

Government to either Lippo or the Chinese, or both, she has the responsibility to share that information with the Senate Intelligence Committee, and to share it as soon as she finds it.

Second, if she comes across any indication that there was an illegal transfer of money from either the Lippo Group or the Chinese Government, or both, into the Democratic National Committee, she has the responsibility to share that information with the Governmental Affairs Committee immediately after she finds it. We can always reconvene in S. 407. We can always go into executive session. But she has a responsibility, by virtue of her determination to keep this matter to herself rather than giving it to an independent counsel, to be that responsive and that accountable to this Congress.

I say to her, "Madam Attorney General: By making the decision to keep this to yourself you have your work cut out for you. In addition to the pattern of poor memory at the highest level, you have a flock of witnesses who have fled the country. You have a flock of witnesses, including members of the White House staff, who have taken the fifth amendment. You have an intricate and almost massive task. And this Senator at least will be watching with great interest to see how you discharge it."

I yield the floor.

EXHIBIT 1

U.S. SENATE,

Washington, DC, March 13, 1998.

Hon. JANET RENO,
Attorney General of the United States, Department of Justice, Washington, DC.

DEAR MADAME ATTORNEY GENERAL: During its investigation of campaign finance irregularities, the Senate Governmental Affairs Committee uncovered a series of established contacts between the Chinese Government and the Clinton Administration. These contacts could have been used as conduits for the two-way passage of classified information and illegal campaign contributions.

For example, the American Intelligence Community has concluded that the Riady family of Indonesia has had "a long term relationship with a Chinese intelligence agency". The Community further concluded that the Chinese intelligence agency "seeks to locate and develop relationships with information collectors, particularly persons with close connections to the U.S. Government." The Committee determined that (1) the Riady family and its associates were the leading source of campaign funds for the Clinton-Gore ticket in 1992, and (2) the Riady family was able to place one of its top officials, John Huang, at the Commerce Department where he had access to sensitive intelligence information. The Committee also concluded that six individuals—John Huang, Charlie Trie, Maria Hsia, Mochtar and James Riady, and Ted Sioeng—have some affiliation to the Chinese Government.

In a number of circumstances, including allegations against Cabinet officers Henry Cisneros, Michael Espy and Bruce Babbitt, you have decided that potential conflicts of interests required the appointment of an Independent Counsel. The Chinese conduit issue raised by the Committee is far more significant to public confidence in the proper functioning of the American Government than any of these cases. Further, the six individuals named by the Committee all have

strong links to "covered persons" under the Independent Counsel statute. Therefore, I believe that the appointment of such a Counsel is required. I urge you to reconsider your decision not to do so.

However, if you persist in your decision to retain jurisdiction within Justice over these cases, it is incumbent on you to agree to do two things as your investigation proceeds: (1) Inform the Senate Select Committee on Intelligence of possible classified information that may have flowed through the conduit from the Clinton Administration to the Chinese Government. (2) Inform the Governmental Affairs Committee of any illegal campaign funds which may have made its way through the conduit from Chinese sources to Clinton-Gore or the Democratic National Committee.

By refusing to turn this matter over to an Independent Counsel, you have taken upon yourself the responsibility to be thorough, vigorous and timely in your investigation. Given the high level of public and congressional interest in the serious circumstances involved, it is only appropriate that the Congress continue to be kept informed of your progress.

Sincerely,

ROBERT F. BENNETT,
U.S. Senator.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I want to say to my good friend from Utah—I think Members of the Senate already know this—no one, no one in the Senate, has more articulately and persuasively defended the right of American citizens to participate in the political process, which is a constitutional right in this country; no one has more articulately been involved and persuasively been involved in an effort to stop misguided efforts to put the Government in charge of the political speech of individuals and groups, candidates, and parties than has the Senator from Utah.

But what he has done today is provide for the Senate and for the public a clear summary of the illegal activities of the current administration. The Senator from Utah has reminded everyone that it is against the law now for foreigners to contribute to American elections, for money laundering to be engaged in, and for money to be raised on Federal property.

So the Senator from Utah has done far and away the best summary of the activities of this administration going back to 1992 which either crossed the line or skirted the edge and has been lost in the sort of numbers of different occurrences.

So what the Senator from Utah has done is cut through all of this, summarize it, and give the Senate and the American public a clear indication of the sleaze factor that has ranked so high in this administration from the beginning to the end.

