

Obviously some people broke the law in the Whitewater events, but the evidence indicated neither a violation of the law nor of ethical standards by Bill Clinton or Hillary Clinton while he served either as President or as Governor of Arkansas.

But the misuse of the FBI files is another matter. Both the White House and the FBI are at fault. The President probably is not personally involved, but it happened in his White House and administration and it should not be treated as a minor mess-up by the President or his staff. The misuse of police powers by governments is as old as governments themselves, and something that must be constantly guarded against.

The abuse of the FBI files comes at a time when there are two other abuses.

One is the Senate investigation which spent almost \$2 million, received testimony from 139 witnesses, and took more time than any investigation of a sitting President in our history—longer than the Watergate or Iran-Contra hearings. "Where there is smoke there must be fire" is an old saying, but those hearings were designed to create smoke. Not only is there a product of questionable worth, we took testimony from many individuals who never in their lives thought they would testify before a Senate Committee, such as secretaries. Some were terrified by the combination of coming before a committee and being on national television.

A second abuse is the multiplying like rabbits of special counsels—really special prosecutors—with no limits on their expenses and their ability to use huge resources from the FBI and other agencies. I voted for the law creating the special counsel, but now I sense we need a better answer.

Since the FBI and the work of U.S. attorneys fall under the jurisdiction of the Attorney General, my sense is that we should review the possibility of a change in how we structure that office. It differs from other cabinet posts in its broad police and prosecutorial responsibilities, and the recent FBI debacle and the runaway habits of the special prosecutors, might provide an incentive to the next Congress and President to look at this question.

For example, we might have an Attorney General appointed for a 10-year term, with a small bipartisan group giving the President a list of five names to choose from, and also giving him the ability to request a new list of names if he found them unsatisfactory, but still requiring confirmation by the Senate. And then have no special prosecutors.

This is not a criticism of Janet Reno, who is a much-above-average Attorney General. Another example of a good appointment is President Gerald Ford's naming of Ed Levi, then president of the University of Chicago. No one felt that at any time Gerald Ford could get Ed Levi to do anything but what he believed was in the best interests of the nation. That is the way it should be.

My hope is that out of the present mini-storms something constructive can happen. ●

#### INDIGENOUS CONSERVATIONIST OF THE YEAR AWARD HIS MAJESTY KING TAUFU'AHU TUPOU IV

● Mr. INOUE. Mr. President, all Americans are concerned about the world's environment and how to protect it. Parts of the world not close to most of us still affect all of us greatly. One part of the world that is remote to most Americans, but vitally important to all of our welfare, is the rain forest. All of us are endangered by the de-

struction of rain forests that is occurring all over the world. The rain forests constitute unique and irreplaceable ecosystems sometimes called the lungs of the earth. In addition to their function in replenishing the Earth's atmosphere, the rain forests provide essential protection against global warming, contain hundreds of plants found nowhere else on Earth, house many animals unique to the rain forests alone, and provide protection against destruction of coral reefs and marine life. I would like to bring to your attention the efforts to save these vital systems and to recognize an individual who is being honored for his own efforts to save the rain forests.

His Majesty King Taufa'ahu Tupou IV of the Kingdom of Tonga has been selected to receive this year's Seacology Foundation Award as the Indigenous Conservationist of the Year in recognition of his superb efforts to preserve the rain forest and indigenous Polynesian culture. His Royal Highness' successes include providing royal protection for the peka or flying fox colony in Kolovai Village in Tongatapu Island. He is also responsible for protecting the primary forest of 'Eau Island and for establishing a system of nature preserves throughout the Kingdom of Tonga. None of these achievements would have occurred without His Royal Highness.

Seacology Foundation is a nonprofit foundation founded to help protect island ecosystems and island cultures. Seacology scientists include experts in endangered species, island flora and fauna, and island ecosystems. One hundred percent of the money donated to Seacology goes directly to building schools, hospitals, installing safe water supplies, and meeting other needs of the rain forest villagers so that they will not have to sell off the rain forest to survive. Seacology scientists donate their time as well.

