know what I am doing here,'' come on, it is disingenuous to come to the American people and to the Senate and to say some witnesses did not even know why. Here is a smart lawyer, and he does not even know who paid for him to come up here. I have to tell you, it raises many more questions than it answers.

It is this kind of delay and holding back that puts us here in this position. You can pull out the letter and all of the conversations you want. I thought we would have this matter finished by February 29. If we had the cooperation of witnesses, the White House, and others, we could have wound this up. But we did not have the kind of cooperation that the American people are entitled to.

VISIT TO THE SENATE BY HIS HIGHNESS SHEIKH JABER AL-AHMAD AL-JABER AL-SABAH, AMIR OF THE STATE OF KUWAIT, AND MEMBERS OF THE OFFICIAL KUWAITI DELEGATION

RECESS

Mr. LOTT. Mr. President, I ask now that the Senate recess for 2 minutes to receive His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait.

There being no objection, the Senate, at 4:44 p.m. recessed until 4:46 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GREGG).

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

WHITEWATER

Mr. LOTT. Mr. President, I know others wish to speak and ask questions. I will ask one more question at this time. I think it is really the key question that we had asked in answer to the objections we are hearing from the other side of the aisle.

There have been complaints that the chairman's request does not set up an end date for the investigation. I assume he has some very good reasons for that. Why can we not say that the investigation will end on such and such a date? Why is May 3 or May 31 not an acceptable date?

Mr. D'AMATO. That is a very valid point and question. Also, again, when one looks at the contention that we have looked for an indefinite, ad infinitum extension, that fails to take into account that we have asked for a finite amount of money, up to $600,000. But if we get into the situation where we cannot get certain witnesses, because their lawyers seek—as has been spelled out in a book called ''Men of Zeal,'' where they talk about what happens if you fix a date for the end of an investigation or the work of the committee. Exactly what we are confronting today is what

our colleague, Senator Mitchell, the former Democratic leader, and Senator COHEN warned us about: there will be lawyers who use the deadline as a target time, and delay their clients from coming forward; and there will be bureaucratic stalling. It is stated quite explicitly in here. This is the result of hard deadlines.

He says: ''The committee's deadline provided a convenient stratagem for those who were determined not to cooperate. Bureaucrats in some agencies appeared to be attempting to thwart the investigative process by delivering documents at an extraordinarily slow pace.''

My gosh, if that is not exactly what is taking place. We have experienced that. If we want to guarantee that stratagem will continue, just put on a date certain and we will see that take place.

Last, it says, ''perhaps more important, the deadline provided critical leverage for attorneys of witnesses in dealing with the committee on whether their clients would appear without immunity and when in the process they might be called.''

We have key witnesses that we want to appear. And I joined with Senator SARBANES in trying to bring a key witness, Judge David Hale, before the committee. Indeed, the Senator quotes a letter of October 2—but he does not read all of it—in which we said to the special prosecutor, who objected to us calling Mr. Hale in, ''having determined that the Senate must now move forward the special committee,'' we were going to bring various witnesses in. ''We will, of course, continue to make every effort to coordinate where practicable activities with those of your investigation.'' We say ''we stand ready to take into account consistent with the objectives set forth your views with regard to the timing of such private depositions and public testimony of particular witnesses.''

You have to read the whole letter to understand it and you have to understand that there were briefings subsequent to this letter in which counsel for the minority and the majority were advised as to the problems related to bringing Mr. Hale in. If somebody wants to impugn the motives of the committee for not bringing him in, I say why would I not want to? I did not want, first, to have a situation where we jeopardized the trial that would be taking place, which is starting this coming week; and second, to have lost the opportunity, probably for all times, to get the cooperation of Mr. Hale. I know that there are some in this body who may not really want Mr. Hale to come in and testify, because, indeed, if he testifies, as there have been indications, that he was asked—or even more, told—to make a $300,000 loan to Susan McDougal by the then Governor, it would seem to me that there are some who would not be very anxious for that to be uttered publicly, in view of the American people.

I suggest that if that is anything, it is an indication of the Senator's good will in not attempting—and lack of political motivation—in not attempting to pull them in here and say the devil may care, we do not care about that trial, I want somebody to come in here and make accusations against the President and the First Lady. I did not go in that direction. I think I chose to act in a responsible manner in accordance with the request of the special counsel. Yes, I wanted Mr. Hale to come in, but indeed the special counsel was able to make a convincing argument, and I think we did the right thing.

What would they have said, what would this body have said if I asked to immunize David Hale? They would have risen up, by the Democratic leadership, calling me and accusing me of all kinds of things, and would have said, ''What are you doing? You want to immunize a crook and a thief to have him make accusations?'' Think about it. Come on. Let me ask the question. What are you hiding? What are you afraid of? Why do you not want the facts to come out?

The New York Times says that, and this is what most responsible newspaper editorials are saying. When you suggest that we are asking for an unlimited period of time, that is not what we say. We couch it in terms of no more than or up to $600,000. But if we spell out, I say to my friend, a specific time certain, by gosh, everything that has taken place in terms of the procrastination, in terms of the documents that find their way—oh, I just found it in this book. Can you imagine, trained lawyers who are in charge of defending the White House giving us this drivel—drivel—that they were not aware that the documents were not turned over, documents setting out, tasking other members of the White House at the highest levels, what to do as it related to Whitewater.

This was the very man charged with the responsibility of mastering and bringing the very forces together—Mr. Ickes, Deputy Chief of Staff of the White House. I could just imagine if my friends and colleagues were in the majority and that was the Bush administration, and that was the manner in which their Chief of Staff was responding—Deputy Chief of Staff—on a particular matter. We are not talking about one instance or two instances. This is repeat; a pattern.

Want to talk about delay? We, unfortunately, were delayed for weeks and weeks because we had to battle over documents being produced and we had to vote subpoenas and come to the floor of the Senate. Who occasioned that political debacle? Who is it that created that political firestorm? We are always tested. Weeks and weeks and months and months of negotiations behind the scene. My friend brings out and says these subpoenas are so far reaching. He knows that those were, indeed, the preliminary negotiations as it related to scope and breadth. In only one case did we not agree upon the breadth and scope of the subpoenas. We agreed on every other one of them.

It is disingenuous to come out and say officially they requested a far-reaching subpoena. That happens and is part of the process in negotiating. We did negotiate. The one exception was the case where we had to come to this body and vote the enforcement of a subpoena and then, miraculously, we get the documents on a Friday afternoon. It's always on a Friday, by the way, most of these documents appear Friday afternoons; they get the least press.

Want to talk about politics? Talk about politics in the White House answers. When we ask for documents, let me tell you what the White House, Mr. Fabiani of the White House says, ''Tell Senator D'AMATO and one of his fat cats to pay for the production of them.'' Is that the kind of response that the Senate and the committee is entitled to when we ask for electronic e-mail? ''Tell the Senator and his fat cats to pay for it.''

Want to talk about crude political assassination? How about the team that they had over there, Mr. Waldman, who was assigned a task to get information, to get dirt, on Senator D'AMATO, on White House time, and then send it over to the Democratic Committee. Is that what we are involved in? Want to talk about a low down kind of thing—that is fact. That is fact.

Now, look, I never intended nor did I wish for this hearing, these investigations, to go into the political season. Had we had cooperation and had we been able to get some of the witnesses in, we would not have to be asking for that. Had we not been precluded from some of the witnesses we could have even made our request such that we will examine only these witnesses that we have not had access to. I did not delay the production of these documents. The committee was not responsible for the miraculous production of the billing records that showed up in the White House.

The fact of the matter is that we have encountered a far different situation than has been promised to us. The President promises cooperation. Those who carry out the President's wishes have stalled, have delayed, have been engaged in dilatory tactics. I will at a certain point in time elucidate on those and touch on those with definiteness. If, indeed, they think that by the political attacks upon the committee or upon the chairman that they are going to dissuade us from doing our job, and that is to get the facts, they are wrong.

I suggest that we call a truce, call a truce to the politicization of this, and say we will agree to get the facts and work together. We have demonstrated we can do that. I have no doubt that some of my colleagues are placed in a

very awkward position. I do not think they like what they are doing and saying—some of the things that they say. I think they are almost forced to do it. I think they are compelled to do it by an administration that seems to be totally bent on keeping the facts from coming to the people, an administration that says, ''We don't care.'' Why do you not care what the public thinks? Why are they not entitled to the truth? What is it that lurks behind that stone wall that has been constructed? We have not had cooperation.

Mr. LOTT. Mr. President, I ask, then, that we go ahead and vote to pass this resolution, stop the filibuster, find a way to get an agreement to go forward with these hearings, find the information that we need to draw the conclusion to the hearings. I think that can be done. I hope we will seek to find that process. I yield the floor.

Mr. SARBANES. Will the Senator yield for some questions?

Mr. LOTT. Mr. President, I apologize to the Senator from New Mexico but I indicated earlier I would be glad to yield for some questions, so I would like to be able to do that.

Mr. DOMENICI. Absolutely.

Mr. LOTT. I yield to the Senator from Maryland for a question.

Mr. SARBANES. First, the Senator indicated, as I understood it, the costs of the independent counsel were $12 million, is that correct?

Mr. LOTT. According to the information I have from the Congressional Research Service, the total cost of Whitewater to that point is $12,525,582. That is the congressional investigation plus the investigation of Robert Fiske and Kenneth Starr to this point. I have heard various estimates from several sources, all the way up to $25 or $30 million, but that is the information I got from the Congressional Research Service. If it is more than that, I would be glad to get that information, but that is not what I have.

Mr. SARBANES. I just want to put on the record, because I think it is important to keep it accurate if we can, that the GAO did a financial audit. It does periodic financial audit reports. The audit report for the period January 1994, which is when Fiske began, to March 1995, by the GAO, was $14,600,000.

