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Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by Bishop Kenneth Ulmer, of the Faithful Central Missionary Baptist Church in Los Angeles, CA.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Dr. Kenneth C. Ulmer, offered the following prayer:

O God our help in ages past; our strength, our hope, our joy for years to come. Father, we give You thanks and praise for the consistency of Your faithfulness. Morning by morning You have showered us with new mercies and new expressions of Your grace, and for that we say thank You. As Jehovah Shalom You have given us Your peace in a world of confusion. As Jehovah Jireh You have provided us with the riches of Your grace and mercy. As Jehovah Rohi, You have been the great shepherd of this Nation. Lord, give us the ability to acknowledge the possibility of our own error, patience that we might listen to opposing opinions, and wisdom to learn from one another. Give us honesty that we might speak the truth in love and strength that we might not falter in the quest for truth and justice. Keep us humbled by the limitations of our own perspectives and encouraged by the magnitude of divine vision. When the tensions of our democracy would tend to divide us, keep us constantly aware of Your omnipotent ability to make us one as we celebrate the diversity within our unity. May we sense the sacredness of our call to leadership. O God, may integrity and uprightness preserve this Nation. As we faithfully serve its people may we so faithfully serve You. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the Senator from Mississippi, Senator LOTT, is recognized.

Mr. LOTT. I thank the President pro tempore. It is a pleasure to see the President pro tempore.

GREETING BISHOP KENNETH C. ULMER

Mr. LOTT. Mr. President, I am proud to extend the greetings of the Senate today to Bishop Kenneth Ulmer from Los Angeles, who delivered the morning prayer. Our Chaplain, Dr. Ogilvie, tells me he is one of the truly great emerging spiritual leaders of our Nation. Since his arrival 12 years ago at the Faithful Central Missionary Baptist Church, where Bishop Ulmer occupies the pulpit, the congregation has grown from one of 325 to one of over 3,500. Bishop Ulmer is recognized as one of California's most respected voices in promoting positive relationships between people of all races and backgrounds.

He is a member of the California attorney general's policy council on violence prevention and a member of the board of directors of the Rebuild Los Angeles Committee. I know all Senators join me in thanking Bishop Ulmer for joining us this morning.

SCHEDULE

Mr. LOTT. Mr. President, for the information of all Senators, this morning the Senate will conduct a period for morning business until 10:45 a.m., with Senator GRASSLEY to speak for up to 15 minutes and Senator HATCH for up to 45 minutes.

Following morning business, the Senate will resume consideration of the illegal immigration bill and the pending amendments. The yeas and nays are ordered on several of these amendments; however, those votes will not occur prior to the scheduled vote at 2:15.

As a reminder, at 2:15 p.m. today, there will be a cloture vote on the motion to proceed to the Whitewater resolution. The Senate will recess from the hours of 12:30 p.m., to 2:15 p.m. for the weekly policy conferences to meet. The Senate can expect rollcall votes to occur throughout the session today in order to make progress on the pending illegal immigration bill.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. INHOFE). Under the previous order, there will now be a period for morning business.

The Senator from Iowa is recognized for 15 minutes.

Mr. GRASSLEY. Mr. President, before I speak, I ask unanimous consent to yield to Senator THURMOND for the purpose of introducing bills without it cutting into my time.

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

Mr. THURMOND. I thank the able Senator very much.

(The remarks of Mr. THURMOND pertaining to the introduction of S. 1672 and S. 1673 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRASSLEY. Mr. President, I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1674 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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COMMANDER STUMPF

Mr. GRASSLEY. Mr. President, I want to speak on a subject that I have spoken before. This is the issue of the promotion of Navy Comdr. Robert Stumpf and his promotion to the rank of captain. This promotion has been denied by the Armed Services Committee. It was denied because of his suspected involvement in inappropriate behavior at the Tailhook convention.

I support the committee's decision to deny the promotion. I have spoken on this matter several times. Since my last speech, I have had a letter from Commander Stumpf's attorney. The attorney's name is Mr. Charles W. Gittins. Mr. Gittins thinks that the facts are the issue here. Of course, I disagree. In my mind, the facts are not at issue.