I congratulate His Majesty King Taufa'ahu Tupou IV and the Seacology Foundation for all of their efforts.

I ask that the letter from Paul Alan Cox, Ph.D., chairman of the board of the Seacology Foundation, to His Royal Highness be printed in the RECORD.

THE SEACOLOGY FOUNDATION,  
Springfield, UT, December 15, 1995.

His Majesty King TAUFU'AHU TUPOU IV,  
The Kingdom of Tonga.

YOUR ROYAL HIGHNESS: It is with deepest respect that I inform your royal highness that you have been selected as the 1996 Indigenous Conservationist of the Year by the Seacology Foundation. This annual award is made to honor those indigenous people who have performed heroic service in preserving their own ecosystems and cultures.

After careful consideration of the activities of your majesty in providing royal protection for the peka or flying fox colony in Kolovai Village in Tongatapu island (which is the oldest flying fox refuge in the world), for your protection of the primary forest of Eua island, for your support in establishing a system of nature preserves throughout the Kingdom of Tonga, and for your life-long

service as an interpreter and custodian of Tongan culture, both ancient and modern, the Scientific Advisory Board of the Seacology Foundation has unanimously voted to honor your majesty with this award, which is the most prestigious conservation award for indigenous people in the world.

The Seacology Foundation invites you, at our expense, to attend an award dinner in your honor and a presentation ceremony in Salt Lake City, Utah to receive your award, which will consist of an engraved plaque and a cash award of \$1,000. Fine Nau and I will meet with you personally to arrange a convenient date for this event.

Because of your stellar service, both public and private to conservation, and because of the tremendous example of dedication and courage that you have set for your own people—the Polynesian Islanders—and for indigenous peoples throughout the world, the Seacology Foundation is pleased to bestow upon you the most distinguished award for indigenous conservation in the world by naming you 1996 Indigenous Conservationist of the Year. We offer you our sincere appreciation for your tremendous devotion to protecting this planet.

Warmest personal regards,  
NAFANUA PAUL ALAN COX, Ph.D.,  
Chairman of the Board. ●

#### THE DEFENSE DEPARTMENT AUTHORIZATION

● Mr. SIMON. Mr. President, the annual Defense Department authorization passed by the Senate would create a Corporation for the Promotion of Rifle Practice and Firearms Safety. In a weekly column that is distributed to newspapers in Illinois, I discussed this useless and wasteful program.

I ask that the column be printed in the RECORD.

The column follows:

A BOONDOGGLE FOR THE NRA  
(By Senator Paul Simon)

Buried in the annual Defense Department authorization bill is an outrageous gift of \$77 million that will benefit something called the Corporation for the Promotion of Rifle Practice and Firearms Safety.

This corporation is the new "private" incarnation of the old National Rifle Association-backed Civilian Marksmanship Program. This program was intended to make sure people could shoot straight in case they entered the military. In recent years, however, it has simply funneled cash, weapons and ammunition to private gun clubs, thanks to the power of the NRA.

Until a Federal judge ruled it unconstitutional in 1979, gun clubs which participated in this program were required to be NRA members.

Under public pressure to eliminate this useless and wasteful program, Congress "privatized" the program last year.

In fact, the corporation is private in name only. When the corporation becomes fully operational in October of this year it will be given by the Army: 176,218 rifles the Army views as outmoded, but valued at \$53,271,002; Computers, vehicles, office equipment and other related items valued by the Army at \$8,800,000; 146 million rounds of ammunition valued by the Army at \$9,682,656; \$5,332,000 in cash.

That totals \$77,085,658.

Our friends in the National Rifle Association strongly back this measure and it appears to be a boondoggle for them.

What the Army should do with outmoded weapons is to destroy them. Our government

has a theoretical policy that it does not sell federally owned weapons to the public. The Civilian Marksmanship Program violates this policy, and the new corporation would continue to violate it.