So I thank the Senator from Utah. I think it is the most important speech that I have heard in the Senate in many, many years. He has made an important contribution in this area, and I appreciate the opportunity to be here

on the Senate floor and to have an opportunity to hear this important speech.

I yield the floor.

Mr. BENNETT. Mr. President, I thank my friend from Kentucky.

Mr. THURMOND. Mr. President, I commend the able Senator from Utah for the valuable information he just provided to the Senate. I am amazed at what has taken place. This information is so valuable that it could be used, and should be used, in further inquiries into this matter.

Mr. BENNETT. I thank my friend from South Carolina. This is high praise coming from a man who served with my father and who has set an ethical standard of which the rest of the Senate can be proud.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Democratic leader.

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

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

THE CONGRESS BOWL

Mr. DASCHLE. Mr. President, lately we have watched, marveled at and cherished several monumental athletic achievements.

A young woman from Idaho, Picabo Street, abbreviates knee surgery recovery to win the gold medal in the Super-G at the Olympic Games in Nagano. John Elway, a 14-year veteran and one of the NFL's premier quarterbacks, leads the underdog Denver Broncos to a victory in Super Bowl XXXII. And, just last weekend, "The Great One," Wayne Gretzky of the New York Rangers, makes history by becoming the first professional hockey player to score 1,000 goals.

Mr. President, in keeping with the competitive spirit and standard of excellence embodied in such athletic feats, I want to acknowledge another noteworthy sporting accomplishment.

A little more than a week ago, on March 1, the Senate pages trounced the House pages, 70 to 35, in the Congress Bowl—a knock-down, drag-out, 8 against 8 battle to the finish. Before a standing room only crowd, the competition was fierce and the play physical in the inaugural meeting of these arch rivals. And, like Picabo Street, John Elway and Wayne Gretzky before them, the Senate athletes demonstrated superior determination, teamwork and skill in cruising to victory.

Congratulations to all who participated in the Congress Bowl—especially the Senate page team of Colin Davis, Ben Dow, Dan Teague, Sina Nazemi, Bird Bourne, Sean Boyle, Mitch

Witherspoon, Brad Wolters and Nick Messina who brought home the win in what promises to be a new and spirited long-term rivalry.

(The remarks of Mr. DASCHLE pertaining to the introduction of S. 1756 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DASCHLE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

ILLINOIS NOMINEES: MIKE MCCUSKEY AND PAT MURPHY

Mr. DURBIN. Mr. President, I seek recognition to speak to an issue which involves our Executive Calendar.

Since November of last year, there have been two names pending on this calendar of judicial appointees for my home State of Illinois. One is Patrick Murphy, of Marion, IL, to be U.S. District Court Judge for the Southern District. The other is Michael McCuskey, who is seeking the position of District Judge for the Central District of Illinois. It is unusual that these two nominees would have been on the calendar for such a long period of time, and the situation is aggravated by the fact that these vacancies are very serious, creating, in fact, what has been characterized as a judicial emergency.

The Southern District of Illinois has the second oldest judicial vacancy in the Nation. The Southern District, for which Mr. Murphy is seeking this confirmation, has been without this Federal judge for 1,952 days. In the Central District of Illinois, it has been more than 1,000 days since that judgeship has been filled. In fact, the exact number is 1,255 days.

There are four judgeships in the southern district, two vacant. Senator CAROL MOSELEY-BRAUN and I have proposed Mr. Murphy and Judge David Herndon, of Alton, to be named to fill those spots. Mr. Murphy is the only candidate who has reached the calendar to this point, but we are hopeful that Judge Herndon will as well. This 50 percent vacancy rate in one judicial district is much, much higher than the 10 percent vacancy rate which we have experienced around the Nation. In the Central District of Illinois, where I live, the numbers are exactly the same; half of the judges have not been appointed. Of course the obvious question is, What is wrong with these two nominees? Why would they sit on the calendar of the U.S. Senate for over 1,000 days? They clearly must have very serious problems. Exactly the opposite is the case.

These two gentlemen, Mr. Murphy and Judge McCuskey, were nominated by President Clinton on July 31, 1997. They were unanimously recommended by the Judiciary Committee on November 6 of the same year. They have been sitting on this calendar for 127 days with absolutely no one raising questions as to their qualifications for the job.