What do the facts mean? It is the answer to the question that gets Commander Stumpf in hot water.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Gittins' letter to me.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WILLIAMS & CONNOLLY,
Washington, DC, April 4, 1996.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: I am writing on behalf of my client, Commander Robert E. Stumpf, USN, who was the subject of your March 16, 1996 floor speech in the Senate. I applaud you for asking the five questions relevant to whether Commander Stumpf should be promoted because it is apparent that your colleagues have lost sight of those important attributes in the political infighting over Bob Stumpf's promotion.

Had you researched the answers to the five questions that you ''asked'', and put the answers as well as the questions in the Congressional Record, I am sure that you would have embarrassed your colleagues with the truth. Moreover, I am sure that if you had researched the answers before you went to the floor to give the speech, your speech would have been one of unequivocal support for Commander Stumpf's promotion.

Your first question, like the rest, can be answered by reference to the official records of the Court of Inquiry as well as by reference to Commander Stumpf's Official Military Personnel File. Commander Stumpf's record is clearly among the finest in the Navy. Two Navy Captain selection boards now have selected Commander Stumpf for promotion to Captain. In order to do so, the Boards were required to find that Commander Stumpf was among those ''best qualified'' from among those officers who the board found were ''fully qualified.'' Further, Commander Stumpf's performance in combat, illuminated by the many citations for bravery and heroism awarded him by the United States, abundantly proves that the promotion boards were correct in their judgment of Commander Stumpf's performance.

Your second question, concerning leadership and discipline, are equally well answered by the Navy's official records. All you needed to do was read them. Commander Stumpf was described by senior officers who testified at his Court of Inquiry as ''among the finest leaders that they have had the opportunity to work with.'' In this regard, you may wish to read the testimony of Vice Admiral Kihune and Rear Admiral McGowan, two officers with personal and daily observation of Commander Stumpf in positions of responsibility. You may also wish to read the statement of Captain Dennis Gillespie, USN, Commander Stumpf's commander in combat during Desert Storm. Commander Stumpf's leadership was nowhere more vigorously tested than in combat, where he personally led 9 carrier air wing airstrikes without losing a single aircraft. Discipline? How much discipline does it take to fly a combat aircraft at 500 miles an hour into the face of anti-aircraft fire and surface to air missiles while still managing to put bombs on target. I submit that there is no greater demonstration of discipline.

Does Commander Stumpf set a good example? If not, why was Commander Stumpf chosen to lead the Blue Angels in the first place? The singular purpose of the Blue Angels is to provide a good example of the Navy for public consumption. Perhaps you saw Commander Stumpf perform at the airshow in Iowa. If so, you could not help but be impressed with the example Commander Stumpf sets. The fact that he was returned to command of the Blue Angels by the Navy even after he was subjected to an embarrassing Navy Court of Inquiry speaks volumes about the type example Commander Stumpf sets. Moreover, his press conference following the Court's decision made clear Commander Stumpf's agenda—at that press conference Commander Stumpf said he would thereafter take no more questions about Tailhook. His job was to ''make the Navy look good. And that what [he] intend[ed] to do''

Your question four is self-evident by Commander Stumpf's performance in combat. How many leaders who flew 22 combat missions can say that they brought back every plane that they started the mission with? Moreover, the junior officers who testified for the government, pursuant to grants of testimonial and transactional immunity, each stated unequivocally that Commander Stumpf was an outstanding role model, one who was universally recognized as superior throughout the Navy and the strike-fighter community, and one they would gladly follow into combat. There simply is no higher praise for a military officer. There has never been any evidence adduced, in the Committee, in the Court of Inquiry, or in subsequent reviews conducted by the Navy or the Committee, that Commander Stumpf is anything but an outstanding role model.

Finally, Commander Stumpf has over and over throughout his career proven his integrity. Commander Stumpf has been forthcoming about Tailhook and his involvement therein. The Secretary of the Navy personally questioned Commander Stumpf closely on these issues and determined that Commander Stumpf was not culpable for any misconduct, either by him or his subordinates, at Tailhook. Secretary Dalton confirmed that Commander Stumpf was ''appropriately selected for promotion and that he should be promoted.'' Until you raised the question of Commander Stumpf's integrity, there has never been any insinuation that Commander Stumpf was other than forthright and honest in all of his dealings throughout his Navy career. If you have specifics in mind, please feel free to communicate them to me. I will be glad to have Commander Stumpf respond.

