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NEWS

U. S. SENATOR FOR KANSAS

FROM:

SENATE REPUBLICAN LEADER

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STATEMENT OF SENATOR DOLE AT SENATE RULES COMMITTEE HEARING ON 1992 OREGON SENATE ELECTION

WE ARE CALLED HERE TODAY NOT TO ENGAGE IN A HIGH-WIRE DRAMA OR SUSPENSE THRILLER, BUT RATHER TO ANSWER THE PURELY LEGAL QUESTION OF WHETHER WE CAN PROPERLY EXCLUDE SENATOR PACKWOOD FROM THE SENATE.

AS I UNDERSTAND IT, THE PETITIONERS ALLEGE--AND I EMPHASIZE THE WORD "ALLEGE"--THAT SENATOR PACKWOOD LIED TO THE WASHINGTON POST AND OTHER MEMBERS OF THE PRESS ABOUT OTHER ALLEGATIONS--ALLEGATIONS THAT HE HAD COMMITTED ACTS OF SEXUAL HARASSMENT OVER A PERIOD OF MORE THAN TWENTY YEARS. PETITIONERS ARGUE THAT SENATOR PACKWOOD'S FAILURE TO BE FORTHCOMING WITH THE PRESS SOMEHOW MISLED THE VOTERS OF OREGON.

NOW, I HAVE REVIEWED THE BRIEFS BY PETITIONER'S COUNSEL AND BY COUNSEL FOR SENATOR PACKWOOD. I HAVE LISTENED TO THE ARGUMENTS MADE HERE TODAY. AND, IN THE FINAL ANALYSIS, I AM LEFT WITH MORE QUESTIONS THAN ANSWERS.

OPENING UP A CAN OF WORMS

IS EVERY ELECTION IN WHICH THE WINNING CANDIDATE MADE A FALSE OR MISLEADING STATEMENT UP FOR GRABS?

ARE WE TO UNSEAT A SENATOR, IF HE OR SHE VOTES FOR A MIDDLE-CLASS TAX INCREASE, AFTER CAMPAIGNING ON A PLATFORM OF A MIDDLE-CLASS TAX CUT?

ARE WE TO REFUSE SENATE MEMBERSHIP TO A WINNING CANDIDATE, IF WE LATER FIND OUT THE CANDIDATE WAS LESS THAN FORTHCOMING WITH THE PRESS ABOUT INTENSELY PERSONAL MATTERS--LIKE MARITAL FIDELITY, HEALTH, AND THE BACKGROUNDS OF INDIVIDUAL FAMILY MEMBERS?

IF, DURING A CAMPAIGN, A REPORTER ASKS US A PERSONAL QUESTION AND WE RESPOND "NO COMMENT," DOES THAT CONSTITUTE AN ACT OF DECEPTION, JEOPARDIZING A VICTORY ON ELECTION DAY?

SHOULD THE SENATE UNSEAT A MEMBER WHO, IN A "WEAK" MOMENT DURING A CAMPAIGN WHEN POLITICAL INSTINCTS GAVE WAY TO PARENTAL INSTINCTS, FIBBED TO A REPORTER ABOUT A CHILD'S DRUG PROBLEM OR ARREST RECORD? OR SHOULD WE FIRST CONDUCT A POLL TO DETERMINE WHETHER PUBLIC KNOWLEDGE OF THE LIE WOULD HAVE AFFECTED THE ELECTION'S OUTCOME?

THE PETITIONERS ALLEGE THAT SENATOR PACKWOOD WOULD NOT HAVE BEEN ELECTED FOR A FIFTH TIME IF THE VOTERS OF OREGON HAD KNOWN ABOUT THE ALLEGATIONS OF SEXUAL HARASSMENT. TO BACK UP THIS CLAIM, THEY CITE A POLL SHOWING THAT ONLY 35 PERCENT OF THE OREGON ELECTORATE WOULD HAVE VOTED FOR SENATOR PACKWOOD HAD THE

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