that the Speaker considers removing him or putting someone else in charge.

As the gentleman said, let us have a fair investigation. Let us look at both sides. There are problems on both sides. I think we would all acknowledge that. But when we start subpoenaing people before we even know what we are investigating, I just think we have it backwards.

As I said earlier, I have always been taught to try to think before I speak. When I was in law enforcement, we always investigated before we issued subpoenas. Unfortunately, here we are issuing subpoenaes, unfortunately 1,047 of them, and we do not even know what we are searching for or what we are going after.

And all we are doing is pressuring people and stripping them of their integrity, their reputation and their pride, and spending a lot of money to fight subpoenas when they have nothing to do with these investigations. The Senate has already investigated all this and submitted their report, but yet we keep going on and on and on.

Again, that is why I guess I have always said that when there are politicians investigating politicians that just gets us into more politics. We have, unfortunately, lost sight here of the integrity of the investigation, the faith in our laws as a Nation, that all citizens should have faith and confidence in our judicial system and a belief that justice will be served.

Unfortunately, I cannot say that about this campaign investigation that is going on in the House of Representatives.

□ 2215

I know at times I hope folks back home are not saying we are just a bunch of Democrats up here trying to protect this person or that person. That is not the issue here. The issue is have we gone too far in giving one Member of Congress such an awesome power to subpoena people. Have we given Congress or a chairman or individual Members an exception to the Privacy Act where they can disclose private conversations of people, and then we find that certain words were doctored or altered to make it sound even more incriminating and where are we going? And if we can do this, if this committee and subpoenas can be friends of the President or Democratic fund-raisers, what is then not to say we will do all blond-haired people tomorrow and do the same kind of treatment to them underneath the guise of an investigation?

I just think we have gone too far. And having been in law enforcement all those years as I was, I just find it quite repulsive that we would do this. And without more people speaking up, I am glad to see some of those newspaper articles and editorials are paying attention, I hope Members of Congress are, and somehow we do something, not just with these investigations that we have here in the House that have gone so one-sided and lopsided, but also with the special prosecutor statute.

This has been going on now for, what, 6 years and $45 to $50 million and we are still in the investigative stage where, as I mentioned the other night, a 16-year-old son of an individual was subpoenaed by FBI agents at his school. I mean, how does his son go back to school the next day?

We have gone overboard in this whole thing. And if we are worried about Big Brother and big government watching us before, with the abuses we have seen in these investigations from Ken Starr to the gentleman from Indiana (Mr. BURTON), where is government going to show up tomorrow?

It is not a good day, not a good day at all. I thank the gentleman from Wisconsin (Mr. BARRETT) for joining us here tonight and I appreciate his input. And I know I am going to continue to speak out on these abuses. I think, as I said before this evening, if we do not, those of us who are elected to uphold the law, then I think we fail in our duties as elected representatives in the democracy.

Mr. BARRETT of Wisconsin. In the spirit of fair play, my friend, the gentleman from Georgia (Mr. KINGSTON) is here and he indicated he wanted to put in his word on the other side. So I am more than happy to yield to the gentleman.

Mr. KINGSTON. Mr. Speaker, let me ask my friends; They all have been kind of bashing the style, not the person, but the style of our friend the gentleman from Indiana (Mr. BURTON) who we all know to be a man of integrity and of honor. But they mentioned the rules about putting Congress under the same laws as the private sector.

Did my colleagues vote for that rule, which was, as my colleagues know, a Republican rule and generally passed on a partisan vote? Did they leave their side of the aisle and vote with the Republicans to make that a reality on the first day of Congress in 1995?

Mr. BARRETT of Wisconsin. Yes, I did. In fact, I was a cosponsor of that bill to have the laws that apply to the private sector also apply to Congress.

Mr. STUPAK. And the same for me.

Mr. KINGSTON. I am glad to see that.

Would my colleagues urge their Democrat colleagues, the 19 who will not vote for immunity for the key witnesses, in order to get around this partisanship, in order to get on with the investigation, would my colleagues urge their Democrat colleagues to vote for immunity, the ones that the Democrat Department of Justice have given and granted immunity to?

Mr. BARRETT of Wisconsin. I am one of those 19 that did not vote for it. And I will not vote for immunity tomorrow because I do not believe this is an attempt to find truth. I do not think this is a fair investigation.

Mr. KINGSTON. If the gentleman would further yield, one of those witnesses is a guy named Kent La, who, as my colleagues probably know, is an associate of Ted Sioeng, who is a business operative with the Red Pagoda Mountain Tobacco Company, which, as my colleagues know, is the third largest selling cigarette in the entire world and it is Communist-owned, and it gave $400,000 to the Democrat National Committee.

Do my colleagues not think that it is important to hear from Kent La on why would a Communist-owned cigarette company give $400,000 to the Democrat Committee?

Mr. BARRETT of Wisconsin. Reclaiming my time, I do not know what the gentleman would be testifying to; and that is part of the problem we have had in the committee. We have given immunity to an individual earlier. He came in. There was no proffer of his testimony. He gave testimony that was different than what the committee expected.

So, again my point is, under the leadership of the gentleman from Indiana (Mr. BURTON), this committee does not have credibility.

Mr. STUPAK. Mr. Speaker, reclaiming my original time, let me answer that quickly if I may.

My problem with this is, the way my colleague phrased his question is, because this person was an associate and there was a business operative and there is a Communist cigarette, he just made three assumptions there.

My answer would be, send the FBI agents out. Check with this individual. If there is a need to bring him before a committee and need to subpoena him, then do their investigation before they subpoena.

CAMPAIGN FINANCE INVESTIGATIONS

The SPEAKER pro tempore (Mr. BURR of North Carolina). Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia (Mr. KINGSTON) is recognized for one-half of the remaining time tonight.