If your five questions are the measuring stick that the Senate intends to follow on all future officer nominations, I applaud your standard. If you intend to apply that standard to Commander Stumpf, it would do you and your colleagues well to actually read the records before you draw conclusions about Commander Stumpf, or any other officer who presents to the Committee or the Senate similarly situated.

What has diminished the credibility of the Committee and the Senate with the public in Commander Stumpf's case is ignorance of, or intentional lack of familiarity with, the unalterable fact that Commander Stumpf did not conduct himself in any way inappropriately at the 1991 Tailhook Symposium. That is a fact that cannot be ignored, even on the floor of the United States Senate.

Sincerely,

CHARLES W. GITTINS.

Mr. GRASSLEY. I am opposed to what Commander Stumpf and his attorney are doing for three reasons. First, they want us to believe that this is a legal issue. Commander Stumpf seems to have the mistaken notion that a promotion to captain in the Navy is an inalienable right.

He sees the committee erecting a barrier between himself and that right. So he has hired a fancy lawyer to reclaim that right under the law.

Well, sadly, I am afraid that Commander Stumpf may be in for a big disappointment. As Senator NUNN put it, ''It is well known that nomination proceedings are not criminal trials. They are not formal evidentiary proceedings.''

A promotion is not guaranteed under the law. In fact, as we all know, it must be earned, and not only earned, but confirmed by the Senate.

This, Mr. President, brings me to my second point. Each Senator must make a subjective judgment about a candidate's character. We have to examine the entire record, and then we have to pick and choose.

Sadly, Commander Stumpf and his lawyer somehow believe that the Senate should not sit in judgment of a nominee's character. Two Navy captain selection boards and Secretary of the Navy Dalton decided that Commander Stumpf should be promoted. End of the story for them. The Senate should somehow butt out.

Again, Senators NUNN and COATS have laid this misguided idea to rest. They put it this way: ''The Senate has a constitutional responsibility to give advice and consent on military promotions.''

That is our constitutional duty. We look at the evidence, and we make judgment calls. We know it is not an exact science. It is an imperfect system, but most of the time it seems to work.

This brings me to the third source of my concern. Those who are pushing the Stumpf promotion want us to think he is a victim of political correctness. Mr. President, that is pure, 100 percent, grade-A, Navy baloney. I happen to believe that Commander Stumpf's problems run much deeper than that. They go right to the core of his character. His behavior at the 1991 Tailhook convention raises questions about his ability to lead.

Mr. President, I am not holding Commander Stumpf to some arbitrary standard dreamed up by this Senator. I am holding him to the military's own standards.

The military standards are laid out in a document entitled ''Military Leadership, Field Manual 22–100.'' Those principles are described on pages 5 through 8 of the document. This is an exact quote from the document:

No aspect of leadership is more powerful than setting a good example.

So, Mr. President, I feel obliged to ask this very simple question: Did Commander Stumpf set a good example at Tailhook? A former Naval officer, writing in the Washington Times recently, answered that question. I want to quote directly from the April 1, 1996, article:

Officers throughout the Navy—particularly Naval aviators like Commander Stumpf—were well aware that the Tailhook convention had become an increasingly grotesque event before it finally suffered public scrutiny in 1991.

That Commander Stumpf finds himself having been caught in the fallout is a result of the poor judgment he showed in participating when many of his contemporaries had stopped doing it years before.

That says it all, Mr. President.

Commander Stumpf's behavior also raises questions about his willingness to accept responsibility. The military leadership manual states that a leader must do two things: First, seek responsibility and, second, take responsibility for his or her actions. By seeking and accepting responsibility, a leader can build trust within his or her military unit.

Clearly, Commander Stumpf is eagerly and aggressively seeking greater responsibility. He has an aggressive lobbying campaign going to get himself promoted. He is doing a good job of that lobbying.

