

DSCC AND INVASIONS OF PRIVACY

Mr. BURNS. Mr. President, I rise today to alert my colleagues to what may be a very disturbing precedent. My office recently received a copy of a letter dated May 18 and sent from the Democratic Senatorial Campaign Committee to the Department of Health and Human Services. I want to read the first paragraph:

I am writing to request documents pursuant to the Freedom of Information Act, 5 U.S.C. 552 et seq., involving all correspondence, inquiries and other information requested by or provided to the following United States Senators for the time periods noted.

There are some 10 Republican Senators that are listed here over the last 10 years. I ask unanimous consent that this letter be printed in the RECORD.

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

DEMOCRATIC SENATORIAL
CAMPAIGN COMMITTEE,
Washington, DC, May 18, 1999.

HHS Freedom of Information Officer,
Washington, DC.

Re: Freedom of Information Act Request.

I am writing to request documents pursuant to the Freedom of Information Act, 5 U.S.C. §552 et seq. ("FOIA"), involving all correspondence, inquiries and other information requested by or provided to the following United States Senators for the time periods noted: Spencer Abraham, 1995-present; John Ashcroft, 1995-present; Conrad Burns, 1989-present; Bill Frist, 1995-present; Slade Gorton, 1981-1986, 1989-present; Rod Grams, 1995-present; James Jeffords, 1989-present; John Kyl, 1995-present; Rick Santorum, 1991-present; Olympia Snowe, 1995-present.

I seek all direct correspondence between the Senators or members of their staff and your office, including letters, written material, reports, constituent requests and other relevant material. I am not seeking any secondary material such as phone logs, e-mails, notations of conversations and so on. Since this is a request covering a number of years, I am willing to discuss ways to make this request more manageable to your office. Please contact me at the number above or on my direct line at (202) 485-3109.

In the event any of the documents I have requested are not available for disclosure in their entirety, I request you release any material that may be reasonably separated and released, as provided by Code of Federal Regulations. Furthermore, for any documents, or portions thereof, that are determined to be exempt from disclosure, I request that you exercise your discretion to disclose the materials, absent a finding that sound grounds exist to invoke the exemption, as provided by the Code of Federal Regulations. I also request that you state the specific legal and factual grounds for withholding any documents or portions of documents. Finally, please identify each document that falls within scope of this request but is withheld from release.

If any requested documents are located in, or originated in, another installation or bureau, I request that you refer this request or any relevant portion of this request to the appropriate installation or bureau.

I am willing to pay all reasonable costs incurred in locating and duplicating these materials. Please contact me prior to processing to approve any fees or charges incurred in excess of \$125.

To help assess my status for copying and mailing fees, please note that I am a representative of a political organization gathering information for research purposes only, and not for any commercial activity.

I look forward to your response within ten days after the receipt of this request and please do not hesitate to call me with any questions.

Sincerely,

ALEXIS L. SCHULER,
Research Director.

Mr. BURNS. Mr. President, in this letter, the DSCC is making a broad request under the Freedom of Information Act regarding any information sent from my office to HHS or received from the Department. But it just doesn't include me. I have already said that. It includes a lot of Senators—10 of them, in fact, all Republicans, all up for reelection this year.

The Freedom of Information Act request covers, "all correspondence, inquiries and other information requested by or provided to" my office over the past 10 years in the Senate, including "all direct correspondence between the Senators or members of their staff and the HHS, including letters, written material, reports, constituent requests [very important] and other relevant materials." In other words, they want access to our casework.

I have written to President Clinton demanding that he put an immediate stop to this or any similar action. What we are witnessing here is an unprecedented attempt to corrupt the nonpolitical casework system of Senate offices for political gain. I find these efforts repugnant, and if there are any Americans alive who think politics can't sink any lower, they need to look no further than right here.

Through the letter to the HHS, the Democratic Senatorial Campaign Committee wants more than just to peer into private correspondence of political enemies; it wants to leer into the private lives of those who contact their Senator seeking help with Federal agencies. I have made tens of thousands of contacts on behalf of Montanans who asked me to help them with problems they are having with the Federal Government.

These are problems which, if publicly revealed, could possibly ruin their lives. Many of these people are at the end of their emotional rope. Some of them are at the end of their financial world.

It is beyond belief that the DSCC would consider ruining the lives of ordinary Americans to be all in a day's work in order to defeat this old Senator. This effort would put a permanent chill on the ability of Senators to help constituents in need. It saddens me to think that those who view a Senator's help as their last resort may now believe they have nowhere to turn.

Just today, my office received a letter from a man in Billings, MT, whose wife we helped to receive treatment for breast cancer. As a Federal employee, she was having a hard time receiving

the treatment. And she was entitled to it. After she asked for our assistance, we were able to resolve the matter for her and she got the care she needed. When her cancer spread, the Federal bureaucracy told her she couldn't get the care she needed close to home.

Quoting his letter to me:

After becoming totally frustrated with the whole process, we just gave up. But this time we decided to fight the issue again. I turned to the Senator's office again to enlist his help. And again in what seemed to be a flash of light, the situation has been resolved.

Our office again stepped in. We cut the redtape. We helped her receive the additional radiation therapy while staying at her home in Billings.

These are the people who depend on our help—real people whose lives are literally on the line. But the man who sent me the letter specifically asked that his name not be used in order to protect his privacy and, yes, that of his wife.

Is it right that he should be subject to a Freedom of Information request, that some bureaucrat somewhere could decide on a whim to release this personal, sensitive information? It is hard to comprehend that the DSCC would use the time and the resources of the administration for political purposes in such a massive research effort, regardless of who ultimately pays.

This effort is as constitutionally breathtaking as it is politically suspect. All those who value their civil rights should be outraged at this attempt to invade the privacy of countless unwary citizens. If indeed Federal law permits it, it is an absolute shame. It is enough to make me wonder whether Americans should now expect politicians to use any means to achieve their ends—laws, morals, and ethics be damned.

Our President has said he deplors the politics of personal destruction. However, in this case we are not talking about the destruction of one political opponent, but the lives of innocent Americans. And I am sickened by it. I ask the President and all Americans to stand up against this kind of invasion of privacy, all in the name of gaining an electoral advantage.

My political opponents are welcome to engage me anytime, anywhere, on my record, which I am proud to stand on. But when you try to drag the lives of innocent Montanans into your ugly schemes, I will fight with every breath in my body. It is a sad day.

I yield the floor.

EXTENSION OF NORMAL-TRADE-RELATIONS WITH CHINA

Mr. FEINGOLD. Mr. President, I rise today to support a joint resolution disapproving the extension of normal-trade-relations status to China.

This is the fourth time that I have joined with other Senators to support such a resolution because I believe that trade policy is an effective tool that the United States can and should use