Mr. KINGSTON. Mr. Speaker, let me get back to the point and invite the gentleman from Michigan (Mr. STUPAK) to hang around if he wants to, who I happen to think a lot of, incidentally.

But Kent La, the man who would be the witness to the Burton committee, which we will vote on tomorrow, and I certainly urge my friend from Wisconsin to reconsider his position, which I would have a hard time believing that it does not have just a little hint of partisanship in it. But I know the gentleman well and I would think more of him than that.

So let me just say about Kent La, because apparently my colleagues have not heard of this guy. But he is an associate of Ted Sioeng and he is the United States distributor of Red Pagoda Mountain Cigarettes. He has a major stake in these cigarettes, the best-selling brand of cigarettes in China and the third largest selling cigarette in the world. The company is

owned by the Communist Chinese Government; a fact.

Ted Sioeng and his associates gave $400,000 to the Democrat National Committee. Of this amount, Kent La, the witness, gave $50,000. Now, every witness that has come before their committee has said, ''You need to interview Kent La.'' But Kent La has invoked the fifth amendment. He is one of the 92 who have fled the country or taken the fifth amendment. But he is saying he will testify if he has immunity.

The Democrat Department of Justice gave him immunity. But on the committee, the Democrats are blocking his opportunity to be a witness. Now, inasmuch as this investigation is not about the gentleman from Indiana (Mr. BURTON) but about campaign financing, why will not my colleagues vote to give the guy immunity?

Mr. BARRETT of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. Two corrections. I serve on the committee. My colleague made the statement that the Department of Justice has given him immunity. If the Department of Justice had given him immunity, there would be no need for our committee to give him immunity.

Mr. KINGSTON. Reclaiming my time just to say that the gentleman is correct. What they said, and they said it in writing, is that they have no problem with the committee giving him immunity. So he is correct on a technicality. But again, that is only a technicality. The matter is, what does the witness have to say?

Mr. BARRETT of Wisconsin. If the gentleman would further yield, the second statement that he made I want to correct. My colleague stated that every witness who has come before this committee has talked to this gentleman. I cannot recall a single witness who has testified before this committee who has made that statement. I am on the committee. Not a single witness has said that.

Mr. KINGSTON. Not a single witness has. But let us say my colleague scored.

Mr. STUPAK. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Michigan.

Mr. STUPAK. That just defeats his question, then, if my colleague just agreed with the gentleman from Wisconsin (Mr. BARRETT).

Mr. KINGSTON. Reclaiming my time, and I want to get to my friend from the Upper Peninsula. But let me say this; my colleague wins on a technicality. Two technical points, two minor technical points; they win.

The fact is, I want to know why my colleagues will not give the guy immunity to testify if they are really interested in getting to the truth.

Mr. STUPAK. Technical point. That is not a technicality when the gentleman from Wisconsin (Mr. BARRETT) tells my colleague, and he sits on the committee, that no witness has ever mentioned that the committee should interview this guy. That is not a technical point; that is the truth of the matter.

Mr. KINGSTON. Reclaiming my time, I guarantee my colleagues, I am going to give them that point.

Now my question is, when the Department of Justice has signed off on immunity, why will not my colleagues let the guy testify? And how could my colleague from Michigan say in good conscience that he is being fair and that he is really nonpartisan, he is really interested in getting at the truth, when he will not let a witness come before the committee?

Mr. STUPAK. If your question, and my colleague should have stayed at Michigan State longer because he would have learned this, if his question was and if the truth was that every witness said to have this guy testify, which the gentleman from Wisconsin (Mr. BARRETT) said that is not the truth, based upon his hypothetical, if this was true, I am sure, I cannot speak for committee members, I would vote for it if his statement was true.

Mr. KINGSTON. Reclaiming my time, I am not on the committee. I am not on the committee. I am giving my colleagues those two points.

The question is, and my colleagues know, the greater issue is not the punctuation of the sentence but it is the answer to the question; and the question is, why will my colleagues not let the guy testify?

Mr. Speaker, I yield to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. I thank my friend, the gentleman from Georgia, for yielding; because, Mr. Speaker, I think we have a very interesting case study here. We have here on the floor of the Congress, under the ostensible notion of nonpartisanship or bipartisanship, a very clever and very lawyerly-like dissemination and dissection on technical figures of speech. Indeed, to be completely accurate, if we want to indulge in these types of statements, I would have to gently correct my friend from Michigan; because the accurate statement from the gentleman from Wisconsin was that he could not respect anyone testifying, as my friend from Georgia said.

So we could be awash here in technicalities. But it is very instructive to listen to the tenure and tone of the preceding hour and indeed those characterizations that come to us, with apologies to Drew Pearson and Jack Anderson and others, in this Washington merry-go-round; because it sadly reduces to farce some very important concepts.

I listened with interest to the concerns of our friends from the other side about the gentleman from Indiana (Mr. BURTON), and let me commend them for being rather clever and I believe being totally partisan, while standing there cloaking themselves in the veil of nonpartisanship.

But there is a larger question tonight, Mr. Speaker; and it deals not with the chairman of any House committee, nor on the technicalities of parsing statements and trying to outlawyer each other. Though, for the record, I should point out I am not an attorney. ''JD'' does not stand for ''juris doctorate''; and I consider that to be an asset, quite frankly. No, the larger question has to do with the rule of law in a society and a truly bipartisan attempt to get to the bottom of some very serious, serious allegations.

Indeed, if history is our guide, a quarter century ago, we saw bipartisanship when there were genuine concerns and indeed a constitutional crisis surrounding the White House, when the President made a claim of executive privilege that was overruled by the judicial branch.