Why we should be subsidizing rifle practice—which is the theory behind this—baffles me. Hardly any of those who will use the weapons will enter into the armed forces. The Defense Department did not request this.

I had never fired a rifle or handgun before entering the Army, and with minimal training I became a fair-to-good marksman.

Senator Frank Lautenberg of New Jersey and I tried to eliminate this incomprehensible expenditure from the bill and we got only 29 votes for our amendment. The NRA still has power.

We should be reducing the numbers of weapons in our society, not increasing them.

A government policy of destroying weapons and not selling outmoded guns to the public is sound.

While rifles are not the primary weapons for crime—pistols are—some of those 176,000 weapons will get into the hands of people who should not have them. If 1 percent reach someone who is irresponsible, that is 1,760 weapons.

Let me in advance extend my sympathy to the families of the people who will be killed by these weapons. They will be needless victims of this folly. ●

#### U.S. AID TO AFRICA

● Mr. SIMON. Mr. President, The salaries of the most elite professional basketball players who became free agents and signed contracts during a 1-week period in July outstripped the amount of United States development aid to all African nations except Egypt. I discussed this development in a weekly column written for newspapers in my State and ask that it be printed in the RECORD.

The column follows:

NBA Star Pay Shoots Past U.S.  
Development Aid To Africa

(By Senator Paul Simon)

Ask people at any town meeting whether we are spending too much money on foreign aid and there will be a resounding "yes" response—but there would not be if they knew the facts.

The world's poorest continent is Africa, and this year we are spending \$628 million in development aid to African nations, if Egypt is excluded from the calculation.

Compare that with the total for the contracts signed July 11th to July 18th for free agents with the National Basketball Association: \$927 million.

Twenty-nine African nations have total government revenue less than the amount paid to these star athletes.

I have no objection to the money earned by Michael Jordan and the others. They are players of unbelievable talent. And the people of the nation are not making any great sacrifice to provide these funds for them.

Nor are we making a great sacrifice in foreign aid.

That \$628 million in aid to Africa compares to \$1.2 billion we get from one cent of gasoline tax in the United States. So the aid to Africa is slightly more than one-half cent a gallon, if we were to use the gasoline tax to pay for it, which we are not.

The United States was once the most generous nation in helping the poor beyond our borders. Now, of the nations of Western Europe and Japan, Australia and New Zealand, we are dead last.

We once gave almost 3 percent of our national income to help the needy beyond our borders, and now we give less than one-sixth of 1 percent. Norway gives eight times as much as we do, in percentage terms.

Foreign aid is less than 1 percent of our Federal budget. And the total is getting smaller each year.

Should we be doing a better job of giving opportunity to the poor here at home?

Of course we should. And those of us who advocate doing more to help the poor at home are the same ones who advocate helping them beyond our borders.

If instead of giving the Defense Department \$18 billion more than they requested for this year and next, which we are doing, we were to devote one-third of that amount to helping the poor here at home, one-third to helping the impoverished in other countries, and one-third to reduce the deficit, we would have a stronger nation, a better nation, and a more stable world.

The United States is gradually becoming more short-sighted and provincial both at home and abroad. "Let's take care of ourselves," is the cry, and "ourselves" excludes the poor at home and the poor abroad.

And so we fall far behind in paying our United Nations dues, and do not provide adequate leadership in troubled areas at home and abroad.

Congressman Ray Thornton of Arkansas suggested that the United States should have a Marshall Plan for impoverished areas of our Nation. He is right. We need it both here and for other nations.

But that requires creativity, courage and compassion by leaders. "Welfare reform" for too many has become a code phrase for bashing the poor even more, though genuine reform is obviously needed.

The nation that led the world with the exciting and compassionate and sensible Marshall Plan is now a nation in retreat. We are now a nation that pays more money to a few professional basketball players than we spend to give opportunity to the people of Africa.