In addition, an estimate has been made from the period subsequent to March 1995. In other words, April 1995 to January 1996. Based on the level that they were following at the end of the previous period—and, of course, the independent counsel has, in fact, intensified his efforts, but that is not taken into account—that figure would be $11 million, which would give you a total of $25,600,000.

Mr. LOTT. I believe, to respond to that, we could probably argue back and forth about what the accurate number is. The source that I have here, Congressional Research Service, versus GAO. But I still say that is probably just barely more than half what was spent on Iran-Contra. And that is still less than what I understand was spent on Watergate. So what is your point?

Mr. SARBANES. Of course Iran-Contra involved sending investigators overseas, if you recall, both to the Middle East and to South America.

Mr. LOTT. It might have been easier to get what you are looking for than what we experienced in the Whitewater. I do not know.

Mr. SARBANES. That is the next point I want to address. The fact of the matter is the committee has now received from the White House virtually everything that has been requested. There are a couple of weeks——

Mr. LOTT. Voila. Maybe that is true. I do not know. I do not know if the committee even knows that. All I do know is there has continued to be this drizzle of information. The Senator surely feels discomforted by the way documents have appeared in various places, at the White House, in boxes at the Peace Corps, and Vice Chief of Staff.

Mr. SARBANES. Let me give one example. Gearan came before us and he said this is how this happened. I thought it was a plausible statement, frankly. I mean, Gearan said when he packed up to go over to the Peace Corps his file was put in that box unbeknown to him and he did not find it over there. When he found it he tried to get it back into the loop. I think that is a plausible statement.

You have to judge it on your own. But the fact is, the documents have been provided in the end. The fact that there was a deadline——

Mr. LOTT. Do we know that is all of them? There was another group of papers that came to the committee just last week, 200 pages, not from Gearan but from Ickes. If it were one example, or maybe two—but three? I am not on the committee. The committee tells us, tells the Senators. Is this all the documentation or not? I do not know. I am under the impression there is reason to believe maybe there is more information that we should try to obtain. Maybe there is information, even from the independent counsel, that that might be available at some point. But we are not even going to be able to look at any of that?

Mr. SARBANES. No; the independent counsel is not able to make his information available to us, under grand jury requirements. Certainly the Senator——

Mr. LOTT. That is the point. I assume at some point——

Mr. SARBANES. Are you suggesting we should transgress those?

Mr. LOTT. I am suggesting at some point his work will be completed and some of what he has may, in fact, be available to the committee. I do not know to what extent. But I am just expressing a concern about how we just go ahead and wrap it up in 30 days and say we are done with it when there appears to be—in fact, when I look at this, from what I am hearing and what I have heard, it looks to me like the committee really is just getting started with this work. You have not started finding out some of the answers that are still pending out there.

I do not want to ask a whole series of questions. Maybe some more will be asked by the Senator from New Mexico. But there are other questions pending. You have not started to write the report. We do not know what is going to be the result of this trial down there.

Mr. SARBANES. We got the Gearan notes. We held a day of hearings with Gearan. We had nothing substantially new and the same thing happened with Ickes. We got the notes. We held the hearing on both of them. In both instances we received the notes and the hearings have been held.

Mr. LOTT. Is that a question or a statement?

Mr. SARBANES. No; it is a response to the point you just made.

Mr. LOTT. Mr. President, I think the Senator from New Mexico would like to get into this with some questions and a statement. I yield the floor at this time.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from New Mexico.

Mr. DOMENICI. I wonder, Senator D'AMATO, would you answer the last question? I am asking it of you now.

Mr. D'AMATO. Yes, the Gearan notes indicate quite a few things that we did not know. They indicated——

Mr. SARBANES. Could I ask the Senator a question?

Mr. D'AMATO. They indicated an attitude of the Deputy Chief of Staff and others, but certainly the Deputy Chief of Staff, that they were concerned, very concerned. And they characterized in very descriptive language what professionals, civil servants at the Justice Department, were doing. And they did not like it. They did not say they are doing a professional job. They said, in essence, they are working us over. He is a bad guy. That is what we find in the Gearan notes.

We find a whole series of meetings that we were not aware of. No one came in and told us that we met on this day and the next day and we met in the morning and we met in the afternoon. Oh, no. We learned thereafter that various tasks are given out. And I have reason to believe, as it relates to the question that was asked, I say to the Senator, by the distinguished Senator from Mississippi, Senator LOTT, that, indeed, there very well may be—and I would suspect there are—substantial documents that have not been turned over to this committee or that may have been discarded deliberately, particularly by that team, that so-called Whitewater team. I cannot believe that we have only received documents from a handful of them.

Where is it? Where are they? What happened to those tasks? What did they do? What were their responses to

the tasks, very carefully enumerated? We will go through that.

Last, but not least, I think it is rather interesting that the First Lady turns up at, I believe, the first meeting—I may be wrong—the first meeting. And according to Mr. Gearan's notes: Oh, this looks like a meeting I would like to attend or that I would be interested in.

No, let us not let it be said that these were just casual, indifferent, that these were notes that had no meaning. They reflected a pattern of concern, of fear, of absolutely disdain, in some cases, for the work that professionals at the Justice Department were undertaking.

So, to your question, Senator DOMENICI, they were very revealing and revealed facts that we were not aware of, facts that we are still pursuing.

Mr. DOMENICI. Mr. President, I rise for just a few minutes today to talk about this Whitewater issue. I will take very little time.

I think I should say to my friends on the other side of the aisle that I believe they are making a very big mistake. I can tell you that, if they intend to preclude us from bringing this resolution to the floor and they intend to use that tool called filibuster, the American people are going to get their ears and eyes filled with Whitewater. However, it will not be in the records of the Whitewater Committee. It will be here on the Senate floor, and, frankly, what they are going to hear they are not going to like.

What they are going to hear is going to convince them, I say to my friend from Maryland, that the reason this committee needs more time is not because of Chairman AL D'AMATO of New York taking too much time, being too slow, not doing enough work, and not working the committee and his staff hard enough. That is pure bunk. There are reasons why we are still here and there are plain and simple reasons why we need more time: This is about the toughest committee investigation you will ever find.

Why? The first reason is because witnesses are telling half-truths all over the place. Witnesses are losing their recollection in a way which would make you think that a wave of amnesia has begun to affect young people. Witnesses cannot remember anything. In fact, I cite the testimony of just two of them. We had one witness, Josh Steiner. He was the chief of staff for the Secretary of the Treasury at one point. This young fellow claimed that he could not believe his own diary. Imagine that.

So people had to spend time getting to other witnesses and bringing them in to verify because he could not believe his own diary.

Mr. SARBANES. When was that hearing on Steiner?

Mr. DOMENICI. That was the very first part of the hearings.

Mr. SARBANES. When?

Mr. DOMENICI. Summer of 1994. I was there for that. So I know that.

Mr. SARBANES. Summer of 1994.

Mr. DOMENICI. That is what I was just told by counsel. That the hearing took place 2 years ago has nothing to do with whether he should believe what was in his diary. When we asked him, he had the diary put in front of him.

There is also another one. There is April Breslaw. This is a good one. This witness refused to even verify that her own voice on a tape recording was actually hers. That is the kind of thing this chairman, this committee, and the competent staff had to go through day after day with White House witnesses.

Why do I say that to the American people? I guarantee you that is what makes hearings go on forever. Hearings go on forever when you have to bring in extra witnesses to verify facts, when you have to bring in another witness to verify the verifier, and then some witnesses only know part of the truth, and others do not remember anything. That takes time. It takes energy. That takes competent legal counsel. That is one reason—because the huge entourage of witnesses were about as difficult as you will find in terms of volunteering information and getting it on the RECORD, getting it straight, and getting it right the first time.

And the second reason we need an extension—it will come out in huge panorama for the American people, if the other side chooses to filibuster this—is that the White House and the White House staff are more responsible than anyone else for this committee being unable to get its work done. Let me tell you why.

It came as a shock when, after subpoenas had been outstanding for a couple of years, all of a sudden just before a witness is supposed to testify, they find documents in the White House. Let me tell you, that makes for prolonged hearings. When that evidence should have been available for months, Mr. Ickes finds 200 pages of evidence just before he has to appear. These files and notes in some miraculous way all of a sudden became relevant and responsive to the subpoena. That costs time and exacerbates the delay. If that had been produced when it was supposed to have been produced, it would have been analyzed and these hearings could have been over with.

I am merely telling those listening just who is to blame for the delay. And that is just a little part of this debate. But anyone who blames the committee, the committee's chief counsel—counsel extraordinaire, in my opinion—for this dilemma will find more things in this RECORD to justify our committee and its counsel's competency and ability than anybody has ever thought could be put before the Senate.

If they want to bring Whitewater here and keep it on the Senate floor for a week, then people are going to hear what happened in the course of this investigation. It has been locked up in a committee. It will be unlocked here before the American people, and they are going to pass judgment, I tell you, Mr. President. And if the other side of the aisle does not agree that this investigation ought to go forward, they are harming our President. That is who they are harming, because it is not going to go away. I do not know of a single Member on this side of the aisle who thinks this is going to go away. And I would think, in fairness, there are many on that side who know they ought to extend this committee's work.

They can get up on the other side, whether it is my friend from Maryland or whomever, and say, Senator D'AMATO is asking for too much. As I understand it, he is asking for $600,000, which is probably between 3 and 4 months of effort at most, and then the committee would run out of money. Why did he choose not to agree to a date certain? Because he has now been informed by those who have undertaken investigations before him that to agree to a date certain invites more delays. So essentially this is not open ended because the committee will be out of money soon—in 2 or 3 months.

I can recite lots of facts about the Whitewater investigation. I can come down next time and give my friend, Senator D'AMATO, a couple of hours here. I will read some transcripts, and I will put them in the RECORD, and we will see why it was so tough to get things accomplished and why the investigation is not concluded. And we will see whose fault it is.