Well, this Chamber and the other Chamber moved forward to solve that problem. So the bigger question tonight, as I am happy to yield time back to my colleague from Georgia, has nothing to do with the technicalities and the character questions of any Member of Congress. It has everything to do with over 90 witnesses who have either taken the fifth amendment or fled the country. And indeed, in that context and the serious, serious allegations surrounding not only those actions but what has transpired perhaps at the other end of Pennsylvania Avenue, I would submit to my colleague from Georgia, my friends from the other side of the aisle, that this has little to do with the chairman of any committee here and everything to do, sadly, with this administration and the curious behavior and the curious defenses offered by the left.

Mr. STUPAK. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Michigan.

Mr. STUPAK. I agree with the gentleman from Arizona (Mr. HAYWORTH) that this is a very serious matter and should be taken very seriously. And the part that upsets maybe us and the reason why I have been taking to the floor is, let us go back to the original question that the gentleman from Georgia (Mr. KINGSTON) asked about this individual and the Justice Department granting him immunity and that every witness before the committee, and the only one here who is on that committee is the gentleman from Wisconsin (Mr. BARRETT), said they should interview this guy.

□ 2230

There were about three things wrong with that. See, the problem is this, we are throwing out these accusations which, when corrected, we call a technicality. But when we hurl an accusation in the position we are in as elected Members of the Congress of the United States, it is very important, before we

impugn people's reputations, before we make accusations that the facts be crystal clear.

Mr. KINGSTON. Mr. Speaker, let me reclaim the time here, because we can talk about Kent Law, but I have already said you can have the technicality on that. I am not on the committee.

But what I do not quite understand is, do you not have the slightest bit of curiosity as to why the guy who works for the Chinese Communist-owned Red Pagoda cigarette company, why they gave $400,000 to the Democratic National Committee?

I yield to my friend from Michigan.

Mr. STUPAK. To answer the gentleman's question, if your three points were correct, that Justice gave them immunity, that every witness said that it is true——

Mr. KINGSTON. Reclaiming the time. Listen, my friend from the Upper Peninsula, this is part of the Democratic tactic of delay, of distract. I am saying, hey, do you know what, I only know what I read. My question is, forget the technicalities. Tell me why you do not think it is important for a guy to testify.

Mr. STUPAK. If you would let me.

Mr. KINGSTON. Still claiming the time, if you do not want to talk about Kent Law and grant him immunity, what about the $3 million that was funneled through John Huang, which the Democratic National Committee had to return? Does it concern you that the Chinese Government may have been trying to influence the election process?

Or if you do not want to talk about that, could we talk about why Webb Hubbell got $700,000 in money after he left his job and before he went to prison?

Or if you do not want to talk about that, can we talk about Charlie Trie, who is a friend of the President, from Arkansas who funneled $700,000 in contributions to the President's legal defense fund?

If you do not want to talk about that, could we talk about Charlie Trie's Macao-based benefactor that wired him $1 million from overseas banks.

There is enough here that surely we can talk about one issue besides the gentleman from Indiana (Mr. BURTON) and Republicans who do not say things correctly.

Mr. STUPAK. If the gentleman would yield, to the original question on the technicalities——

Mr. KINGSTON. No. Let me reclaim my time.

Mr. STUPAK. You have got to let me answer.

Mr. KINGSTON. No. I think you have already said you have given me an F for grammar, an F for credibility, whatever. I understand that. So do not go back down that trail. I am giving you another two.

Mr. STUPAK. Let me answer your question.

Mr. KINGSTON. Mr. Stupak, I was a salesman, and when you get the order, you get the order. The sale is over with. Go home. I am giving you the order. I am going on to a different issue.

Mr. STUPAK. I am trying to sign my name.

Mr. KINGSTON. I am trying to say, you won that round.

Now I am asking you, which one of these other issues do you want to talk about?

Mr. STUPAK. Mr. Salesman, I am trying to sign my name to your order form.

Mr. KINGSTON. I am always glad to yield to my friend, the gentleman from Michigan, in hopes that he will answer the question finally.

Mr. STUPAK. To sign your order, Mr. Salesman, the answer would be, yes, I would grant him immunity if I was on the committee. Based upon those facts, if they were correct, I would grant him immunity. That is your original question. I would agree with you.

Mr. KINGSTON. How about the gentleman from Wisconsin?

Mr. BARRETT of Wisconsin. I am on the committee.

Mr. KINGSTON. Have we sold you, brother? Can you come around?

Mr. BARRETT of Wisconsin. For me, the issue is credibility and fairness. So you can paint these pictures. I am standing here with no documents; you have got some documents that obviously have been prepared as a tactical point.

Mr. KINGSTON. Reclaiming the time, this is, as a matter of fact, available to you, as it is me. It is the statement of the gentleman from Indiana (Mr. BURTON).

Mr. BARRETT of Wisconsin. That is fine. It is over. For me, it is over in the committee. When you have a committee chair that uses a term, calls the President a term that I think both of you gentlemen would wash out your kids' mouth with soap and says he is out to get the President, I think it flunks the fairness test. That is what it is. It has flunked the fairness test, and it has flunked the credibility test.

Mr. KINGSTON. So because the gentleman perceives the procedure as being unfair, then he says there is no problem.

Mr. BARRETT of Wisconsin. No. No.

Mr. KINGSTON. The issue is the gentleman from Indiana (Mr. BURTON) is so unfair that the potential that the Chinese Communist government is infiltrating our government is not an issue because we do not like the gentleman from Indiana (Mr. BURTON).

Mr. BARRETT of Wisconsin. Would the gentleman yield?

Assuming what you say is true, and I do not know that it is, and that you are bothered by it, I think you heard us talk about every single editorial has said this committee basically has lost its credibility.

