

allows them to use their God-given talents to ensure economic and political freedom.

We must put in place those policies that allow us to provide essential Government services, help those who cannot help themselves and build the infrastructure that provides us with opportunity and promise for the future. We must work to ease the excessive tax burden being shouldered by families.

It would be a noble work, indeed, in this Senate, if we could provide for the time when decisions could be made by families at the kitchen table with regard to their economic and political future, when parents had more options. We must provide them.

Through reform and reduction of our tax burden, this process can begin. The opportunity exists at this time, and the time is now. It ensures parents the opportunity to raise their children comfortably and provide for a stable, financially secure future. Thank you, Mr. President.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour 2:15 p.m.

Thereupon, at 2:04 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

The PRESIDING OFFICER. The Chair, in his capacity as the Senator from Indiana, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

(The remarks of Mr. LEVIN pertaining to the introduction of S. 576 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEVIN. Mr. President, I ask unanimous consent that after I speak for 4 minutes, the Senator from Illinois be recognized at that time.

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

THE ATTORNEY GENERAL'S INDEPENDENT COUNSEL DECISION

Mr. LEVIN. Mr. President, I want to comment on the independent counsel decision of the Attorney General.

The Attorney General's obligation is to follow the law. It is not to respond to political pressure from whatever source.

Now, over the last weekend, there were some extraordinary attempts made by a number of House Republican leaders to literally scare the Attorney

General into doing what they wanted. Both Speaker GINGRICH and Majority Leader ARMEY said Sunday, in effect, that if the Attorney General did not seek an independent counsel, it is because she caved in to administration pressure.

I ask unanimous consent that the April 14 article of the Washington Post, entitled "Republicans Warn Reno on Independent Counsel," be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. LEVIN. Mr. President, those comments by the Speaker and the majority leader of the House constitute an attempt at political intimidation and coercion. Their message to the Attorney General was that if she doesn't seek the appointment of an independent counsel, she would run the risk of being brought before a congressional committee and that she would be investigated, she would be put under oath, as though she, somehow or other, is violating her oath.

The statements by the Republican leaders in the House fly in the face of the very purpose of our independent counsel law. Now, this is a statute that we passed, on a bipartisan basis, to take politics out of criminal investigations of high-level officials. But the Speaker of the House and the majority leader of the House worked mighty hard to put politics right back into the law. Their threats to the Attorney General—and that is exactly what they were—to make her do what they want were inappropriate, and they jeopardize the very law that they are demanding she invoke.

She is required and was required to follow the law, wherever it leads her, despite the clumsy efforts at political intimidation of the Speaker of the House and the majority leader of the House. Their comments and their efforts to intimidate and coerce her to reach a conclusion that they believe is the right conclusion are inappropriate; they undermine a very important law, and they put that law's usefulness into jeopardy.

There are thresholds in the independent counsel law. The Attorney General has gone through, very carefully, in her letter to the Congress why it is she does not at this time seek the appointment of an independent counsel. She has gone through the evidence that she has and has indicated why the thresholds in the statute have not been met. She has done so carefully and professionally.

I urge every Member of this body to read the Attorney General's letter to Senator HATCH before they join any partisan effort to attempt to undermine the purpose of the law and to partisanize it.

Now, Senator Cohen and I worked mighty hard to reauthorize this law. We did it more than once. We did it because it holds out the hope that serious allegations against high-level officials

can be dealt with on a nonpartisan basis. That hope is being dashed by the kind of excessive comments that the Speaker of the House and majority leader of the House engaged in last weekend when they engaged in threats and coercion, attempting to politically intimidate the Attorney General of the United States. She has not shown a reluctance to use the independent counsel statute when the threshold has been met. She is following the law to the best of her conscience and ability. She has done a professional job. I commend her for following the law and the public integrity section recommendation in her Department, rather than bowing to political pressure. I emphasize that she has not, and I believe will not, bow to political pressure from whatever source or whatever direction.

I ask unanimous consent that the Attorney General's letter to Senator HATCH be printed in the RECORD at this time.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, April 14, 1997.

Hon. ORRIN G. HATCH,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On March 13, 1997, you and nine other majority party members of the Committee on the Judiciary of the United States Senate wrote to me requesting the appointment of an independent counsel to investigate possible fundraising violations in connection with the 1996 presidential campaign. You made that request pursuant to a provision of the Independent Counsel Act, 28 U.S.C. §592(g)(1), which provides that "a majority of majority party members [of the Committee on the Judiciary] * * * may request in writing that the Attorney General apply for the appointment of an independent counsel." The Act requires me to respond within 30 days, setting forth the reasons for my decision on each of the matters with respect to which your request is made. 28 U.S.C. §592(g)(2).

I am writing to inform you that I have not initiated a "preliminary investigations" (as that term is defined in the Independent Counsel Act) of any of the matters mentioned in your letter. Rather, as you know, matters relating to campaign financing in the 1996 Federal elections have been under active investigation since November by a task force of career Justice Department prosecutors and Federal Bureau of Investigation (FBI) agents. This task force is pursuing the investigation vigorously and diligently, and it will continue to do so. I can assure you that I have given your views and your arguments careful thought, but at this time, I am unable to agree, based on the facts and the law, that an independent counsel should be appointed to handle this investigation.

1. The Independent Counsel Act:

In order to explain my reasons, I would like to outline briefly the relevant provisions of the Independent Counsel Act. The Act can be invoked in two circumstances that are relevant here:

First, if there are sufficient allegations (as further described below) of criminal activity by a covered person, defined as the President and Vice President, cabinet officers, certain other enumerated high Federal officials, or certain specified officers of the President's election campaign (not party officials), see 28 U.S.C. §591(b), I must seek appointment of an independent counsel.