But, frankly, I believe the Democratic leader ought to sit down with the Republican leader, Senator Al D'AMATO, and the distinguished Senator from Maryland. They ought to decide and reach an agreement on how we should continue these hearings.

But we should not take a week in this Chamber exposing what is going on in these hearings, but I guarantee for those who want to do it, the President is not going to win. The President is not going to win that debate. If they think the American people are going to end up saying, ''Hurrah, hurrah, we should stop these hearings,'' let me tell you, they are mistaken. They are going to end up saying, ''What's the matter with that White House? What's the matter with all those people? And all that time and effort spent at the White House on Whitewater. Something is fishy.'' They are going to say, ''Something is being covered up.''

I came down to suggest that and to support the chairman. I happen to be on this committee. I am not a longtime member. I have been here a long time but not on the committee. But I think the committee has done a very good job. I do not think that in the debate over this extension that anyone ought to come down here and add onto this record indications that the committee is in any way to blame for the delays that have been caused.

I yield the floor.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. SARBANES. Will the Senator from Arkansas yield to me for just a moment.

Mr. PRYOR. I will be glad to yield.

Mr. SARBANES. I wish to point out to the Senator from New Mexico that this committee held 1 day of hearings in the last 9 days leading up to the end of our time. The Iran-Contra Committee held hearings in 8 of the last 9 days leading up to the end of its time.

Your leader, Senator DOLE, with respect to the Iran-Contra Committee, insisted that it have a timeframe because, he said, it would not be fair to run that inquiry into the 1988 political year. The Democrats in the Congress, led by Chairman HAMILTON and Chairman INOUYE from the Senate, agreed with that. They provided a time limit, and then they met almost around the clock over the last month. They held 21 days of hearings in the last month in order to complete their work. Now, it was your leader who pressed that case very hard. And the Democrats responded to it, in all fairness. Now, this situation is in complete contrast.

Mr. DOMENICI. I assume the Senator is asking for an observation or comment on my part.

Let me say to my friend from Maryland, I just want to repeat, I do not think that this committee has been intentionally dilatory. I do not think for a minute that Senator AL D'AMATO wants to use this to carry it into the Presidential election. Frankly, I look back at the last 3 months and I kind of wonder how he was able to hold as many hearings as he did. I look at what has happened in the Senate during most of that time. We had more votes during a 2- or 3-week period than we have ever had.

Mr. SARBANES. That is not accurate, I say to the Senator.

Mr. DOMENICI. I do not mean in the committee. I mean in December in the Senate.

Mr. SARBANES. I understand. In January and February, when we urged the committee to do an intensified schedule, when the Senate was not holding floor sessions and not voting, over that 2-month period we held only 15 hearings. The Iran-Contra Committee in a month's time held 21 hearings. So during that period, January and February—in other words, the last 2 months of this committee's existence—

Mr. DOMENICI. We had a blizzard. Nobody could get around for a week.

Mr. SARBANES. The schedule ground down. It did not intensify. And over the last 10 days we have only had 1 day of hearings.

Mr. DOMENICI. I almost welcome this, and I am not in a position to do this right now, but if we continue this I will ask counsel for this committee to prepare a work product evaluation for the last 90 days of what the staff of this committee has gone through to try to get this moving, and we will produce it here. And anybody who thinks there has been intentional delay is truly not paying close attention to this situation.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. PRYOR. Mr. President, let me also respond to my friend from New Mexico.

Earlier in the afternoon, we did a very quick summary of what the Senate has done in the year 1996 as compared to 1995. In fact, I do not have that sheet before me, but I think we have had—if I am not mistaken, I think the Senate this year, in 1996, has had 21 votes, total. In 1995, we had had 97 votes up until this time. So basically, the Senate, except for the Whitewater operation, has been pretty well, let us say, called to a halt.

We have been waiting for all the primaries to get over, and we have been accommodating. We have been cooperative, et cetera.

Also, I think earlier in the afternoon—I do not know if our friend from New Mexico was here—talking about the lack of cooperation from the White House—I hope, Mr. President, my friend will listen to this—this committee has requested all documents covering an 18-month period—listen to this, please—any communication of any kind relating to any subject between the President, First Lady, any present or former White House employee, and any employee of the RTC and several dozen named individuals. The next group, the committee authorized a subpoena asking for all telephone calls—I heard the Senator from New Mexico, my friend, a while ago talking about his own area code. What is that area code?

Mr. DOMENICI. 505.

Mr. PRYOR. 505. Arkansas is 501. The committee authorized a subpoena asking for every telephone call from the White House in Washington, DC, to any area code 501 number, the entire State of Arkansas, for a 7-month period.

Third, they asked, above and beyond the committee's already overbroad authorization, the majority staff unilaterally, unilaterally issued a subpoena for all White House telephone calls from any White House telephone or communications device for a 7-month period in 1993 to anywhere in the country. This is the type of documentation the committee is trying to force the White House to come up with.

Now, it is my understanding that the committee is trying to get all of the e-mail messages from the White House. Well, I would say to my friend from New Mexico, I think that this White House has been extremely cooperative, and you know it was not just but a very few years ago when, in September 1992, after a subpoena, after a subpoena had been issued in the Iran-Contra affair, you might remember because the Senator was certainly here at that time, as this Senator was present, in September 1992, an administrative staff assistant, Patty Prescott, found George Bush's diary, President Bush's diary which was under subpoena. Where did they find it? They found it on the third floor of the White House living quarters.

Even when the document was not delivered to the investigators, as the subpoena called for—not delivered—Ms. Prescott told President Bush of her discovery and said she believed it was relevant to the latest then-counsel request. The President said he directed Ms. Prescott to have the Presidential counsel at that time, C. Boyden Gray—we all remember—''sort it out.'' That was December 1992, after the election, after the election when Mr. Clinton had won and Mr. Bush had lost. I do not think that the diary was ever turned over to the investigators. If it was, I do not have any knowledge of it.

I do not recall my friend from New Mexico or my friend from New York ever coming to the floor of this Senate and saying, ''Oh, my goodness, this has been a terrible transgression; this has been a terrible obstruction of justice.'' George Bush did not present his diary to the subpoena's call and request for that diary.

So I just think we ought to put things in perspective. I think we ought to talk about how this White House has cooperated—45,000 pages of statements and testimony and records have been turned over from the White House to this committee. They deposed 202 persons; 121 witnesses have testified to this date before the Committee on Whitewater, and the examination, as I have said, of thousands and thousands and thousands of pages.

We on our side of the aisle think that we have proposed a reasonable solution to this so-called impasse, a reasonable solution. April 3, continue with our hearings until April 3, and then allow the Whitewater Committee to, at that time, write a report and submit that report to the Congress and to the public on its findings and any recommendations that it might have.

Then after that, any and all information, I assume, would be turned over to the special counsel, Mr. Kenneth Starr, who is in Little Rock, AR. I am sure he would love to receive all of these truckloads of information that will be driven from Washington, DC, down to Little Rock and deposited in Mr. Starr's office, including all of the telephone logs, all of the telephone records, and even the subpoena for Chelsea Clinton's nanny. I am sure he would enjoy seeing that subpoena, too.

It is my understanding that there is a whole new list now out that the chairman wants to bring before the Whitewater committee, people who have no way to pay their legal bills, people who have no way to pay the costs of coming, mostly from Arkansas, to Washington, DC, and back.

Mr. President, I think we have to talk some sense into this matter. I think we have made a reasonable offer. I am very hopeful that our colleagues on the other side will consider that offer.

I have one other thing I wanted to place in the RECORD. But should my friend desire to ask a question, I will yield for a question.

Mr. DOMENICI. First, let me just say that we are going to miss him when he leaves the Senate.

Mr. PRYOR. I thank the Senator.

Mr. DOMENICI. I appreciate the manner and demeanor he uses in situations like this. It is pretty obvious he has been a loyal friend of the President for a long time. I respect him for that. Nothing I said here on the floor had anything whatsoever to do with a lack of cooperation. You can have cooperation, but what is the quality of the information provided by those who are told to cooperate?

Frankly, I say to the Senator, I believe that when Mr. Ickes just recently, 2 weeks ago, all of a sudden discovered 200 documents that had been under subpoena for a long time, and going through the transcripts and finding the large number of ''I don't remembers'' and the number of people forgetting things that hardly anybody could forget, not believing they are on tape recorders even if they are, and saying, ''That is not me''—when you have all that, it is pretty obvious that the committee is having difficulty getting facts and getting to a conclusion.

It is in that context that I speak here today. Frankly, you all have made an offer from the other side. You think it is reasonable. The chairman and his legal counsel, who know more about it than I do, think it is unreasonable. Somewhere between what you have presented and some other proposition may be where we ought to end up.

But all I wanted the Senator to know is that there are a lot of Senators on this side, who I think are fair-minded people and worried about many of those staff and their legal bills. I read in the paper about it. I am not one running around here saying they should not find resources to help them. I know about that kind of stuff. I am for trying to let them find resources to help with their bills. But that does not mean this committee is to blame for the kind of slipshod efforts that have gone on with reference to the type of cooperation that the President obviously told them to give to this committee.

Mr. PRYOR. Mr. President, if I may respond now that I have the floor. I want to thank my friend from New Mexico. I have loved serving in this body. I have enjoyed so much my service with the distinguished Senator from New Mexico and the Senator from New York and my colleagues on both sides of the aisle. It has been a hope and a dream that I have hoped for all of my life. I have been one of the fortunate 1,800 and some odd people who have had this great privilege. So I thank my colleague very much.

But the Senator and several of our colleagues have made reference during the discussion this afternoon of how many times witnesses forget, how many times they say, ''I don't know'' or, ''I don't recall.''

Let me ask my friend from New Mexico, what was the Senator doing 12 years ago? I am asking my friend, what was the Senator doing 12 years ago today?