Mr. KINGSTON. Wait a minute. Reclaiming the time, if I can go on the technicality argument so eloquently demonstrated by my friend from Michigan, you said ''every editorial.'' Why, that is not true at all. The editorials in my hometown paper, the editorial that I have somewhere around here from the Washington Post says get over the gentleman from Indiana (Mr. BURTON). Look at the tapes. So if you want to get into that—

Mr. HAYWORTH. Indeed, I thank my friend from Georgia because, since we sadly have lapsed into hyperbole and always want to be mindful of the technical requirements of our good friend, the gentleman from Michigan, we can indulge in an institutional memory in this Chamber long before I arrived here.

Indeed, the Wall Street Journal opined on this subject this morning, discussing the tactics of previous chairmen in this House, how one gentleman ''used to arrange to have full, detailed news stories appear the same morning his victims were scheduled to testify.''

It is very interesting to hear these protestations of a lack of fairness when history is replete with so many abridgements, so many convenient sharings of facts from so many committee chairmen for so long under a previous majority. Again, while we could score debating points, that simply only serves to distract us and play tit for tat when there is a larger question at stake.

Though the truth may ultimately turn out to be uncomfortable perhaps for us all, indeed for us all, why would anyone choose to obfuscate and call into question fellow Members of Congress when, instead, the problem, as much of the evidence indicates, has little to do with the rules of this House and everything, sadly, to do with the reported practices, questionable practices of fund-raising and relationships, and sadly what in fact could turn out, Mr. Speaker, to be crimes.

Why not get to the heart of the matter? The people in my district want to know.

Mr. KINGSTON. Reclaiming the time, we have about 30 minutes. I want to say that you are the first two Democrats who would be willing to come down here and discuss this. It speaks well for both of you and your convictions.

I wanted to say, also, there are certainly a lot of gray areas in this whole debate. But I also say that there is a heck of a lot of partisanship being exhibited that goes beyond the gentleman from Indiana (Mr. BURTON).

Why do we not do this? Why do we not all kind of keep this ball rolling and talk for about a minute each, and everybody can get in his point or two. Of course, if I look real bad, I will claim more time, but if that is agreeable, why do we not do that?

Mr. BARRETT of Wisconsin. I would be more than happy to. It is your time.

Mr. KINGSTON. I yield to the gentleman from Wisconsin, and I will keep this on my watch.

Mr. BARRETT of Wisconsin. Okay. If I wanted to be a partisan hack on this issue, the smartest thing in the world for me to do would be to say, keep the gentleman from Indiana (Mr. BURTON) in that chairmanship, because I have seen these editorials, and I mentioned the editorials I have referred to. The editorials have skewered them. They have not been good, frankly, for the Republicans.

So I would say let him stay there, but I am interested in having the truth. I think that there are other people on this committee, I am on this committee, the gentleman from California (Mr. COX), the gentleman from Connecticut (Mr. SHAYS), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from California (Mr. HORN), there are many others on that committee who could run that committee and frankly would have credibility.

I think what we have to do is, we have to have a search for the truth. Again, for me, sadly the committee no longer has credibility. That is what the issue is for me. I would be lying to you if I told you anything else. It just simply no longer has any credibility.

I want to thank the gentleman from Georgia (Mr. KINGSTON). As usual, he is a gentlemen. And I appreciate the opportunity to engage with him on this, and the gentleman from Arizona (Mr. HAYWORTH) as well.

Mr. KINGSTON. Do not leave yet, because I do want to respond to that. The gentleman's 60 seconds were just running out.

Let me say this, if the gentleman from Illinois (Mr. HYDE) was the chairman of that committee or the gentleman from Florida, (Mr. CANADY) or the gentleman from Florida (Mr. MCCOLLUM), from a distance, it sounds great.

But when we think about what happened to the gentleman from Michigan (Mr. EHLERS) when he was looking at California vote fraud, he and the gentleman from Ohio (Mr. NEY), the cochair, leading people on that committee were accused of racism even though both Republicans have Hispanics in their immediate family, the gentleman from Michigan (Mr. EHLERS), three Hispanic grandchildren, but he was called a racist by many, many Democrats.

I think that we have gotten into this habit of, if you do not like the content of the debate, attack the person. So if it was not the gentleman from Indiana (Mr. BURTON) and it was the gentleman from Illinois (Mr. HYDE), I am sure we would all start talking about something about him that folks found offensive.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. STUPAK). And, note, I came in at 10 seconds left to go.

Mr. STUPAK. A couple of things. You agreed on the point that we were on some technicalities, but when you are doing investigations like this, or discussions, technicalities, truth has to prevail over technicalities. In the last comments of gentleman from Arizona (Mr. HAYWORTH), you know he is talking about all these other things, but the end does not justify the means.

We have the Constitution here. We have an oath of office. We have a Bill of Rights. We have a Privacy Act. The gentleman from Indiana (Mr. BURTON) was warned not to release those things, and he still did. There the end is trying to justify the means, and you cannot do that. You cannot trample constitutional safeguards to make your points, whatever they may be.

I do not think the gentleman from Illinois (Mr. HYDE) or the gentlewoman from Maryland (Mrs. MORELLA) or the gentleman from California (Mr. HORN) or any others would have done that when they get a letter from the AG saying, this is highly sensitive, do not do that. I do not believe we would have been reading about these tapes in the paper. I think they are sensitive to those things.

I do not think there is a personal agenda with these others, which the gentleman from Indiana (Mr. BURTON) has more or less admitted to. That is what loses credibility in our eyes and the eyes of the American people.

Mr. KINGSTON. Mr. Speaker, I yield to Mr. HAYWORTH.