What happens to a person who finds himself in this predicament? I have talked to many of them. Their lives are changed. The prospect of being appointed to the Federal bench makes life difficult on a professional and personal basis.

Judge McCuskey has a family. He is trying to find a place for his family to live. Think about buying a home and not knowing when you can move into it, and then the fear that if you move too soon, you will disqualify yourself from your previous judgeship. That is what he is facing.

His family is going through a lot of turmoil this week because they had thought surely within 100 days the U.S. Senate would act on this nomination, but it has not happened.

Mr. Murphy is in the private practice of law. We have spoken from time to time. He has important cases representing people from his part of Illinois, and people are wondering: "Pat Murphy, are you going to be around? Can we count on you? Will you take this case to trial? Should we bring business to your office?"

All of these things weigh heavy on a person who has decided to make this commitment to move forward and ask to be appointed to the Federal bench.

I hope that Members of the Senate, those who will read my remarks and those who hear them, will understand that this type of thing is more than an inconvenience. It is a hardship that we should not impose on two people for whom there is no controversy.

Let's take a look at the Central District of Illinois. There are 162 cases in that district that have been pending for more than 2 years. Imagine if you were to say at some point, because of your business or family concerns or personal needs, that you had to go to court, and then you went into court with an attorney and said, "How soon will this be resolved?"

And they said, "At least 2 years."

"Two years?"

We can do better.

Fifty-five of the cases in the central district have been there for more than 3 years; 30 of the suits are related to civil rights cases, people who feel they have been discriminated against; 21 are civil rights suits; 15 are contract disputes; 9 are personal injury cases; 11 are product liability suits; and 2 are patent cases.

Let me tell you how this works, since I have practiced law in this district. When the day comes for you to go to trial after waiting 2 years, you better hope there isn't some intervening thing or event that ends up postponing it. A friend of mine took a case and, after waiting for 19 months, finally went to trial only to have a death in the family of one of the other attorneys, causing them to postpone the trial date. Then, of course, they were told they would have to wait for at least another year before the case could be tried.

When the Senate fails to do its work and confirm judges, the hardship is im-

posed on ordinary people in America and they are puzzled: "Well, why is this the case? Why does it take so long for me to get my day in court?" Is justice delayed truly justice denied? In many cases, it is. In this situation, unfortunately, the burden is on us, those men and women who sit in this Chamber and have the singular responsibility to confirm Federal judges.

The Southern District of Illinois is another sad story when it comes to the impact of the vacancies. Since 1992, case filings have increased 9 percent. People are still going to the courthouse; 58 cases there have been pending for more than 3 years; 7 have been pending for 10 years. Why is that the case? Because Judge Phil Gilbert, the active Federal judge in this district, with Judge Paul Riley, are working overtime to try to deal with a heavy criminal docket which must be dealt with first under the law and, of course, we want them to, and in trying to deal with that docket, they keep postponing the civil docket. So people wait.

In one of those 10-year-old cases in the southern district, a plaintiff sustained serious neck and back injuries that required him to pay out \$15,000 in hospital bills. He was operating a mine shuttle cart that hit a small obstruction. The cart had no shock absorbers, and he suffered a serious injury, and now he waits for his day in court.

When you take a look at the statistics that have been compiled by the administrative office of the U.S. Court System as to the median amount of time that it takes a civil case to come to trial, it tells the story even more graphically.

The Southern District of Illinois has the longest waiting period, 23 months. There are 94 districts nationwide, and the southern district has the 54th longest median time from filing to trial; the central district, 33 months. These numbers are from early last fall. More recent numbers are not going to be encouraging or much different.

We have heard from the judges in both of the districts. Phil Gilbert of the southern district has written to Members of the Senate and said they are getting the job done—and I know he is working hard with Judge Riley—but they badly need additional judges. Those are his words.

Judge Michael Mihm of the central district said that they, too, are working to keep up with the caseload, but definitely feel the pinch. They have had to delay one major civil trial. They are only getting the job done by bringing in other judges from other districts, and, of course, causing problems in those districts in the meantime.

Let me tell you about these two individuals, because I think you will come to realize why they moved through the Judiciary Committee without any controversy and why their still sitting on the calendar is a travesty of justice.

Judge McCuskey was born in Peoria, IL. He is currently a State court judge and for the last 9 years has been serving in that capacity. Before that, for 2