Mr. DOMENICI. Let us see, 12 years ago.

Mr. PRYOR. Yes, 12 years ago today. Does the Senator recall who he talked to on the telephone?

Mr. DOMENICI. I was probably campaigning for reelection.

Mr. PRYOR. The Senator was probably campaigning, but he does not recall specifically?

Mr. DOMENICI. If I had a chance to look at all my records and prepare for a deposition, I probably could recall something.

Mr. D'AMATO. What if the Senator had a diary?

Mr. DOMENICI. Maybe if I had a diary. Everybody knows I do not have a diary.

Mr. PRYOR. I was trying to bring brevity. Some of these events happened 10, 12, 15 years ago, a decade ago, 6 and 7 and 8 years ago. A lot of these people did not have an associate or maybe someone we might call a staff person to keep a diary, to keep a phone log, to keep records for them. And they are trying, to the very best of their ability, to come up here and tell the truth as they know the truth. Yet, many times they appear to be badgered before the committee day after day. Sometimes they are attempting to answer the question, and the counsel will not even give them that opportunity. I would just——

Mr. SARBANES. Will the Senator yield?

Mr. PRYOR. I would be glad to.

Mr. SARBANES. One of the things that is happening—and I think this needs to be understood—is that we get notes and testimony, and then it is treated as though it is some new discovery. ''Oh, we found out something that no one knew anything about.'' For example, when Mr. Ickes came in, a lot of focus was on the fact that there was this damage control squad to deal with the Whitewater matter set up in early 1994 and that he was the head of it.

So this is treated in the hearings—and it has been done here on the floor as well today—as a major revelation, a new sort of breakthrough in discovery of facts that has been made.

This is from the Washington Post, January 7, 1994:

> With the start of the new year, the White House launched a major internal effort to fight back against mounting criticism of the way it has handled inquiries into President Clinton's Arkansas land investments. A high-powered damage control squad was appointed under the direction of new Deputy Chief of Staff, Harold Ickes, and daily strategy sessions began.

This article was in January 1994, reporting on this matter. Then we hold a hearing, we get these notes, and this is treated as though some major revelation has been discovered.

Actually the report on February 16, 1996, reads:

> Four days into the new year of 1994, top White House aides gathered in the office of then Chief of Staff Thomas F. ''Mack'' McLarty for the first meeting of the Whitewater response team.

You could take the story from January 1994 and the story written after our hearing, and they are virtually the same. Yet this is portrayed as though something new has been revealed or discovered. This sort of process is going on all the time. Members need to understand that. I thank the Senator for yielding.

Mr. PRYOR. Mr. President, I am going to yield in just a moment. I have only a few more points I wish to make. I would like to read, if I might, Mr. President, a few sentences from a February 15 editorial from the Atlanta Constitution. This editorial begins by saying, ''The Senate's Watergate hearings of 1973–1974''—Watergate hearings—''were momentous, delving into White House abuses into power, leading to the resignation of a disgraced President, and the imprisonment of many of his aides. That lasted 279 days. Next week Senator ALFONSE D'AMATO''—I want my friend to know that I am mentioning his name, and I do not want him to think I am abusing his name; I am simply reading from the editorial—''next week Senator ALFONSE D'AMATO, Republican, New York, and his fellow Whitewater investigators, will surpass that mark. Today,'' which was February 15, ''is the 275th day.''

The Watergate hearings went 279 days. And we have already surpassed probably almost 280 days. ''And they have nothing anywhere near conclusive to show for their labors. To put matters in context, all they have to do is ponder a fairly obscure 1980's real estate and banking scandal in Arkansas.''

Let me interject here, Mr. President. President and Mrs. Clinton made an investment, and it went sour. They lost everything in that investment that they made. I do not know what it was, $50,000 or $60,000, $30,000. I am not sure how much they lost.

What would have happened had they made that much money in this investment or had they made $500,000? We would have really seen a momentous explosion. But they lost money, and they show that they lost that money.

Reading further:

> With the February 29 expiration date for the special panel staring him in the face, D'Amato has the effrontery to ask the Senate for more time and more money to continue drilling dry investigative holes. Specifically, he wants open-ended authority and another $600,000. That's on top of the $950,000 his committee has spent so far, plus $400,000 that was devoted to a Senate Banking Committee inquiry into Whitewater in 1994.

Mr. President, I conclude with the last paragraph of this editorial:

> The First Couple is still under investigation by independent counsel, Kenneth Starr, a former Reagan Justice Department official

who can be expected to scrutinize the Clinton's legal and business affairs rigorously. Any additional sleuthing by Mr. D'Amato would be a waste of taxpayer money.

That comes from the Atlanta Constitution.

An editorial that appeared yesterday in, I believe, the Washington Post states, and I read:

Senator Christopher Dodd of Connecticut reluctantly agreed to renewal of the Senate Whitewater committee's expiring mandates, suggesting limiting the extension to 5 weeks ending April the 3rd. Along with the minority leader Tom Daschle and other leading Senate Democrats, Mr. Dodd told reporters yesterday that they were prepared to filibuster against any extension beyond April.

Mr. President, there is no desire for anyone to filibuster this legislation. We have offered a reasonable compromise, and that reasonable compromise is to go to April 3 and then to allow a 30-day period for a committee report to be sent out to the public and to the Senate and to the Congress of the United States. We think that is fair. We think that is reasonable. We think and we hope that proposal will be given very careful consideration by our colleagues on the other side of the aisle.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, and I will yield to my friend, Senator THOMAS, for some questions that he might want to pose, but before I yield to him for the purpose of questions, let me say, we can all quote editorials. My friend and colleague gave a viewpoint of a distinguished newspaper, but let me say, if one were to look at the major newspapers of this country, very clearly—and I am not talking about now the opinions expressed by various pundit s, but rather the editorial pages—you will find overwhelmingly, 5 to 1 or more, a clear pattern. Those in the media who have been following this, like the American people who have been following it have been supportive of our efforts.

And I'd like to add the manner under which we are compelled to operate does not make our work quick or easy. That is, bringing in witnesses, deposing them.

You cannot schedule 1 day after the other. You have to bring in witnesses and examine them. Thousands of hours go into these hearings, not just the hearings that are heard publicly, but in preparation for them. Otherwise, we would have had many, many witnesses who came in and, rightfully, the minority and, more important, the American people would have said, ''Why are you bringing these people here? They have no relevance.''

We have examined well over 100 witnesses—well over—and we will go into that. This month alone, we have examined dozens of witnesses not in a public forum. Many of them we will not call, because we have found that they do not add to the investigation.

So it is not accurate to suggest that the committee has not been diligent, notwithstanding that there may have been a period of time when we have not had many public hearings.

Again, as it relates to the various editorials, I will speak to some of them, but I will tell you that when you find most of the Gannett chain, when you find the Los Angeles Times, when you find the New York Times, when you find the Washington Post and others, for the most part, supporting very clearly that the work of the committee continue, I think it underscores the need for us to find the facts.

Mr. SARBANES. Will the Senator yield on that point?

Mr. D'AMATO. I am not going to. I want to take questions, but I want to yield for some questions which I think Senator THOMAS wants to——

Mr. SARBANES. Does the Senator read the Washington Post as supporting his position?

Mr. D'AMATO. I read the Washington Post as taking a middle ground, not one which I am totally unsympathetic with. And I also read the Washington Post as saying extend but with limits. I disagree to the limits for reasons I stated before.

I think it is noteworthy where they say:

The Senate Democrats would do themselves and the president little good—

Let me read you the concluding paragraph where they say there should be some extension, it is interesting, and I know my colleague, Senator THOMAS, wants to pose some questions:

What the Senate does not need is a Democratic-led filibuster. Having already gone bail for the Clinton White House, often to an embarrassing degree—

I think it is very interesting, because I think, indeed, that is what many of my colleagues have been forced to do, to kind of walk the plank.

Senate Democrats would do themselves and the president little good by tying up the Senate with a talkathon. Better that they let the probe proceed.

Then it goes on to say something rather interesting, that it is a responsibility that all of us have, including this Senator and the majority. It said:

Give the public some credit for knowing a witch hunt and a waste of their money if and when they see one. And that, of course, is the risk Senator D'Amato and his committee are taking. The burden is also on them.

Mr. SARBANES. What about——

Mr. D'AMATO. Let me suggest that by simply saying this is politics, this is politics, this is politics, this is politics, it reminds me of the adage that if you repeat it over and over and over and over, you will draw people from what it is we are doing. I think this is a well-orchestrated attempt by the Democrats, by the minority, to have just that, to have us forget the paper trail, to have us forget the witnesses who deliberately —Senator, I will yield to you when I am ready to yield to you. Senator, I have not interrupted you once.

Mr. SARBANES. Yes, but you are——

Mr. D'AMATO. I watched you now for quite a period of time. I have not interrupted you. When I yield the floor, then you can ask whatever questions you wish. If I am here, I will attempt to answer them.

The fact of the matter is that there has been a persistent pattern of delay, obfuscation and deliberate memory loss. When this matter gets to the floor next week, we will go through it.

We will go through, for example, incidents where Mrs. Clinton, the First Lady, right after the death, or soon after the death of Vincent Foster, makes a phone call to Susan Thomases. Susan Thomases comes in and testifies to us she does not recall the phone call.

By the way, this is on, I believe, July 22. I will have the record in front of me. This is after the death, and they are now going to conduct the investigation as it relates to what papers may or may not be in Mr. Foster's office, looking for possibly a suicide note. She would have the committee and the American people believe—I think it is absolutely incredible—that at 7:57, a phone call from Little Rock, AR, made by the First Lady to her hotel, that she did not get it. The First Lady was on the phone for 3 minutes. ''Maybe the operator got it.'' At 8:01, 1 minute after that, she admits to paging Mr. Nussbaum.