Mr. HAYWORTH. Mr. Speaker, let me congratulate my friends from the other side for again trying desperately to shift this focus to another Member of Congress, who has endured great criticism in the media, as have other people who are not Members of Congress. The name Kathleen Willey comes to mind and many others who have been placed in a situation where, if they appear to make statements that are contrary either to the minority on this Hill or to those who now reside at the other end of Pennsylvania Avenue, are called into question, their character is called into question. But I think it is worth noting, if we accept for just a minute the premise that——

Mr. KINGSTON. Mr. Speaker, the gentleman's time has expired.

Mr. HAYWORTH. Let me thank my friend, the gentleman from Georgia, for being so judicious to our colleagues on the other side of the aisle.

Mr. KINGSTON. The clock does not lie.

Mr. HAYWORTH. I will sit back and listen with great interest to what the gentleman has to say.

Mr. KINGSTON. It is not my time. I was going to yield to the gentleman from Wisconsin (Mr. BARRETT), but I will yield my time to the gentleman from Arizona (Mr. HAYWORTH).

Mr. BARRETT of Wisconsin. I will thank the gentleman from Georgia very much. He has been a gentleman.

Mr. HAYWORTH. Can I just make a point? This is a very serious question for the American people. I appreciate the comity and the civility, but I would hope on this issue and many others it would never degenerate into levity because what we are discussing is very serious. It goes to the heart of our constitutional Republic.

My friend, the gentleman from Michigan said the ends do not justify the means. Accepting that, then all these matters could be cleared up if over 90 witnesses had not either taken the fifth amendment or fled the country.

Indeed, Mr. Speaker, if the President of the United States who several weeks ago told the press corps and, by extension, the American people that we deserve the facts sooner, not later, would simply come forward and share those facts with the American people. Again, I would remind my friends who remind us that the ends do not justify the means, who are quick to point to our Constitution that, indeed, the Constitution of the United States gives this branch of government, the legislative branch of government, oversight of the actions in the other two branches.

□ 2245

Oversight of actions in the executive branch of government. And, indeed, I am sorry my friend from Michigan did not stay with us, Mr. Speaker, because there is one question that is out there. For if the ends do not justify the means, how then do we reconcile not only the gulf between the statement of our President, who said the American people deserve the facts sooner, rather than later, how then do we also reconcile, Mr. Speaker, the statements of the Vice President of the United States, who in meeting the press after allegations, and indeed later substantiated that fund-raising phone calls were made on Federal property from the White House, then attempted to tell the American people at a press conference that his legal counsel informed him there is no controlling legal authority?

You see, Mr. Speaker, and my colleague from Georgia, this goes to the heart of the matter. There is a controlling legal authority. It is called the Constitution of the United States, and, by extension, the Constitution articulating that it is the Congress of the United States that shall have that oversight.

Indeed, the question remains, as I listened with great interest to my friend from Wisconsin, at long last, is there not one, is there not one member of the minority, who would step forward to vote to grant immunity, as advocated by the Justice Department, so that these serious allegations can be addressed? Is there not one who is willing to step forward?

Is there not one who can heed the lessons of history? And I think, Mr. Speaker, of the former Senator from Tennessee, Howard Baker, who put principle above partisanship, who was willing a quarter century ago to let the chips fall where they may. And I just wonder Mr. Speaker and my colleague from Georgia, have our friends on the other side taken a profoundly different lesson from that history, that the notion of stonewalling and obfuscation and changing the subject can somehow resonate?

Good people can disagree, but the truth should be our guide.

Mr. KINGSTON. If the gentleman will yield, it is interesting you brought up the contrast of Howard Baker and the Republican minority during the Watergate scandal compared to JOHN GLENN. You know, JOHN GLENN, my elementary school hero shared by so many kids, how far he has fallen from those days, high in the stratosphere, to being a lowly politician.

Here is a quote that when he was the ranking member of the Senate Oversight Committee on the Thompson committee, FRED THOMPSON asked how the investigators could get more information when so many people had fled the country? JOHN GLENN's response was, ''That is their problem.''

The SPEAKER pro tempore (Mr. BURR of North Carolina). The Chair would remind Members that it is not appropriate to make references to sitting members of the Senate, and would ask the Members to respect that.

Mr. KINGSTON. I think that is a good point, Mr. Speaker. I will submit this for the record, because it is straight out of the editorial page, May 11, Roll Call Magazine.

The SPEAKER pro tempore. The Chair cannot entertain a request to insert personal references to a sitting member of the Senate.

Mr. KINGSTON. Mr. Speaker, I will move on.

Here we have a situation where DAN BURTON's big crime, even though he has broken no law, but he is being accused of disclosing doctored tapes. First of all, no tapes whatsoever were altered. These were not tapes that were eavesdropping, surreptitiously sneaked into the household of the Hubbells.

This is where Webb Hubbell, convicted felon, sat in jail and talked with his wife when she came to visit him, and over their head was a sign that said, ''All conversations are recorded. If you want your lawyer, come get him.'' These tapes are public. They came from the prison. Webb Hubbell is a convicted felon.

In those tapes, Ms. Hubbell makes reference to the fact that she is worried about losing her job in the Department of Interior if they do not cooperate with apparently the White House.

In there Ms. Hubbell talks about the White House squeeze play. In there Mr. Hubbell talks about, ''I will have to roll over again for the White House.''

These are serious matters. Why did they make these statements? Yet not one Democrat member of the committee has the slightest bit of curiosity about it.

Mr. HAYWORTH. I thank the gentleman from Georgia. Again we should point out that since there was the great brouhaha between the alleged discrepancies in the transcript from the majority and the minority version as sent out by the ranking minority member, Mr. WAXMAN of California, both transcripts contained that verbiage.