Unfortunately, he is not very good at accepting criticism for his past mistakes. It seems like he is trying to evade responsibility.

Commander Stumpf claims he did not witness the really obscene behavior at his squadron's Tailhook party. It happened after he left, and if he did not see it, he is not responsible, so he claims. Commander Stumpf's ship ran aground when he was not on the bridge. That is what he wants us to believe. He wants us to believe that his junior officers are to blame. In effect, he is saying that.

Commander Stumpf's reasoning is flawed, and it is inconsistent with naval tradition and leadership and the responsibility that is placed on leaders in the military manual. The ship's captain is always responsible if the ship runs aground.

When something like this happens, the manual says a leader should never try to evade responsibility by blaming others. When a commander tries to shift the blame to others, the manual says that undermines trust and respect within any military organization. Evading responsibility is not the sign of a topnotch military commander.

When Commander Stumpf first got in hot water, he should have acknowledged his mistake and taken corrective action.

Mr. President, Commander Stumpf needs to face the music and take responsibility for his actions.

I ask unanimous consent to have that part of the manual printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE PRINCIPLES OF LEADERSHIP

The 11 principles of Army leadership are excellent guidelines and provide the cornerstone for action. They are universal and represent fundamental truths that have stood the test of time. Developed in a 1948 leadership study, the principles were first included in leadership doctrine in 1951. Use these principles to assess yourself and develop an action plan to improve your ability to lead. Examples throughout this manual give you ideas of how to apply these principles. Here is an explanation of each of the leadership principles.

KNOW YOURSELF AND SEEK SELF-IMPROVEMENT

To know yourself, you have to understand who you are and to know what your preferences, strengths, and weaknesses are. Knowing yourself allows you to take advantage of your strengths and work to overcome your weaknesses. Seeking self-improvement means continually developing your strengths and working on overcoming your weaknesses. This will increase your competence and the confidence your soldiers have in your ability to train and lead.

BE TECHNICALLY AND TACTICALLY PROFICIENT

You are expected to be technically and tactically proficient at your job. This means that you can accomplish all tasks to standard that are required to accomplish the wartime mission. In addition, you are responsible for training your soldiers to do their jobs and for understudying your leader in the event you must assume those duties. You develop technical and tactical proficiency through a combination of the tactics, techniques, and procedures you learn while attending formal schools (institutional training), in your day-to-day jobs (operational assignments), and from professional reading and personal study (self-development).

SEEK RESPONSIBILITY AND TAKE RESPONSIBILITY FOR YOUR ACTIONS

Leading always involves responsibility. You want subordinates who can handle responsibility and help you perform your mission. Similarly, your leaders want you to take the initiative within their stated intent. When you see a problem or something that needs to be fixed, do not wait for your leader to tell you to act. The example you set, whether positive or negative, helps develop your subordinates. Our warfighting doctrine requires bold leaders at all levels who exercise initiative, are resourceful, and take advantage of opportunities on the battlefield that will lead to victory. When you make mistakes, accept just criticism and take corrective action. You must avoid evading responsibility by placing the blame on someone else. Your objective should be to build trust between you and your leaders as well as between you and those you lead by seeking and accepting responsibility.

MAKE SOUND AND TIMELY DECISIONS

You must be able to rapidly assess situations and make sound decisions. If you delay or try to avoid making a decision, you may cause unnecessary casualties and fail to accomplish the mission. Indecisive leaders create hesitancy, loss of confidence, and confusion. You must be able to anticipate and reason under the most trying conditions and quickly decide what actions to take. Here are some guidelines to help you lead effectively:

Gather essential information before making your decisions.

Announce decisions in time for your soldiers to react. Good decisions made at the right time are better than the best decisions made too late.

Consider the short- and long-term effects of your decisions.

SET THE EXAMPLE

Your soldiers want and need you to be a role model. This is a heavy responsibility, but you have no choice. No aspect of leadership is more powerful. If you expect courage, competence, candor, commitment, and integrity from your soldiers, you must demonstrate them. Your soldiers will imitate your behavior. You must set high, but attainable, standards, be willing to do what you require of your soldiers, and share dangers and hardships with your soldiers. Your personal example affects your soldiers more than any amount of instruction or form of discipline. You are their role model.