Let me tell you why she admitted it, because she would have feigned recollection there, too, in my opinion. You see, because Mr. Nussbaum had an assistant, and that assistant indicated Mr. Nussbaum said Susan Thomases called him, so she could not very well deny that call. But, believe me, if there was any way for her to do it, she would have done it. This is one of the most capable lawyers in America, described as a lady who has the ''juice.'' ''She has the juice,'' they said. She walks into the White House whenever she wants. She is a close confidant, a friend, a counselor. Guess what Mr. Nussbaum's assistant, Mr. Neuwirth, says in depositions and testimony? He says—I am paraphrasing, but we will get it on the record with absolute precision because I know my colleague wants that. We will get that absolute precision.

The First Lady was not happy. The First Lady was not happy with the manner of investigation, that there would be unfettered access into Mr. Foster's office. We asked about that call and, of course, remember, we have absolute proof, phone logs—if we did not have the phone logs, they would deny anything and everything. I will give you examples of this. As Senator DOMENICI has indicated, I am not going to just sit here and have those who would take our work and our good efforts and simply attempt to politicize them for their own purposes. That is my observation. I think they ought to be ashamed of themselves for doing that. We have worked together too long and hard in a spirit of bipartisanship. But if they want to throw that out and just do the bidding of the

White House and carry their water, that is their decision. As the Washington Post said—and I just quoted that editorial—''to almost an embarrassing degree.''

Let me tell you, when we asked Mrs. Thomases about this call—she said she was reaching out. It was a touchy-feely call. When we asked about the other calls she made—and there were 13 or 14 within a hour and a half—to Nussbaum, calls to the Chief of Staff office, almost frantic. She was reaching out to touch someone. There is an ad about that. By the way, we have not been able to examine her yet. Only because we received logs and notes that indicate she had a communication from Mrs. Clinton's scheduler saying, ''Come down to Washington to see us,'' and she did come; the only reason we know she went over to see her is because the White House logs maintained by the Secret Service indicate that. Lawyers were meeting—a lawyer—Mr. Barnett was meeting with Mrs. Clinton to review various documents, and documents were indeed turned over to Mr. Barnett on that date. We said, ''Did you recall meeting Mrs. Clinton?'' She was upstairs for an hour and a half. I believe that date was July 27, but I have not looked at the records for a while. ''No.'' ''Did you meet with Mrs. Clinton?'' ''I do not recall.'' ''Did your scheduler tell you?'' ''I do not recall.''

Look, that is absurd. We are not talking about incidental events. We are talking about critical times and junctures. We are talking about a pattern. That is what we see taking place. So we have not been dealt with fairly. We have not had candid testimony from numerous witnesses. The pattern continues. And there are those who say, ''Why are you doing this?'' I say, why are you afraid of getting the facts? The only reason I am forced to editorialize, or at least sum up what I see at this point in time, is because of the opposition of the other side to permit us to do our work. So that, then, puts me in a very peculiar and difficult position, one that I have resisted in terms of making these observations public and making them with more precision and preciseness. But we will do that. We will have no choice but to do that. We will have no choice but to decide, when we do not have all of the facts—and that is why we are making a mistake by pushing this at this point in time, instead of saying, OK, we will permit x numbers of dollars, and let us see if we cannot wind this up within a reasonable period of time after you get access to the necessary witnesses, particularly those who may or may not be called to testify but that the special prosecutor objects to.

I see my friend wants to raise a question. Certainly, if he wants to raise that question, I will take it.

Mr. THOMAS. Mr. President, let me say, first of all, that I enter into this debate and discussion from a little different point of view. I have not been a member of this committee, and I have not indeed followed it real closely. But I am very interested in it. I understand there is a purpose for this committee action. The purpose is to discover what the facts are. So I am a little surprised when they argue that we ought to stop, put a limit on it, when we have not completed what the purpose of it was, which was to find facts.

I must tell you that I did have a little brush with it in the House last year. I was on the Banking Committee. Somebody talked about Mr. GONZALEZ's report. He would not let us do anything last year. We were stonewalled. So I was excited when the Senate went forward with an opportunity to do something. I know a little about that because I was there. So I say I am surprised, and I am not sure I should be surprised. I know that the minority sort of acted like defense counsel here instead of asking questions.

I do have a couple of points. Mr. President, if I might ask, I am curious about the work of the independent counsel and its effect on the committee's work specifically and if the criminal investigations into Whitewater have impeded the congressional efforts to get all the facts about Whitewater.

Mr. D'AMATO. As my distinguished colleague may be aware, the Senate resolution that empowered us to go forward indicated that we should coordinate our activities with the investigation of the counsel. We have attempted to do that.

Mr. THOMAS. What about the October 2, 1995, letter Senator SARBANES made reference to yesterday? Is it the special committee's intention to move forward without regard to the independent counsel's investigation?

Mr. D'AMATO. I am glad my colleague has raised that point. I think one has to read the letter in its entirety, not just part of it. It was our very real intent to bring forward and to move in an expeditious manner with these hearings, but never without regard to the independent counsel's investigation. Even in that letter of October 2—which does not contain the totality of our discussions either with the independent counsel or with the minority—indicates that we were going to be very mindful of the independent counsel's efforts. That letter, if you read it in its totality, indicates we are going to be very mindful of not impacting on the special counsel's work adversely.

Mr. THOMAS. It is my understanding that there are criminal trials pending. Could the Senator share with us the timetable with respect to these trials?

Mr. D'AMATO. Again, I appreciate my colleague's inquiry because we are now talking—by the way, in our letter, we expressed some concern that this trial would be adjourned much longer than the beginning of the year. They indicated they thought January and possibly early February. That is going to be going off next week. We are there at that point.

There have been other delays. It just seemed to us that as time went along, as we attempted to bring in Judge Hale, in particular meeting with the difficulties of Judge Hale's lawyer—the distinguished counsel had a number of arguments before the Supreme Court. He told our counsel that he could not even consider bringing his client in because he had to prepare him, and he would not be able to prepare and be thoroughly briefed until after he made these arguments. One of those arguments was postponed due to the snowstorm we had.

I have to tell you that we are making every effort. It was unusual, almost unheard of—the Supreme Court's adjournment of a matter that had been docketed and set for schedule. But the Court found that the circumstances were so difficult that they granted an adjournment. People could not make it in, participants in that case. That was put off until the end of January or very early February.

That is a practical matter that made it impossible for him to prepare the witness, to bring him in. We were just not ever able to get that concurrence. Notwithstanding that, we might have had strong objection because the independent counsel did indicate he was opposed. We were still willing to attempt to bring him in.

Let me say this to you. Once we began to hit February, the end of January, February, you then run into a question of responsibility of this body in conjunction with and cooperation with the independent counsel. You really do. We could have insisted that the attorney formally raise the fact that his client would assert the privilege against self-incrimination.

There is something more important. Rather than run the risk of jeopardizing—because we were so close to that trial, so close to the proposed trial of March—putting that off or creating an impediment to the special counsel going forward. I think in a responsible way we did what was absolutely necessary and did not attempt to create a clash or a crisis with the prerogatives that we had, which we could have exercised, but I think would have been injudicious.

Mr. THOMAS. As I understand it, the proposal that has been brought forth is to conclude the special committee's work in the middle of April and the possibility of examining either Governor Tucker or the McDougals, then, would not be possible, is that correct?

Mr. D'AMATO. That is absolutely correct. It would be impossible, and we may or may not be able to get them in any event. That would certainly preclude the examination of McDougal and would preclude us from even considering whether we might want to immunize him, to get his testimony, whether or not the special counsel might agree after that trial to us providing them with immunity, and also other witnesses, Judge Hale and about a dozen others who may or may not be testifying.

Let me say, it has been indicated that there is going to be public testimony at this trial. The scope of the trial—given that it is a criminal trial, and given the rules of evidence—will not permit the kind of latitude that would give a full, detailed story as to what did or did not take place. Indeed, there may be testimony that we seek or require that will never be asked of these witnesses at a public trial.

Indeed, all the questions may be answered. We may have no need to bring some of them in. We may not have to. But to prejudge it now and to say that we are going to cut it off now is wrong. It is wrong. We should not set an arbitrary time limit for it.

Mr. THOMAS. I thank the chairman, and I certainly want to congratulate you and your committee for continuing to seek to find the answers. That is what this is all about. I certainly hope we continue to do that.

Mr. MURKOWSKI. Could I ask my friend from New York a question?

Mr. D'AMATO. Certainly.

Mr. MURKOWSKI. Mr. President, the Senator from New York has led, as chairman of the Banking Committee, the extraordinary responsibility of this body relative to the Whitewater investigation. I ask my friend from New York, as a consequence of what I understand is accurate to date, the investigations have led to nine convictions and seven indictments, which is reason to believe that more may still be coming. Two indictments occurred just last week.

Now, in conscience, how could the chairman suggest to this body, as a consequence of this factual information, to terminate these hearings or even indicate a definitive date at which time these hearings might be concluded? I think that my colleague would agree that the work of the Whitewater Committee is clearly not done, the investigation is not complete. The primary reason for its incompleteness is the inability of the White House to present factual material in a timely manner. It has been suggested that some of the material provided by the White House comes in like a haystack, but the needles—the information that the committee really needs—is missing.

I ask my friend from New York, how can those that object to the continuance of this very important process conceivably reflect on the collective responsibility we have as a body? My question to the Senator from New York is, how do you see your responsibility as chairman of this committee? How do you see the responsibilities have been given to you? And, without all the facts before the committee, how can you reach a definitive deadline such as April?

The PRESIDING OFFICER (Mr. BENNETT). The Senator from New York.

Mr. D'AMATO. I thank my friend and colleague. The Senator from Alaska has served on the committee and knows and has felt the manner in which the committee in many cases has been almost stifled.