Again, my colleague from Georgia, would you repeat the comments of Mrs. Hubbell and the comments of Mr. Hubbell? Because I think it is important, Mr. Speaker, that the American people take note that even amidst the great hue and cry and wailing and gnashing of teeth and technical arguments offered by the other side, these statements appeared in both transcripts and directly on the audio tape. Those statements again, Mr. KINGSTON, were?

Mr. KINGSTON. That Ms. Hubbell feared that she would lose her job at the Department of Interior if Mr. Hubbell took actions against the Clintons. Ms. Hubbell said she feels she is being squeezed by the White House. Webster Hubbell says, ''I will have to roll over one more time for the White House.'' That comes from what, 180 hours worth of tapes.

Keep in mind, I will yield back to you, but between the time he resigned from his job and was convicted, Webb Hubbell received $700,000 in payments from friends and associates of the President. $100,000 came from the Riady family associated with the Lippo Group of Indonesia. The payment came within 10 days of a meeting at the White House involving the President, John Huang, James Riady and Webster Hubbell.

This is serious stuff. This is not about DAN BURTON and his style as chairman and how he may have offended somebody. This is about the security of the United States of America. This is serious stuff.

Mr. HAYWORTH. I thank my colleague for yielding. Again, I am not an attorney, I never played one on TV, but there is an expression in the law dealing with a preponderance of physical evidence.

Now, Mr. Speaker, it bears repeating. Despite the valiant efforts at misdirection to focus attention on a committee in this House, again, what is at stake here is the rule of law and, yes, sadly, alleged law breaking within the executive branch of government, with actions taken by those involved in fundraising for the reelection efforts of those involved in the executive branch of government, with apparent foreign donations.

From where I hail, Mr. Speaker, the Sixth District of Arizona, we are always on the watch for wildfires in our wooded areas in the northern part of the district. The expression ''Where there is smoke there is fire″ often, often, appears to be true.

Now, Mr. Speaker, what the American people need to keep in mind is more than a curiosity, how a disgraced former Justice Department official could, between the time of his sentencing and his arrival in Federal prison receive $720,000 in income, that is a major question, and how over 90 witnesses in the committee's investigation of these matters have either taken the Fifth Amendment against self-incrimination or have fled the country.

Mr. Speaker, the people of the Sixth District of Arizona, whom I am honored to represent, offer this common observation: Is there not fire where the smoke appears; or at least should not that be investigated? And indeed there are pressing problems, problems I am prepared to address from the well of this House with my voting card in terms of the issue that confront us.

But our constitutional charge, Mr. Speaker, is to uphold and defend the Constitution of the United States. Do we sacrifice the Constitution to convenience, or to the predictable cacophony of protests from left-leaning newspapers and editorial boards across the country? I would say no, that principles should always eclipse polling, and that principles should transcend popularity. This, Mr. Speaker, goes to the fundamental question of the rule of law.

Dwight Eisenhower offered a guide for those of us involved in public life. President Eisenhower's admonition was to never indict personalities when dealing with subjects of interest; never to engage in personalities.

By Ike's standard, Mr. Speaker, indeed by the standards of the American public, what we have seen with the spirited campaign of disinformation, whether it comes against Katherine Willey or a chairman of a committee of the Congress of the United States, celebrated in a book written by a Washington Post journalist as being the spin cycle, what we have seen, sadly, in our public discourse and dialogue, is every effort to engage in personalities, and, indeed, through spin, one could fancy that someone as virtuous as Albert Schweitzer could be transformed in the spin cycle to someone as loathesome as Charles Manson.

Mr. KINGSTON. If the gentleman will yield, I think that that is what is very important. I do not believe that the President of the United States is as guilty as some people seem to believe that he is. I really do not. I think he is surrounded by some characters who are very shady, very suspicious and who have broken some laws, and my direct question is, what laws were broken, why were they broken, and did the United States security suffer from it?

If the gentleman does not mind, I want to make a point. We hear so much about Ken Starr is on a witch hunt. Let me give you the names and charges and the year that people that he has dealt with have been convicted.

David Hale, conspiracy, false statements, 1994; Charles Matthews, bribery, 1994; these are all convicted. Eugene Fitzhugh, bribery, 1994; Robert Palmer, conspiracy, 1994; Webster Hubbell, fraud, 1994; Kneel Ainley, fraud, 1995; Chris Wade, fraud, 1995; Stephen Smith, conspiracy, 1995; Larry Kuka, conspiracy, 1995; James McDougal, fraud, 1996; Susan McDougal, fraud, 1996; William Marks, fraud, 1997; Governor Jim Guy Tucker, fraud, 1996 and 1998; John Haley, fraud, 1998; Webster Hubbell, this is under indictment, tax evasion, 1998; Susan McDougal, obstruction, contempt, 1998.

This is finding the head of the snake. Slowly but surely, these people, by a Democrat-appointed special prosecutor, have been convicted. Yet we hear over and over again that this is a witch hunt.

I am very concerned about the integrity of the government and the security of the United States when we hear such rhetoric.

Mr. HAYWORTH. I thank my colleague for yielding. The irony of some of the point-counterpoint, Mr. Speaker, is nothing short of breathtaking. Indeed today, as Members of the press faithfully reported, our President held a conference and invited the press corps in to talk about international justice and the pursuit of those who had allegedly committed crimes against this Nation beyond our borders and the concern of the pursuit of international justice.

Mr. Speaker, I would submit that the most meaningful first step that our President could take toward preserving international justice would be to use the considerable power of his good offices to persuade over 90 individuals who have either taken the Fifth Amendment or fled the country to testify and cooperate fully and/or to return to these shores so that they might be questioned.