KNOW YOUR SOLDIERS AND LOOK OUT FOR THEIR WELL-BEING

You must know and care for your soldiers. It is not enough to know their names and hometowns. You need to understand what makes them ''tick'' and learn what is important to them in life. You need to commit time and effort to listen to and learn about your soldiers. When you show genuine concern for your troops, they trust and respect you as a leader. Telling your subordinates you care about them has no meaning unless they see you demonstrating care. They assume that if you fail to care for them in training, you will put little value on their lives in combat. Although slow to build, trust and respect can be destroyed quickly.

If your soldiers trust you, they will willingly work to help you accomplish missions. They will never want to let you down. You must care for them by training them for the rigors of combat, taking care of their physical and safety needs when possible, and disciplining and rewarding fairly. The bonding that comes from caring for your soldiers will sustain them and the unit during the stress and chaos of combat.

KEEP YOUR SUBORDINATES INFORMED

American soldiers do best when they know why they are doing something. Individual soldiers have changed the outcome of battle using initiative in the absence of orders. Keeping your subordinates informed helps them make decisions and execute plans within your intent, encourages initiative, improves teamwork, and enhances morale. Your subordinates look for logic in your orders and question things that do not make sense. They expect you to keep them informed and, when possible, explain reasons for your orders.

DEVELOP A SENSE OF RESPONSIBILITY IN YOUR SUBORDINATES

Your subordinates will feel a sense of pride and responsibility when they successfully accomplish a new task you have given them. Delegation indicates you trust your subordinates and will make them want even more responsibility. As a leader, you are a teacher and responsible for developing your subordinates. Give them challenges and opportunities you feel they can handle. Give them more responsibility when they show you they are ready. Their initiative will amaze you.

ENSURE THE TASK IS UNDERSTOOD, SUPERVISED, AND ACCOMPLISHED

Your soldiers must understand what you expect from them. They need to know what you want done, what the standard is, and

when you want it done. They need to know if you want a task accomplished in a specific way. Supervising lets you know if your soldiers understand your orders; it shows your interest in them and in mission accomplishment. Oversupervision causes resentment and undersupervision causes frustration.

When soldiers are learning new tasks, tell them what you want done and show how you want it done. Let them try. Watch their performance. accept performance that meets your standards; reward performance that exceeds your standards; correct performance that does not meet your standards. Determine the cause of the poor performance and take appropriate action.[1] When you hold subordinates accountable to you for their performance, they realize they are responsible for accomplishing missions as individuals and as teams.

BUILD THE TEAM

Warfighting is a team activity. You must develop a team spirit among your soldiers that motivates them to go willingly and confidently into combat in a quick transition from peace to war. Your soldiers need confidence in your abilities to lead them and in their abilities to perform as members of the team. You must train and cross train your soldiers until they are confident in the team's technical and tactical abilities. Your unit becomes a team only when your soldiers trust and respect you and each other as trained professionals and see the importance of their contributions to the unit.

EMPLOY YOUR UNIT IN ACCORDANCE WITH ITS CAPABILITIES

Your unit has capabilities and limitations. You are responsible to recognize both of these factors. Your soldiers will gain satisfaction from performing tasks that are reasonable and challenging but will be frustrated if tasks are too easy, unrealistic, or unattainable. Although the available resources may constrain the program you would like to implement, you must continually ensure your soldiers' training is demanding. Apply the battle focus process to narrow the training program and reduce the number of vital tasks essential to mission accomplishment. Talk to your leader; decide which tasks are essential to accomplish your warfighting mission and ensure your unit achieves Army standards on those selected. Battle focus is a recognition that a unit cannot attain proficiency to standard on every task, whether due to time or other resource constraints. Do your best in other areas to include using innovative training techniques and relooking the conditions under which the training is being conducted, but do not lower standards simply because your unit appears unable to meet them. Your challenge as a leader is to attain, sustain, and enforce high standards of combat readiness through tough, realistic multiechelon combined arms training designed to develop and challenge each soldier and unit.