We can do better. ●

#### THE POLITICS OF WHITEWATER

● Mr. SIMON. Mr. President, my attention has been called to an article in the Miami Herald by Ernest Dumas, who is described in the Miami Herald as "Sometime critic of Bill Clinton who teaches journalism at the University of Central Arkansas, and writes a column for the Arkansas Times. A former political writer, and associate editor of the Arkansas Gazette in Little Rock, he wrote this article for the Herald."

I don't believe I've ever met Mr. Dumas, but he has written an article that gives a perspective on the Whitewater situation that I frankly have not seen in the media elsewhere.

I call this to the attention not only of my colleagues in the Senate and in the House, but I call this to the attention of editorial writers who may be looking through the CONGRESSIONAL RECORD.

It gives a very different perspective on "The Politics of Whitewater."

I ask that the Miami Herald article be printed in the CONGRESSIONAL RECORD.

The article follows:

[From the Miami Herald, June 23, 1996]

#### THE POLITICS OF WHITEWATER

(By Ernest Dumas)

When Sens. Jesse Helms and Lauch Faircloth, the North Carolina Republicans, had

lunch in 1994 with their old friend and protégé, Judge David R. Sentelle of the U.S. Court of Appeals for the District of Columbia, even they must have fathomed the importance of what Sentelle was about to agree to do.

His Judicial panel would remove Robert B. Fiske Jr. as the independent counsel for Whitewater and replace him with a far more doctrinaire Republican, Kenneth W. Starr, who had lost his job as solicitor general when Bill Clinton became president and who was representing the Republican National Committee and groups hostile to the Clinton administration, including the tobacco industry.

Starr would keep the Whitewater investigation on track for the 1996 presidential election all right, but he would prove far more valuable to his party.

The majority report of the Senate Special Whitewater Committee last week said the two lending institutions that were the heart of the scandal were "piggy banks for the Arkansas political elite."

It was half true. A who's who of Arkansas Republicans had helped David L. Hale plunder his federally subsidized small business investment company.

Hale, who triggered the Whitewater investigation and the appointment of an independent prosecutor when he accused President Clinton of asking him to make an illegal loan in 1986, actually was illegally channeling federal tax dollars into the campaign of Clinton's Republican opponent. Moreover, according to his testimony at the trial in April, he was paying the Republican state chairman to help him defraud the federal Small Business Administration. Another former state Republican chairman and perennial candidate was on the books for a substantial federally subsidized loan when the Clinton administration moved to shut Hale down in 1993. Other prominent Republicans collaborated with Hale to skim money from the company.

Other than Gov. Jim Guy Tucker, then a private businessman, and the ubiquitous James D. McDougal himself, the owner of Madison Guaranty Savings and Loan Corp., no Democratic political figure had anything to do with the dummy companies and scams that Hale ran.

Thanks to Kenneth Starr, this is not the picture Americans got of Whitewater.

Not only did Starr not seek indictments against the Republicans when they began to turn up on every chapter of the examinations of Hale's small-business lending company, he did not call them as witnesses at the trial at Little Rock. The prosecutors persuaded the trial judge not to allow the deeds of Hale's Republican collaborators to be used as proof of selective prosecution. It would have confused the picture of Whitewater, a story about the rascality of Bill Clinton and his Democratic friends.

The special prosecutor's refusal to explore any of the Republican bigwigs to the glare of trial—while leveraging misdemeanor pleas from many spear carriers in the real estate deals who made no profits from the deals—makes a compelling case that the investigation is politically motivated and the prosecution selective.

Hale ran a federally licensed and subsidized small business investment company at Little Rock called Capital Management Services, which in 1992 applied to the Small Business Administration for another \$45 million. It claimed an expanded capital base. He didn't get approval before the election and Clinton's SBA in 1993 got suspicious. When auditors began digging into the company's records, Hale told the SBA to just forget the whole thing. Clinton's new SBA director, Erskine Bowles, referred the matter to the Justice Department. When the SBA put Hale's