□ 2300

Again, Mr. Speaker, the people of the Sixth district of Arizona who have contacted me on this issue say, hey, listen, where there is smoke there is fire, or at least you should check these things out; respectfully request that if, in fact, there is nothing to these stories, and indeed we all share the notion of a presumption of innocence until guilt is proven, why then is there such stonewalling? Why then is there such a reluctance to have at the truth? Why then are we subjected to the cavalcade of personal attacks based on whomever may level an accusation or make a charge at that particular moment within the press corps?

The expression has to do with a preponderance of physical evidence. Indeed, sadly, there is a preponderance of rhetorical evidence and a cycling of the spin cycle which indicates sadly that behavior seems to be contrary to the desires the American people have for a full, fair disclosure of the facts.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, I think that when we have a situation where 92 witnesses have fled the country and we have 4 witnesses who the Justice Department says it is okay to give immunity to, and we have 19 Members of the Democrat committee who will not let these 4 witnesses, 4 very, very key witnesses, who will not let them testify under the guise that the gentleman from Indiana (Mr. BURTON), chairman of the committee, has done something wrong, it is pretty ridiculous. It is a sad day for partisanship. It is a new low.

The gentlemen who were with us earlier tonight are men of integrity. I think of them as I know the gentleman does. And I know that it is true that honest people can have honest disagreements. But it would appear to me that out of 19 Members on the committee, surely one wants to hear why an operative with a Chinese-owned cigarette, Communist-owned cigarette company, why he gave $50,000 to the White House and why that company gave $400,000. I would want to hear what the witness had to say, just for that alone.

Mr. Speaker, it is the same pattern over and over again that we keep hearing; well, not this witness, not now. Of course I want to cooperate, but not tonight, not this particular day for whatever reason. We hear so much about the DAN BURTON releasing-of-the-tapes that were not altered one bit. The transcripts had mistakes on them, and that was brought forward.

Now, where was this righteous indignation when Craig Livingstone and the White House operatives had 900 FBI files of private citizens, none who were in jail, none who were convicted felons like Webb Hubbell, why do we not have the moral outrage about 900 FBI files of private citizens being reviewed over at the White House?

Mr. HAYWORTH. Mr. Speaker, indeed, as my colleague from Georgia points out, how profound the gulf between the assertion of the then President-elect in late 1992 that it was his intent to have the most ethical administration in history. How wide the gulf between that assertion and promise and sadly, what has transpired, because not only 900 FBI files, not only serious questions involving foreign donors to political campaigns, not only straining assertions of no controlling legal authority from other members of the administration, but the fact that 5 current or former members of this President's Cabinet are under investigations, either former or ongoing by independent counsels.

Mr. KINGSTON. Incidentally, Mr. Speaker, I want to make the point that Don Schmaltz who is the independent prosecutor investigating the scandals at the Clinton USDA, 1995, the Justice Department wanted to fire him and call him off the investigation. Today, he has had 4 convictions and brought in $10 million worth of fines. Now, we do not hear anybody saying hey, what a fine job this guy has done. All we hear is Starr is spending too much money. What about Schmaltz?

Mr. HAYWORTH. Indeed, if we wanted to compare independent prosecutors, one need only look so far as the efforts of one Lawrence Walsh in the so-called Iran Contra affair, an investigation that continued, if memory serves me correctly, for upwards of 7 years and cost several additional million dollars than any funds spent here to date on this modest attempt to get at the truth.

Mr. KINGSTON. Mr. Speaker, I want to point out also under the Democrats, we had an 8-year investigation of Labor Secretary Ray Donovan and a 7-year investigation of HUD Secretary Samuel Pierce, and on those, I do not think there were any convictions. Starr has not been on the case 4 years, has spent $24 million, and had 14 convictions or guilty pleas. If we could get cooperation in a bipartisan manner, we could probably cut the time and the dollar amount in half.

Mr. HAYWORTH. Mr. Speaker, this comes back to a point that I believe needs to be reinforced, Mr. Speaker, the point that my colleague from Georgia makes so eloquently. Every time I am home in the Sixth district of Arizona, every week I appreciate the bipartisanship, and just the common sense of the citizens whom I am honored to serve. And these questions as they are addressed to me do not come up as questions of Republicans versus Democrats or Congress versus the White House per se; the people who contact me have a legitimate concern about knowing the truth. And that is what this should be about, despite the best efforts to change the focus, to denigrate the actions of others, to complain about substance or complain about time and ignore substance and substantive facts, that remains the mission.

Indeed, Mr. Speaker, in this hour of difficulty, I think it is incumbent upon us all to simply ask a question: Are we prepared to defend the rule of law? Are we prepared to find out the truth? Regardless of political philosophy or partisan stripe, are we prepared to do those things? Should we not do those things in this society? Should we not reaffirm that no person is above the law? Should we not reaffirm that there is a controlling legal authority in our society? It is called the Constitution of the United States. Woe to us as a constitutional republic, woe to us as a society if we say, no, it is really not important. It has everything to do with the future of our constitutional republic and fairness and the rule of law.

Mr. Speaker, I thank the gentleman from Georgia (Mr. KINGSTON) for sharing this time, and I know he has some closing thoughts.

Mr. KINGSTON. Mr. Speaker, let me just say this: I think it is important for us to know that justice knows no party. If Republicans have done wrong, let them pay the price. If Democrats have done wrong, let them pay the price. Whether the person is popular or not, let justice be blind, and let us do it in a bipartisan manner.

These attacks on the chairman and Members of Congress and the investigators have to stop. Let us all be serious. Billy Graham, Perry Mason or Mickey Mouse, in doing the investigation of the chairman of the committee, they too would be attacked and smeared and denigrated. It is time to stop it, it is time to work together to get this thing over with so that we can go on to the business of the people: balancing the budget, protecting our streets from illegal drugs, reforming health care, preserving and protecting Medicare and

Social Security, and doing all of the important things we need to do. Let us get past this investigation and do the work of the great American people.