SUMMARY

The factors and principles of leadership will help you accomplish missions and care for soldiers. They are the foundation for leadership action.

The factors of leadership are always present and affect what you should do and when you should do it. Soldiers should not all be led in the same way. You must correctly assess soldiers' competence, commitment, and motivation so that you can take the right leadership actions. As a leader, you must know who you are, what you know, and what you can do so that you can discipline yourself and lead soldiers effectively. Every leadership situation is unique. What worked in one situation may not work in another. You must be able to look at every situation and determine what action to take. You influence by what you say, write, and, most importantly, do. What and how you communicate will either strengthen or weaken the relationship between you and your subordinates.

The principles of leadership were developed by leaders many years ago to train and develop their subordinates. The principles have stood the test of time and the foremost test—the battlefield. Use the principles to assess how you measure up in each area and then develop a plan to improve your ability to lead soldiers.

[1] Kenneth H. Blanchard and Keith L. Kettler, ''A Suitable Approach to Leader Development.''

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 3103

Mr. HATCH. Mr. President, I understand there is a bill due for its second reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes.

Mr. HATCH. Mr. President, I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

SOCIAL POLICY AND CIVIL RIGHTS

Mr. HATCH. Mr. President, I wish to continue the discussion about social policy and civil rights I began a short time ago.

Mr. President, I support the vigorous and sensible enforcement of our civil rights laws and make whole relief for the victims of discrimination. I support affirmative action involving outreach and recruitment. I support training and assistance open to all who are seeking to enhance their ability to compete, without regard to race, ethnicity, or gender. I oppose preferences in the award of benefits or impositions of penalties based in whole or in part on race, ethnicity, or gender.

Opposition to preferences should not be a device used, however inadvertently, to ignore the particular problems resulting from the legacy of prior and ongoing discrimination. Nor should opposition to preferences be used to weaken the kind of affirmative outreach and recruitment I mentioned earlier.

Conversely, I reject the cynical use of the affirmative action label as a means of throwing a protective shield over preferences, as President Clinton and his administration have repeatedly done.

This administration has pursued a pervasive policy of preference. The President's actions speak louder than his words. The Clinton administration has repeatedly cast its lot not on the side of equal opportunity for all Americans, but on the side of racial, gender, and ethnic preferences and equal results for groups.

Indeed, I find both President Clinton's July 19, 1995, speech on this issue and his administration's review of this issue an artful dodge of the real issues and a vigorous assault on the principle of equal opportunity for all Americans.

In his frequently gauzy July 19 speech, President Clinton never came to grips with the details of affirmative action preferences. He also repeats some false dichotomies long used by other tenacious defenders of preferences. He ignores the variety of ways preferences operate, and are defended, even under his own administration.

Moreover, he defines affirmative action with a combination of breadth and vagueness, allowing him to dodge the tough issues. He does not understand that preferences are not only wrong, they are terribly divisive.

Columnist Robert J. Samuelson has written:

The essence of Clinton-speak is that the president is often saying the opposite of what he is doing. On affirmative action, he deplores those ''who play politics with the issue . . . and divide the country.'' Yet, that describes Clinton exactly. His eager embrace of affirmative action guarantees that it will foment racial and gender rancor.

That was from the Washington Post of August 9, 1995.

He treats the web of local, State and Federal bureaucratic, legislative, and judicial rules and policies requiring the cause of preferences as if they were minor aberrations or barely in existence. They have, in fact, grown over the years, including under his policies.

For example, he claims that sometimes employers abuse the concept—as if local, State, and Federal governments have not been breathing down many employers' necks—playing the numbers game, pressuring and requiring consideration of race, ethnicity, and gender in their employment practices. Indeed, his administration has recently issued guidance concerning Federal employment which provides a shocking, broad-based series of rationales for preferences.

Moreover, the President, in my view, gives too much credit to affirmative action for progress in this country. The enactment and enforcement of antidiscrimination laws, a decrease in prejudice, and economic forces, in my view, have clearly played very important roles in such progress. Even his own task force admits, at least: ''It is very difficult * * * to separate the contribution of affirmative action from the contribution of antidiscrimination enforcement, decreasing prejudice, rising incomes and other forces.''