I think the point is inexorable. I do not think the Senate could possibly discharge its duties by truncating or terminating its work by setting an arbitrary deadline, one that particularly would ensure that we would not have access to a number of witnesses whose testimony may be very key, and as a result of relevant information and facts it leads you to possibly other facts that one must discover, other areas that one must look at.

That is why I think any thoughtful analysis of the committee's work, where we are today, would lead one to believe, as Senator Mitchell once indicated very clearly in his book, ''Men of Zeal,'' do not put an arbitrary end date for any hearing, even if the intent—and I am paraphrasing—is to avoid partisan politics. That was the intent in Iran-Contra, not running it into the political season. That was my intent. That was the intent of the distinguished ranking member.

There is no doubt, I hope he would not have questioned, or did not question, the sincerity of the Senator from moving forward in that manner. That was my intent. That continues to be my intent.

I also suggest that it seems to me that I do not know how my colleagues can know for certain what may be revealed or may not be revealed. I do not think they can. I do not think they know the documents that may or may not have been produced. I do not think that they are aware of what the testimony of various witnesses we would like to bring in will be, but certainly it would appear that the White House is very intent, and my colleagues are intent, in order to protect them—and I am paraphrasing the New York Times editorial—to protect them from embarrassment.

It is better to get the facts out now and let the chips fall where they may than to continue this exercise in this matter. It will not dissuade the chairman and the committee from doing its job by simply charging partisan politics. That has not been the case. It will not be the case. I will move as expeditiously as the events and facts permit to end the work of this committee, particularly the public hearings, but that will be based on facts, not an arbitrary date.

I answer my colleague in saying we should not set an arbitrary date. It is exactly the situation we find ourselves in today. By the way, if we reflect on the words, and I read them half a dozen times today, that our friend said—the parallel between what took place then, bureaucrats holding back information, looking at a date in which the inquiry would terminate, attorneys keeping their clients from coming forward, et cetera, and delaying and obfuscating—it is the same pattern that we see repeating itself. It is, I think. I am sorry that I agreed to a date. I did not contemplate that this would take place.

Now, you never get credit from the other side in attempting to be fair. You just do not. But I will attempt to be fair and to say to them, not all of this has been occasioned by some kind of a diabolical political plot by my colleagues or the Democrats or the White House. That would be unfair. Some has been occasioned by attorneys who are looking to protect their clients. And, so, they have engaged in a pattern, it seems to me, of withholding, having them testify in that manner. At least the clients have insisted upon it, or maybe witnesses, who said I cannot recall anything.

Mr. MURKOWSKI. Let me commend the Senator for accepting the responsibility of responding to such a wealth of questions. I know that it is your desire and sense of real obligation to get to the bottom of this investigation so we are all satisfied that the investigation was done fairly, appropriately, and in depth. But I wonder if my friend from New York recalls a comment of one of our colleagues during the Iran-Contra debate? Our good friend, Senator BYRD, said:

> The Congress has a Constitutional responsibility of oversight, a Constitutional responsibility of informing the people. . . [T]o reassure the faith of the American people in the Constitutional and political system, is to find out about all of these things that we have been hearing, and the way to do it is to go at it, put our hand to the plow, and develop the facts.

Now, I think that sets a pretty good direction for the committee. I think we all know that the constitutional process is going to take time. It is going to take expense. Also, I think that it is important for my friend to consider the recommendation of certain editorials—so I ask if my friend from New York would comment on two editorials. I will quote a portion from the Washington Post, February 15, 1996:

> Hardly a day goes by without someone in the administration suddenly discovering some long-sought subpoenaed documents. . . The committee clearly needs time to sift those late-arriving papers.

And, in the New York Times, February 28, 1996:

> The Senate's duty cannot be canceled or truncated because of the campaign calendar. Any certain date for terminating the hearings would encourage even more delay in producing subpoenaed documents than the committee has endured since it started last July. . . .
>
> No arguments about the politics on either side can outweigh the fact that the White House has yet to reveal the full facts about the land venture. . . . Clinton's work as a lawyer on Whitewater matters and the mysterious movements of documents between the Rose Law Firm, various basements and closets and the Executive Mansion. The committee, politics notwithstanding, has earned an indefinite [an indefinite] extension. A Democratic filibuster against it would be silly stonewalling.

I ask my friend from New York, recognizing the statement of the former majority leader and our good friend, Senator BYRD, regarding his statement of the Iran-Contra dispute, is not the

same constitutional application and principle appropriate in this case? Should not that same constitutional application be used as we search for the facts and attempt to reach a final conclusion so that the American people as well as the Congress can be satisfied in this matter?

Mr. D'AMATO. The Senator from Alaska is absolutely correct. He is absolutely correct. I think our colleague, Senator FAIRCLOTH, has indicated there should be no price placed upon the integrity of the White House.

The fact is, the cost for the hearings, and given the work, the witnesses, the volume of work, sifting through the haystack to attempt to get the needles—it has been difficult. The lack of cooperation of various witnesses; the lack of cooperation with various agencies; the lack of cooperation and candor with many, many officials; total failure to recollect events, even though the diaries put them at various places doing various things; even the transmittal of documents when occasioned by distress calls.

I have to tell my colleague that the committee's work must continue and that we have limited it, both initially and now, to very modest sums. Although $600,000 is a lot of money, if we look at the Iran-Contra investigations and hearings—and again those were almost 10 years ago—that cost was $3,300,000. I think it was $3,298,000 at that point in time. If we were to get this appropriation, and I believe we will, we would still have spent less than $2 million.

I am not suggesting that is not a considerable sum. But I am suggesting that the work that we have done, the charge and the responsibility, is important. And in the words of Senator BYRD, it should be continued. It is our ''constitutional responsibility.'' Certainly it was true then and it is true now. Certainly Congress met its responsibility in fully funding the Iran-Contra hearings.

Again, if we look at the words of two of the Members who served on that committee, they said they made a mistake by setting an arbitrary date for concluding the hearing. I think it is disingenuous for people to say—by the way, I understand it comes out of the White House spin doctors—that $30 million has been spent. And we have heard it here today. ''Do you know how much food that could buy? Do you know how many people that could help?''

This committee has not spent $30 million. The work of the independent counsel was decided upon by none other than the President of the United States and the Attorney General. They requested that the independent counsel undertake his work and there have been 11 or 12 convictions or pleas of guilty. And he does continue his work. He has one capacity. That is to ascertain criminal wrongdoing and to prosecute it where it is found. We have another. To simply lump it in and then say to the American people, ''This is politics, and they are spending all this money in search of we know not what it is,'' I simply have to say that is not correct. And it is not factual. And it is not dealing with our colleagues in a fair and even-handed manner, in the same manner in which they would like to be dealt with.

Mr. MURKOWSKI. May I ask my friend from New York a question, since partisanship has been brought up here more than once or twice in the discussion? Would my friend from New York care to enlighten the Senator from Alaska on what is the objective of our friends on the other side of the aisle? Why do you believe that the other side of the aisle is delaying the majority from bringing this matter before the Senate for a vote? Wouldn't you agree that we are all here collectively to meet our obligation of finding the facts and presenting them to the American public? What could be more political than for one party to ban together in an attempt to delay a vote? I am sure that is of some frustration to my friend from New York. Would he convey, in the graciousness of the cordiality that we are all bound by, why this body is being prevented from bringing this resolution to the floor?

Mr. D'AMATO. I have to say to my colleague and friend from Alaska, politely, I can not understand what my Democratic colleagues hope to accomplish by extended, protracted debate—which is a filibuster. That is a nice way of talking about filibustering this. It will only conjure in the minds of people the question: What are you hiding and why are you doing this?

I think the Washington Post, although it did not say, today, that we should go on endlessly—nor do I believe we should—they said, today, that ''The Senate Democrats have already gone bail.'' That is pretty tough language. Listen to this.

''What the Senate does not need is a Democratic led filibuster, having already gone bail for the Clinton White House, often to an embarrassing degree.''

Mr. SARBANES. Will the Senator yield on this editorial?

Mr. D'AMATO. Certainly.

Mr. SARBANES. Because the Senator continues citing it, yet the editorial very clearly states the Senate should require the committee to complete its work and produce a final report by a fixed date. That is the essential difference between the two sides.

You want an indefinite hearing, and we have suggested that there be a fixed date, just like I say to the Senator from Alaska there was in Iran-Contra, which is exactly the position that Senator DOLE took at that time and which was acceded to by the Democratic Congress. This editorial is consistently being cited by my colleague from New York, and yet the editorial says, in very clear terms, the Senate should require the committee to complete its work and produce a final report by a fixed date, a matter with which the Senator, as I understand it, disagrees.

Mr. D'AMATO. I indicated heretofore that I would not—and I again cited none other than an authority on this than Senator Mitchell as to why a fixed date I believe would be counterproductive. Having said that, certainly April 3 is absolutely unacceptable, or April 5—is guaranteed to deny us essential information and evidence that we would need. There is no way that trial will be concluded.

Let me say something else. I would be willing to say that at some reasonable period of time after the conclusion of the trial, whether it results in whatever—an acquittal, a conviction, or a hung jury—that we then, because there are practicalities, an attempt to end this, whether it is 8 weeks thereafter, that we would, and then a time for the writing of a report. But even that is dangerous because then we run into the problem of having certain attorneys looking to take advantage of every opportunity to run the clock.

Mr. MURKOWSKI. I ask my friend from New York, is it not a fact that on February 17 the committee received notes of important substance from Mr. Gearan? And, isn't it true that on February 13, the committee received Michael Waldman's notes, which totaled over 200 of information? In addition, isn't it true that the committee received Harold Ickes' documents, which totaled over one hundred pages? That was just 8 days ago.

How could the committee possibly evaluate that information? How could the committee possibly be expected to set a definitive date of when this investigation will be completed when we received subpoenaed information only 8 days ago? Do you not believe that this task is virtually impossible knowing that we have every reason to believe there is other material going to come in?

