

under such heading for fiscal year 1998, shall remain available until expended."

Mr. BYRD. Mr. President, what does the language mean, so that I can understand it?

Mr. ABRAHAM. Mr. President, I would be happy to elaborate on the legislation. The amendment's purpose is as follows: Each year in our refugee resettlement programs, we have considerable costs associated with that. We appropriate moneys for those. In a typical year, we always have trouble at the end of the year with respect to remaining funds that need to be spent. If there is remaining money at the end of a year, it will be carried forward to use in the next fiscal year for those purposes.

Mr. BYRD. For those purposes again?

Mr. ABRAHAM. Refugee resettlement purposes.

Mr. BYRD. Thank you.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the amendment.

The amendment (No. 3539) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I believe that completes all of the amendments.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Do the managers of the bill desire a rollcall?

Mr. MCCONNELL. Yes. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Georgia (Mr. COVERDELL), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

I also announce that the Senator from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote "nay."

Mr. FORD. I announce that the Senator from New Mexico (Mr. BINGAMAN), the Senator from Ohio (Mr. GLENN), and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 3, as follows:

[Rollcall Vote No. 259 Leg.]

YEAS—90

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Allard	Frist	McCain
Ashcroft	Gorton	McConnell
Baucus	Graham	Mikulski
Bennett	Gramm	Moseley-Braun
Biden	Grams	Moynihan
Bond	Grassley	Murray
Boxer	Gregg	Nickles
Breaux	Hagel	Reed
Brownback	Harkin	Reid
Bryan	Hatch	Robb
Bumpers	Hollings	Roberts
Burns	Hutchinson	Rockefeller
Campbell	Hutchison	Roth
Chafee	Inhofe	Santorum
Cleland	Jeffords	Sarbanes
Coats	Johnson	Sessions
Cochran	Kempthorne	Shelby
Collins	Kennedy	Smith (OR)
Conrad	Kerrey	Snowe
Craig	Kerry	Specter
D'Amato	Kohl	Stevens
Daschle	Kyl	Thomas
DeWine	Landrieu	Thompson
Dodd	Lautenberg	Thurmond
Dorgan	Leahy	Torricelli
Durbin	Levin	Warner
Enzi	Lieberman	Wellstone
Feingold	Lott	Wyden

NAYS—3

Byrd	Fairecloth	Smith (NH)
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NOT VOTING—7

Bingaman	Glenn	Murkowski
Coverdell	Helms	
Domenici	Inouye	

The bill (S. 2334), as amended, was passed.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kansas, Mr. BROWNBACK, is recognized.

MORNING BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

THE APPLICATION OF THE INDEPENDENT COUNSEL STATUTE TO THE CLINTON/GORE/DNC CAMPAIGN FINANCE SCANDAL

Mr. HATCH. Mr. President, the last several weeks leading up to the end of a Congress are always a pressure packed time and a challenging time for all Members of this body. This fall, of course, is no exception. Given the legislative challenges we face, I would prefer that the Judiciary Committee's and the Senate's efforts stay focused exclusively on completing remaining legislative and appropriations items. Unfortunately, the Attorney General of the United States, Janet Reno, has diverted our attention from those issues we would all prefer to be working on because of her continued refusal to do

what the law compels her: request the appointment of an independent counsel to conduct the investigation of the fundraising activities surrounding the 1996 reelection campaign. I thank my ranking member on the Senate Judiciary Committee, Senator LEAHY, for being willing to meet with me and Attorney General Reno and others for almost 3 hours this morning and into the afternoon.

We met along with top officials and staff of the Justice Department, including Deputy Attorney General Holder, Criminal Division Director James Robinson, Former Task Force head Charles LaBella, FBI Task Force lead agent James DeSarno, Public Integrity head Lee Radek, along with House Judiciary Chairman HYDE, House Government Reform and Oversight Chairman BURTON, and Ranking Member WAXMAN, having invited the Ranking Member JOHN CONYERS as well who could not attend the meeting, regarding the campaign finance investigation and the application of the independent counsel statute to this widespread and dangerous scandal.

I had requested this meeting in late July after the existence of the so-called LaBella memorandum had come to light. In that memo, Mr. LaBella, her handpicked lead investigator with the most extensive knowledge of the facts of this scandal, concluded that the facts and law dictated that a broad independent counsel be appointed to investigate campaign finance abuses by the 1996 Clinton/Gore reelection campaign, the Clinton administration, and the Democratic National Committee. This memo came several months after a similar written conclusion made by the Director of the Federal Bureau of Investigation, Louis Freeh.

Under federal law, the Attorney General must apply to the special division of the Court of Appeals for the D.C. Circuit for appointment of an independent counsel whenever, after completion of a preliminary investigation, she finds that a conflict of interest exists or when she finds specific and credible information that a high-ranking official included in a specific category of individuals within the executive branch may have violated federal law. The appointment of an independent counsel is a serious matter and one which the Attorney General should only initiate when necessary.

Yet, more than one and a half years ago, all ten Republicans on the Judiciary Committee felt the time had come to request such an appointment. We sent a letter to the Attorney General, as we are authorized to do by the independent counsel statute, requesting that she make an application for an independent counsel and demonstrating the evidence which requires such an application concerning the campaign finance scandal.

I must confess, as I did then, to a degree of frustration with the Independent Counsel Act. Did I appreciate having to send our letter? Certainly not.