

Clinton is set to sign the defense bill early next week. After he does, Marie, who works on personnel issues at the Pentagon, will be discharged within six months. She will retain her medical benefits but will not be entitled to retirement benefits or the kind of substantial disability pay she could have gotten had she remained in the Army until she became too sick to work. She will also lose the health insurance she has for her daughter.

White House officials said they hope to have some alternative to the provision ready when Clinton signs the bill. Among the options under consideration is to have Clinton sign an executive order that would allow service members to retain health insurance for their dependents or to support legislation to repeal the provision.

AUTHORIZING TESTIMONY BY FORMER SENATE EMPLOYEE

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 221, a resolution submitted earlier today by Senators DOLE and DASCHLE; further, that the resolution be agreed to, the preamble agreed to, and the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

So the resolution (S. Res. 221) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 221

Whereas, the plaintiff in *Margaret C. Carlson v. Mike Eassa, et al.*, No. MDA 7203, a civil action pending in the Superior Court of California, County of Monterey, is seeking testimony through submission of a declaration by Amy L. Silvestri, a former employee of the Senate on the staff of Senator William V. Roth, Jr.;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Amy L. Silvestri is authorized to submit a declaration in the case of *Margaret C. Carlson v. Mike Eassa, et al.*, except concerning matters for which a privilege should be asserted.

Mr. DOLE. President, the plaintiff in a child support controversy pending in California Superior Court has requested that a former caseworker for Senator WILLIAM V. ROTH, JR., submit a declaration for use in that proceeding. The plaintiff, who resides in Delaware, obtained assistance from Senator ROTH's office in aid of her efforts to obtain child support.

The substance of telephone conversations between Senator ROTH's case-

worker and the Monterey County District Attorney's office, which has responsibility in child support matters in California, has become an issue in the case, as a contention has been made that Senator ROTH's caseworker had authority to speak for the constituent regarding proposed settlement of the case. Senator ROTH's former caseworker has informed the plaintiff's attorney to the contrary that she never sought to convey to the District Attorney instructions about settling the case or represented herself as authorized to speak for the constituent in approving a settlement.

Senator ROTH believes that it is appropriate for his former caseworker to submit a declaration describing her conversations with the District Attorney's office to ensure that the Court is accurately informed about the limited role played by his office.

Mr. President, this resolution would authorize Senator ROTH's former caseworker to submit a declaration in this matter.

AUTHORIZING THE PRODUCTION OF DOCUMENTS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 222, a resolution submitted earlier today by Senators DOLE and DASCHLE; further, that the resolution be agreed to, the preamble agreed to, and the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

So the resolution (S. Res. 222) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 222

Whereas, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs conducted an investigation into allegations concerning the Department of Justice's handling of a computer software contract with INSLAW, Inc.;

Whereas, in the case of *INSLAW, Inc., et al. v. United States of America*, Cong. Ref. No. 95-338X, pending in the United States Court of Federal Claims, counsel for the plaintiffs have requested that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs provide copies of records from its investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the chairman and ranking minority member of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, acting jointly, are authorized to provide records to all parties in the case of *INSLAW, Inc., et al. v. United States of America*, except concerning matters for which a privilege should be asserted.

Mr. DOLE. Mr. President, earlier this year, the Senate agreed to Senate Resolution 114, referring to the Court of Federal Claims S. 740, a private bill for the relief of a computer software firm, INSLAW, Inc., and its owners, William A. and Nancy Burke Hamilton. The purpose of the referral was to obtain a report from the court about allegations that the Department of Justice appropriated computer software developed by the INSLAW firm without paying for it and whether INSLAW has legitimate legal or equitable claims against the government arising out of its contractual relations with the government.

Some of the matters at issue in this congressional referral case were earlier the subject of an inquiry by the Senate Permanent Subcommittee on Investigations. As part of the civil discovery plan that the parties are undertaking under the court's supervision in this case, the plaintiffs' counsel has written to the leadership of the Permanent Subcommittee on Investigations seeking access to evidence obtained by the subcommittee in the course of its inquiry on subjects covered by the congressional referral.

In Senate Resolution 302 of the 102d Congress, the Senate authorized the Investigations Subcommittee to provide evidence from its inquiry to a Justice Department special counsel conducting an earlier investigation into these matters.

The leadership of the Subcommittee would like to assist the court by responding to the plaintiffs' request for relevant evidence from its investigation. Such assistance appears particularly warranted in this matter inasmuch as this litigation results from a referral initiated by the Senate.

Mr. President, this resolution would authorize the Investigations Subcommittee, acting through its chairman and ranking member, to provide copies of relevant investigative records to the plaintiffs, with copies to the Justice Department, in response to this request.

Mrs. KASSEBAUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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