IN HONOR OF CAROLYN M. GREENBERG

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Carolyn M. Greenberg, a resident of my district whose term as chair of Community Board 8 in Manhattan has just ended.

In taking on this position, Mr. Greenberg committed herself to a year of hard work as a leader, trouble-shooter, and diplomat. In this capacity, Ms. Greenberg has gone above and beyond the call of civic duty. Carolyn Greenberg has long been an advocate for the Upper East Side and, in fact, for all of the residents of the City of New York.

During her time as chair and as a member of Community Board 8, she has demonstrated an unyielding dedication to the quality of life in the City. Carolyn has devoted hours of her free time monitoring local sidewalk cafes, researching community issues such as zoning regulations and environmental hazards, and attending public hearings.

She has been a member of the Environment. Parks, and Pedestrian Affairs Committees, demonstrating that her spirit of public good extends to a variety of areas. She has many areas of expertise and has been very influential in diverse community issues through the years that I have worked with her.

Ms. Greenberg served as a member of Community Board 8 from 1979 through 1985, and again from 1986 to the present. She served as first and second vice chair, then as chair from 1996 to 1997.

The efficiency and effectiveness Carolyn Greenberg has displayed in her role as chair of Community Board 8 should serve as a model for all community activists. Without people like Ms. Greenberg working to improve communities on the local level, our works as Members of Congress would be compounded tenfold. We should not only remember, but gratefully acknowledge the credit well-deserved by civic leaders. It is the hardworking people like Ms. Greenberg who keep alive the small-town feeling which could so easily be lost in a big city.

Ms. Speaker, I ask that my colleagues rise with me in this tribute to Ms. Carolyn Greenberg, a woman who has worked very hard to improve her community. Thank you.

HUGHSON HIGH SCHOOL HUSKIES

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. CONDIT. Mr. Speaker, I rise today to honor the Hughson High School Huskies football team for their perfect 1997 season, capped by their 34–12 victory over Colfax High School in the Sac-Joaquin Section Division III championship game, under head coach Reyn Franca. The outstanding sportsmanship, citizenship, athleticism and team spirit displayed by the Huskies reflects great credit on their community as well as the entire 18th Congressional District.

Hughson is a small community in the great Central Valley of California. It's a place known for hard working, close knit families. People care about and take care of each other. For the people who call Hughson home, family values isn't a slick sounding slogan—it's a way of life. Like most communities its size, life revolves around its high school.

Hughson High strives to maintain a stellar reputation for excellence from the classroom to the athletic fields. Arguably the best small school football team in California, the 1997 season marks the third time in seven years the Huskies have won the Sac-Joaquin Section Division III football title. Cal-Hi Sports Magazine also honored the Huskies as the state's best small school football team.

Mr. Speaker, what makes this season and particularly, this team, so impressive is the commitment team members made to each other following last year's disappointing loss in the final 22 seconds of the championship game. They made a promise to work together and to work harder than ever. That's the kind of people who live in Hughson. They don't dwell on past mistakes. They look forward to the future, roll up their sleeves and get the job done.

Homer Garza, the team's leading rusher summed it up best: "This class is real close. We knew what we had to do and we did it as a team. I think a lot of our togetherness goes along with the coaching staff. (Reyn) Franca, Bob Loretelli and Dan Walsh all prepared us to think 'we' instead of 'I'."

The Hughson High School Huskies are an example of excellence. It is with great pride that I ask the United States House of Representatives to recognize and honor the Huskies and the community of Hughson.

THE INDEPENDENT COUNSEL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 17, 1997 into the CONGRESSIONAL RECORD.

CAMPAIGN FUNDRAISING AND THE INDEPENDENT COUNSEL LAW

On December 2, 1997 Attorney General Janet Reno announced that she would not request the appointment of an independent counsel to investigate fundraising phone calls by the President and Vice President from the White House. The decision does not end further investigation by the Justice Department, the FBI, and congressional committees into these and other allegations of fundraising abuse. The Attorney General reserved the right to seek an independent counsel in the future if the evidence so warrants.

Her decision may nonetheless mark a turning point in the fundraising scandal, perhaps signaling the beginning of the end of the investigation. The appointment of an independent counsel, in contrast, would have subjected the White House and Democratic National Committee to the wide-ranging investigative and prosecutorial powers of the counsel and almost certainly prolonged the inquiry for many years.

What is the independent counsel law? Congress enacted the independent counsel law in 1978 in response to Watergate and the seeming inability of the executive branch to investigate and prosecute crimes by senior administration officials. The statute aims to handle such cases in an impartial manner, thus restoring public confidence in the process. An independent counsel is appointed by a panel of judges at the request of the Attorney General, and works outside the executive branch.

When is the law triggered? The Attorney General must request the appointment of an independent counsel if there is specific and credible information that a crime may have been committed by a high-ranking official, or for others for whom it would be a conflict of interest for the Justice Department to investigate. The Attorney General, however, may not ask for an independent counsel to investigate allegations that the Justice Department would not prosecute under its existing standards.

What was the focus of this investigation? The Attorney General focused her inquiry on whether the President and Vice President made fundraising calls from the White House in violation of a federal law known as the Pendleton Act. This law was enacted in 1883 in an effort to prevent federal officials from shaking down their employees for contributions. It has since been expanded to cover certain solicitations of private persons, but has been rarely enforced in recent times. Applying this law to the White House phone calls raised difficult legal issues. First, it was unclear how the law might apply to the White House residence (where the President lives) as opposed to White House offices (where he works). Second, it was unclear what types of solicitations the law was intended to proscribe. Some had argued the law covered solicitations for so-called "hard money" contributions, which are contributions for specific federal campaigns and are stringently regulated, while others said it also covered solicitations for so-called "soft money" contributions, which are contributions for general party-building activities and are only lightly regulated.

What did the investigation find? The Justice Department concluded that the President made two thank-you calls to contributors and one call soliciting money. Those calls, however, were made from the White House residence, which, the Attorney General said, was not covered by the law under existing Justice Department guidelines. The investigators also reviewed 45 fundraising calls from White House offices by the Vice President. The Attorney General determined that the calls were meant to raise "soft money," which she said was not covered under the specific terms of the act.

What has been the reaction to the decision? Critics have focussed less on her analysis of the Pendleton Act, which many consider sound, than on the scope of her investigation. First, critics say she asked the wrong legal question: her focus should have been on the Democratic Party's advertising campaign on behalf of the President, which was funded by "soft money" contributions and coordinated with the President. Critics say the President and party leaders intentionally sought to evade the spending caps to which presidential candidates must agree as a condition of receiving federal funds. Others would respond that campaign finance laws in this area are hopelessly ambiguous and that both sides used similar techniques to evade spending limits.

Second, critics say the Attorney General focused her inquiry too narrowly on potential violations of an obscure and rarely-enforced federal law, rather than on the wider pattern of fundraising abuses, including the use of the White House for fundraising purposes. These critics say the independent counsel law was designed for such sensitive