I ask my friend from New York if he would feel that he is acting responsibly if he sets a definitive date of when the investigation would end, knowing that 8 days ago the committee just got several hundred more pages of information? How long does it take the professional staff to go through that information, and how long does it take the staff of the minority side of committee to examine that information?

Mr. D'AMATO. It would be impossible to give a date exactly, because the Senator is right: We have to go through the information and bring in people. It may develop—and does in many cases—additional leads and additional people.

I have to tell you. I do not believe that we have received nearly all of the pertinent information that we have requested, or subpoenaed, or that has been subpoenaed by the special counsel. I just do not believe that to be the case. I think it is impossible to believe that other members of that White House defense team, that strategy team that met during the early week of

January—they met under extraordinary circumstances, they met repeatedly, they met every day for a 1-week period of time, and thereafter—that there is not more information that was available that has not been turned over to this committee.

If we set a time, I have to tell you something, I do not think we will ever get it. If we do not wait to see what takes place in terms of that trial and what witnesses we may or may not have, we are never going to get all the facts. I never knew that a committee ran just simply on the basis of a time line. I thought that our obligation was to get the facts. I thought that was what determined. And if we were doing a credible job, if we were getting the facts, that we would continue until the picture was completed, until the job was completed, if it took additional resources. That is why we are here. We are here for those resources.

Let me say that we did not say ''give us such funds as may be necessary.'' So you see when we say there is not a definitive date, that is true. But we have asked to limit it to an amount of money. That amount of money will only enable us to go approximately 3, maybe 4 months if there is no real activity, and if we have to suspend during a period of time, maybe somewhat longer. Indeed, if there is no justification—and I suggest it has been the action of the White House and their people in terms of holding back documents, that has brought us to this point where we suspect, and I think we have reason to suspect, that they are still withholding key documents and information from the Senate.

Mr. MURKOWSKI. Along those lines, I would ask my colleague from New York if he can explain to me why throughout the testimony of Susan Thomases and Maggie Williams there seemed to be significant memory losses. I am particularly thinking of Maggie Williams, the chief of staff of the First Lady—she responded some 140 times, ''I do not remember.'' These are people that were in positions of responsibility, and, obviously, very intelligent people. These were significant events in their lives. And to suggest that Maggie Williams had no recollection 140 times is troubling to this Senator. Also troubling is the fact that Susan Thomases, the First Lady's friend and adviser, told the committee ''I do not remember'' over 70 times.

My friend from New York is a lawyer who has practiced and who knows something about the procedures in the court. What kind of an explanation can you provide for Maggie Williams responding 140 times ''I do not remember'' to questions from the committee? And what kind of explanation can you provide for Susan Thomases telling the committee that she ''didn't remember'' over 70 times? I find that very discomforting because, obviously, it suggests that there are questions that witnesses are refusing to answer. I know the chairman sat through every single witness and was troubled by this as well.

Mr. D'AMATO. The Senator is absolutely correct. Of course, you see that you could ask. If you were to say, ''Where were you, Senator, on last week on Tuesday,'' I could not tell you now. I would have to look. But when you have key events, monumental, the death of a trusted friend, someone you have known for a long time, someone who you have worked with, and you get some of the testimony surrounding that event, surrounding the search for something that was important, the possible suicide note, to have the kind of statements ''I do not recall.'' ''I do not know.''

''Who did you speak to?''

''I do not know.''

''Did you speak to anybody?''

''I do not know. I do not remember. It would have been any''—it is just inconceivable. It smells of a well-orchestrated plot to deny the committee the facts and the information. And it is not just once; it is repeated.

Then when we find—and, again, very troubling—documents that relate to the work of the First Lady, documents that relate to her representation, or at least the fact that there were numerous phone calls to Seth Ward, Seth Ward, a man who purchased the property known as Casa Grande, Seth Ward, Webb Hubbell's father-in-law, Associate Attorney General, his son-in-law is in that law firm. It is interesting the son-in-law did not represent or make the phone calls with respect to his father-in-law who he was close to, a transaction that can be described as nothing less than a sham, that attempted to provide Seth Ward, in the final analysis, with over $335,000, and finally had to agree to give back to the RTC. One has to say, was it that representation, or those phone calls which we were never aware of until we found the billing records? And where were the billing records of phone calls between Mrs. Clinton and Seth Ward? In the personal residence of the President and the First Lady, in their personal residence. How about that? Are we to believe some construction worker picked them up someplace? Where did they pick them up, and where did they get to where they got, the President's personal residence, in August, just when the RTC was again releasing a report dealing with these events?

So it is very troubling. It is very troubling and it raises questions. Maggie Williams, you see, was seen, at least by the testimony of Officer O'Neill, a career Secret Service officer, who would have no reason to concoct a story, says that on the night of Vincent Foster's death he saw Maggie Williams coming out of Vincent Foster's office—and she admits she was there—and that she was carrying papers, files. And he remembers with great detail, that when she, Maggie Williams, who is Mrs. Clinton's chief of staff, attempted to gain access to her office, she could not do it; she had to balance the files with one hand and then with the other hand open her door.

You see, this is an experience I think probably many of us have had when you are carrying something and then you have to shift it. And he said she propped it up against the wall or a cabinet so that she could then use her other hand to open the door. That was a specificity that made it hard for this Senator to not totally believe Officer O'Neill.

Let me tell you, the saga continues, the saga of the memory lapses, because Maggie Williams denies that this occurred.

But then there is another White House staffer, a young man who works there as an assistant by the name of Tom Castleton. He still works there. This is not someone who is in discord with the administration. This is not a partisan—if anything, he may be a partisan supporter of the White House. And there is nothing wrong with that. But he has no reason to lie.

What does he testify? He testifies that when Maggie Williams is carrying a box of documents up to the personal residence of the White House, she says, ''Mrs. Clinton wants to review these papers.'' When we asked Maggie Williams, she didn't say that; she has no memory of that. Why would she say that? She would never tell this young man that for no reason. After all, of course, he told us the truth. He had no reason to make this up.

Let me ask something else. It has always mystified me why it is people have to invent incredible stories. Would it not be ordinary, if papers that belonged to you, that were with a trusted friend and a legal advisor, that you would look them over as opposed to simply having them turned over to another attorney without looking?

I find that very difficult, very difficult to understand. It would seem to me that if the Senator had important papers entrusted to his legal advisor and counselor and something has suddenly gone wrong and those papers were packaged and sent to your residence so you could then send them over to your personal lawyer, would you not look through them? Would it not be natural? Would it not be correct? Would it not be right? But you see what happens when people invent stories; they are stuck to them. They are stuck to them. Once the White House issued the statement, a definitive statement, that the First Lady had, never looked at those papers, they could never explain how the papers that were sent up there found their way back down, and then, if all of those papers were sent over to Mr. Kendall, the lawyer for the Clintons, if all of them were sent over, then how could it be that the billing records were found in the personal residence, if you had already said for the public record, public consumption, that you never looked at the records?

So now we have the mystery of the appearing documents. Where are they found? In the personal residence, where all the papers had been brought initially, all of them, and, I would suggest

to you, probably including the billing records. And that, indeed, when we have heard this troubling story—because I tell you it would be absolutely totally reasonable for anybody, President or anyone—to look through their personal files and their personal records. I think that it would be unusual, unusual, absolutely unusual—after all, they had nothing to fear. There was no wrongdoing. Why would you not look through the papers to ascertain if these were papers, indeed, that should be then sent over to a new lawyer. Would you not want to look at them?

So the answers that are forthcoming do not in many cases lead to a conclusion. They raise other questions. But let me say our mandate is to get the facts. It is not to rush to judgment. It is only because—and I have only shared this for the first time—of some of the questions that I consider important, some of the troubling aspects, that I raise this. I have not raised this heretofore. I have not shared this with the media. I have not rushed to judgment, nor do I. But I raise this question—and there are others—in light of testimony given by witnesses who have nothing to gain, who, if anything, are supporters of the administration. Neuwirth, assistant counsel to the chief counsel of the United States, he says they are concerned about unfettered access, that Mrs. Clinton was concerned. This young man, Tom Castleton, who says Maggie Williams, Mrs. Clinton's chief of staff, says that Mrs. Clinton wants to review these documents. Then the White House states that they did not look at these documents. Then the billing records appearing. How did they get there?

So there is more work to be done. I do this—and I was not happy about having to raise these questions at this point in time—only because, again, the assertions have been made that our investigation has not revealed anything, that this is a waste of time and a waste of taxpayers' money.

Let me conclude by saying I believe that the committee has been patient, in some cases overly so; that the committee has gone out of its way to give the benefit of the doubt, as we should and will continue to do, to witnesses and in certain instances when evidence has not come forth when it should. We will say, let us conclude our job, get the facts, and that is when we will end the investigation, sooner rather than later.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. I thank the Chair.

Mr. President, unlike my colleague, I will be brief. I will be to the point as nearly as I can. I have been standing now for 1 hour and 20 minutes on the floor of the Senate to try to get a word in edgewise, and I recognize that when someone has the floor, they can literally keep it forever. I was prompted to come here by some remarks that I heard by my friend and colleague from New Mexico, Senator DOMENICI, a couple of hours ago when I happened to hear him say that the only way to resolve the problem before us is for the majority leader and the minority leader to sit down in one office or the other and come up with some kind of an agreeable compromise.

I thought, as usual, that was a very constructive suggestion from my friend and colleague from New Mexico, with whom I have worked on the Budget Committee each and every year, this being the 18th, since I have been here.

It makes an awful lot more sense than the long, drag-out confrontation that we seem to be headed for and are involved in now with regard to what is right and what is wrong with the request made by the chairman of the Banking Committee for the continuation of the hearings as long as he wants to pursue them in whatever manner the chairman of the committee wishes to pursue them.