□ 2310

A CALL FOR AN INVESTIGATION OF MALTREATMENT OF PERSONNEL IN THE U.S. NAVY

The SPEAKER pro tempore (Mr. BURR of North Carolina). Under the Speaker's announced policy of January 7, 1997, the gentleman from Illinois (Mr. RUSH) is recognized for the remainder of the time until midnight.

Mr. RUSH. Mr. Speaker, I come before you today to bring to your attention a disturbing pattern of conduct that has taken place in the United States Navy. My constituent, Lt. Commander Sheryl Washington, who is in the gallery, is a victim of an effort by the U.S. Navy to stifle the voices of those who dare to bring to the surface the maltreatment of those who serve our Nation.

Lt. Commander Washington is an 18-year veteran of the Navy. She has been brought up on charges and an administrative separation proceeding because she supposedly refused to appear for duty. Such administrative proceedings are used to remove persons from military service. Lt. Commander Washington was absent from duty because she was convalescing following a serious automobile accident. Her commander claims she did not contact him during this time. However, Lt. Commander Washington has phone records which clearly disprove this charge.

Lt. Commander Washington was found to be medically disabled by both military and civilian physicians. In total, Lt. Commander Washington was absent for about 3 weeks, from November 12, 1996, to December 2, 1996. She was excused from duty by the military physician from November 15 through the 22nd, as well as November 27th through December 2nd. Ironically, it is this excused period of time that is the basis of the action taken against her, as opposed to the entire 3 weeks of her absence.

I ask Members, how is it possible that a person can be brought up on charges of misconduct for only part of the time that they are absent, and such absence has been justified by military medical personnel? Maybe someone can answer that question. I certainly do not have the answer. It does not seem logical to me.

I question the judgment of Navy personnel in the handling of this matter because, as I indicated earlier, their logic is severely flawed. A period of absence is authorized or it is unauthorized. It cannot be both. I ask the Navy, was Lt. Commander Washington's absence authorized or unauthorized? I state, it cannot be both.

Furthermore, Lt. Commander Washington has submitted to a polygraph examination, which she passed, but for some reason the witnesses whom the Navy is relying upon have not agreed to take a polygraph examination. Does the Navy have a double standard? It appears so to me and to others.

While stationed at Miramar Naval Base, Lt. Commander Washington became aware of the fact that an African American woman who was also stationed there had been gang-raped and sexually assaulted. Both Washington and the rape victim were assigned to the rehabilitation center. Although senior people in the chain of command were aware of what was happening to this young woman, no action was taken by the admiral or any other officers in charge, and this admiral's name is Admiral Marsh.

Perhaps the officers at Miramar thought the rape of this woman was justifiable punishment because she had the audacity to let it be known that she believed that there had been a misappropriation of equipment and supplies by those in charge, knowledge which this young lady was told to keep to herself. Maybe that is why the powers that be did not think twice about the safety of this woman, because they assigned to her an all male barracks which had no privacy nor any sense of security.

This tragic rape of this young woman occurred in 1992, and no investigation took place until 1994, when a naval chaplain, Chaplain Willy Williams, had the courage to reveal what had happened to a reporter, who then reported the story on the evening news.

Lieutenant Commander Washington had previously reported her knowledge of these events to a chaplain, a previous chaplain at a naval base she was later assigned to in the area. It was her sense that this prior chaplain was aware of this misconduct, but was unwilling or afraid to do anything. It was not until the later chaplain, Chaplain Williams, came forward that an investigation commenced, 2 years after this tragic event happened to this young lady at Miramar.

It is ironic, bitter irony, that Admiral Marsh, who was in charge of the investigation into Lt. Commander Washington's conduct, is the same officer who is in charge of the Navy Alcohol Rehabilitation Center at Miramar Naval Base in San Diego, where Washington was stationed from 1991 to 1993, the same person, Admiral Marsh.

When Washington reported what she considered to be racist conduct by the commanding officer at Miramar, she was quickly transferred without notice. The recent investigations initiated, Mr. Speaker, at Great Lakes Training Center, located in the Chicago area, are yet another manifestation of the Navy's insensitivity to our service personnel.

Investigators have been sent to review recruitment and training policies amidst allegations of sexual misconduct, sexual harassment, improper relations between instructors and recruits, as well as an overall climate of hostility and intimidation. It is obvious from the events that have taken place that the U.S. Navy is more concerned with saving face than ensuring the integrity of our military system.

Upon learning of such, it is obvious that no lessons were learned by the Navy from the Tailhook scandal. It keeps going on and on and on, these allegations of sexual harassment, improper relations, discrimination, intimidation by superior officers.

Mr. Speaker, I sincerely, honestly believe in the essence of my soul that this situation surrounding Lt. Commander Washington and the brutal attack on naval female personnel, person, at Miramar deserves an immediate investigation.

□ 2320

The careers of stellar officers have been tarnished because of an environment of fear and forced silence is being perpetuated by the United States Navy. I am saddened by this, but we must all stand up, because if our military system cannot respect the lives of those who serve us, then they cannot truly serve and protect our Nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BURR of North Carolina). The Chair must remind all Members that under clause 8 of rule XIV, it is not in order to introduce or otherwise recognize or call attention to persons in the gallery.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MYRICK (at the request of Mr. ARMEY) for today on account of a death in the family.

Mr. BATEMAN (at the request of Mr. ARMEY) for today and the balance of the week on account of illness.

Mr. GILCHREST (at the request of Mr. ARMEY) for today and May 13 on account of official business.

Mr. SKAGGS (at the request of Mr. GEPHARDT) for today and the balance of the week on account of illness.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for Tuesday and Wednesday, May 12 and 13, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Mr. KLINK, for 5 minutes, today.

Mr. EDWARDS, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.