I notice with great interest there were several references during the last hour and 20 minutes, when I was listening very carefully, that the name of Robert BYRD was used. We all respect Robert BYRD as one of the great Members of the U.S. Senate of today and certainly, in my opinion, of all time. It has been said on the floor that Senator BYRD felt that the Iran-Contra hearings should proceed because we have ''a constitutional responsibility.'' I do not think there is any quarrel with that. I suspect that Senator BYRD voted for the Whitewater investigation, as did this Senator, because I think it is our constitutional responsibility to investigate wrongdoing.

In that regard, I might say that one of the side elements of this investigation and other investigations that we see more and more and more going on forever and forever and forever in the Senate of the United States, has caused a great deal of harm and a great deal of expense to many people whom most would agree are totally innocent. That has happened. The committee is chaired by my colleague from New York. It happened in previous committees.

If you read the newspapers and talk to some of the people that have appeared before the Banking Committee, you will find that when they come there, they have to bring a lawyer to protect themselves. The amount of lawyers' fees that these people have, mostly without means, to defend themselves when they are called by a committee of the U.S. Senate, they have spent anywhere from $50,000 in the last few months, sometimes up to $500,000 in the last few months, out of their own pockets to defend themselves, when in most instances most would agree most of them, if not all —and I say most of them, and maybe all, with the understanding that there was always a reason to investigate Whitewater. The dialog that we have heard, the dog and pony show for the last hour and 20 minutes, was merely to fulfill the wishes of those who wish to continue.

Senator BYRD said it is our constitutional responsibility. And it is. And we have investigated. Senator DOMENICI suggests that the two leaders should get together and work out some kind of a compromise, if you will. That is the only way we get things done down here, after we raise all kinds of havoc. I endorse the suggestion made by Senator DOMENICI.

My colleague from Maryland, the ranking Democrat on the Banking Committee, knows where this Senator has been coming from on this issue for a long, long time. I think that we have granted the Banking Committee—I voted to give the Banking Committee the time and the money to make an investigation. I am willing to give them some additional time, if that is what they need.

But if anyone thinks that this Senator is going to give an open-ended license to the present chairman of the Banking Committee, or anyone else, to go on and on and on and on, on something that, in my view, should have been concluded weeks ago, they are badly mistaken.

We do this to ourselves here, Democrats and Republicans, over and over again. We wonder why the polls show that the people despise—I think the word ''despise'' is not overstated—they despise, as a group, the Members of the House of Representatives and the Members of the U.S. Senate. Even used car salesmen, I believe, rate ahead of us in the polls. Why is that? Because we bring it on ourselves, Democrats and Republicans. It is not just one side of the aisle or the other. It is the conspiratorial nature of the business, unfortunately.

Mr. President, I had been the Governor of my State for 8-years, longer than any other person in the history of that State, and this is my 18th year in the U.S. Senate. I have never been sued, either before I was in public service or since I have been in public service. I never have been accused of any wrongdoing. I have never had to pay out a dollar, let alone $50,000 or $500,000 or more, to defend myself. I have had the wonderful experience of serving 18 years in the U.S. Senate.

I have been in hundreds of thousands of hours of committee hearings on the national security interests of the United States, the Armed Services Committee, in the Budget Committee, that is very much up front now. I happen to be the ranking member of the Budget Committee at the present time. I also serve, and have since I came here, also, in addition to those two committees, as a member of the Commerce, Science, and Transportation Committee.

I am proud to say that never, as long as I have served or called witnesses or been a part of questioning witnesses, have I ever cost even one of those witnesses any money out of their own pocket to come before me as the sacred

one on the elevated platform directing questions down at them.

It so happens that I have not, nor have I ever, sought to serve on the Ethics Committee of the U.S. Senate. I do not like judging other people. I have never sought to serve on that committee or any other investigative committee that is going after people, to get people. Some of that is necessary. I believe that BOB BYRD is right in saying we have a constitutional responsibility to do that. But in so doing—and it has been going on and on every day, almost of every week of every month, and certainly of every year since I have served in this body—some people, a group of people, have set up themselves as judge and jury. They use the taxpayers' money of the United States of America to make accusations, to carry on investigations, some of them legitimate. But we wonder why the people of the United States distrust us.

I saw a bumper sticker on a car in Nebraska the other day that said, ''I love my country, but I don't trust my Government.'' Well, is it any wonder what we do to ourselves? We have become the conspirators, whether we recognize or realize it or not. And the feeling of the people of the United States with regard to their elected public officials, most of whom I can certify are honest, God-fearing people trying to do the right thing, whether they have Democrat or Republican behind their names, we wonder why we are not more respected. Because of what you see on the floor of the U.S. Senate tonight.

I am not conspiratorial by nature, and I do not like what is going on. In addition to the committee of jurisdiction that seems to be on the tube every time I turn on C–SPAN, and I see mean-looking lawyers peering down, as if they were judges, at these people behind them, kind of like the Christians in the lion's den in Rome—I see that, and I do not like that either because I think you can make inquiry of people as a U.S. Senator in a fashion that does not say, ''It is us against them.'' That is what is going on here.

The costs of this, as I understand it, are over $1 million for the committee and up to $15 million or more for the special prosecutor.

The special prosecutor has a job to do, and I voted the money to have the special prosecutor check into Whitewater. I guess what I am saying, Mr. President, is that somewhere sometime enough is enough.

Some—not this Senator—some have said that the chairman of the Banking Committee is doing this primarily because he is the chairman of the Republican Senatorial Campaign Committee, which is designed to collect money and make a lot of hoopla to try and elect Republicans. Well, that is the job of the Republican Senatorial Campaign Committee, and we have a Member on this side who does the same thing.

But some have said—not this Senator—some have said one of the main reasons that the chairman of the Banking Committee, who is simultaneously chairman of the Republican Senatorial Campaign Committee, is doing this and wants more taxpayer money to continue the investigation forever and forever and forever, as near as I can tell, is he wants to continue it at least until after the November elections, because some have said—not this Senator—that the chairman of the Banking Committee wants to do this for political reasons. He thinks it will help elect Republicans.

Now remember, I did not say that, but I guess other people have. Whether that is true or not, I voted for the money for the special prosecutor to investigate Whitewater. I voted in support of and provided a vote to provide the money to the Banking Committee to do their investigation. I had assumed that it would not take longer than it took to investigate other matters, such as Iran-Contra, but it has for whatever reason. Now the chairman of the Banking Committee wishes to go on and on and on.

I simply say that I do not believe this committee going on and on and on, spending more of the taxpayers' money is going to amount to any more than it has already. The special prosecutor is continuing, the special prosecutor is the place to bring charges if anyone before the Banking Committee has committed perjury, as was indicated by the dog-and-pony show tonight. If they committed perjury, they should be prosecuted, and if they are found guilty, they should stand whatever the sentence in court should be.

I simply say that I think it is far past time for this committee to have made its report, but in the good nature that I think has always embodied me, I suggested to the ranking Democrat, the Senator from Maryland, who is on the floor, what, 2 months ago, 3 months ago—I do not know what it was—when the chairman of the Banking Committee was beginning to talk about the necessity to extend this date beyond the expiration date of yesterday and wanted $200,000 or $300,000 more of taxpayers' money to get the job done, I said, ''I'm not for that at all. I think they should be called upon to wind up their inquiry and make their report to the U.S. Senate.''

But I said in the spirit of compromise, since the chairman of the Banking Committee says he wants more time and he needs more time, I would, against my better judgment say, ''All right, let's give them another 30 days, until the 28th of March, and $90,000,'' or whatever it takes to wind this up and then set a date for the report no later than 30 days after that, so that we can get on with this matter. I remember very well the ranking Democrat at that time thanking me for that suggestion.

We have now come to the place, while I can assure the Senate that the vast majority of the Democrats in this body—and there are 47 of us—the vast majority of them are against any extension period beyond the expiration date of the committee of yesterday.

But it has been talked over and it was agreed, in an effort to come to some kind of a compromise, that we do not want to filibuster, we do not think a filibuster is necessary.

Following up on what Senator DOMENICI suggested on the floor of the Senate, why do we not have the majority leader, Senator DOLE, and the minority leader, Senator DASCHLE, get together tomorrow and make a decision, a reasonable decision, along the lines that Senator DOLE suggested back under the Iran-Contra affair?

At that time, the Democrats were the conspirators. They were the ones who wanted to continue this discussion. Senator DOLE suggested that we should not go on with Iran-Contra forever. It was causing problems for the President of the United States who, at that time, was a Republican. Believe it or not, Mr. President, the Democratic majority at that time said, ''Senator DOLE, you're right. You're making sense. You're trying to be reasonable, Senator DOLE.''

What we are asking for at the present time, and taking up on the public expression and request by my friend and colleague from New Mexico, it is time for the two leaders to get together. It is time to end the dog-and-pony show. It is time to come to a definite timeframe—30 days, *x* amount of money, whatever is necessary—to wind up this investigation, and then anything further that is done beyond that, as it should be, would be accomplished by the special prosecutor.

If we end the investigation by the Banking Committee tonight, the special prosecutor is still there with full subpoena powers and the authority of a prosecutor to bring charges for anything that he thinks needs to be raised in the courts.

I simply say, Mr. President, that I hope we will take the wise counsel offered by the Senator from New Mexico, my friend, Senator DOMENICI, and resolve this matter tomorrow and get on with the business of the U.S. Senate.

I thank the Chair, and I yield the floor.

EXTENDING WHITEWATER INVESTIGATION

Ms. MIKULSKI. Mr. President, yesterday we returned for the last session of the 104th Congress to complete the Nation's business. We returned so that we could attempt to reach a bipartisan agreement on welfare reform. We returned to continue debating the future of Medicare. We returned so we could end the budget impasse. We returned so that we could face the legislative challenges before us and not let the American people down.

I'm sad to say, we are not doing these important things. We are not serving the American people by working on the things that affect their day to day lives. Instead, we are debating whether