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NEWS

U. S. SENATOR FOR KANSAS

FROM:

SENATE REPUBLICAN LEADER

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## WHITewater HEARINGS RESOLUTION

CONGRESS' JOB IS FULL PUBLIC DISCLOSURE;  
PROMPTLY DETERMINE STRUCTURE & TIMETABLE FOR BIPARTISAN HEARINGS;  
COOPERATE WITH FISKE, EXERCISE LEGITIMATE CONGRESSIONAL OVERSIGHT

Those who want to blame Republicans for the recent Whitewater woes should remember a few important facts:

Republicans didn't tell Roger Altman to give the White House a "head's up" on the RTC's investigation. We didn't shred any documents. Republicans didn't tell the Rose law firm to examine the billing practices of its former partner, Webster Hubbell. We didn't force Robert Fiske to subpoena 10 White House and Treasury officials. We didn't ask Bernie Nussbaum to interfere with a Park Police investigation. Republicans haven't been accused of muscling the Office of Thrift Supervision's Midwestern Division to lay off Madison Guaranty.

And, of course, Republicans don't control the New York Times, the Los Angeles Times, and the countless other newspapers, large and small, that have editorialized in support of Congressional hearings.

Even Democrats like Congressmen Lee Hamilton, Dan Rostenkowski, and Charlie Stenholm now argue that hearings are inevitable and that public disclosure is the best way to slow down the Whitewater rapids.

No, Whitewater is not some Republican plot.

On the contrary: Whitewater has taken on water precisely because the White House has done everything possible to obscure the truth...through misstatements, missteps, omissions of fact, and at times, even some outright deceptions. After all, it was the President's lawyer who "negotiated" a subpoena to prevent--even criminalize--the public disclosure of the so-called Whitewater documents.

### Cooperate with Fiske Probe

Republicans want hearings...but, at the same time, we also want to cooperate with independent counsel Robert Fiske. That's why we're willing not to grant immunity to a single Whitewater witness. And that's why we're also willing to give Mr. Fiske a little breathing room--perhaps two weeks--so that he can conduct his investigation into the behind-the-scenes White House-Treasury meetings.

Mr. Fiske has his job to do...and it's a tough one. But Mr. Fiske must also understand that Congress has a job to do as well...and one that we are legally and constitutionally obligated to perform.

Mr. Fiske's job is criminal prosecution. Congress's job is full public disclosure.

### Many Questions -- Legitimate Subject for Oversight

The White House-Treasury meetings are clearly a legitimate subject for Congressional oversight: What public purpose was served by allowing the Deputy Treasury Secretary and the Treasury Department's general counsel to brief top White House officials? Did Treasury officials violate ethical guidelines by giving preferential treatment to their White House benefactors? Did the meetings compromise the independence of the RTC?

After all, it was the Democrat-controlled Congress in 1989 that demanded changes to the S&L bailout law, making the RTC more independent from both the White House and Treasury. It was the Democrat Congress that prohibited the RTC oversight board--which is chaired by the Treasury Secretary--from intervening in "case-specific" matters, such as civil or criminal investigations into specific institutions.

(more)

Representative Jim Leach has suggested that RTC officials in Washington may have "gagged" officials in the RTC's Kansas City regional office. News reports suggest that political pressure may have been brought to bear on the Midwestern Division of the Office of Thrift Supervision. Under any standard of oversight, these allegations merit Congressional review.

And Mr. Hubbell's resignation, amidst charges that he overbilled the RTC --and the American taxpayers--only underscores the need for a full accounting of the Whitewater mess.

Mr. Hubbell may be taking the next flight to Little Rock, but, here in Washington, he has left behind a trail of unanswered questions: did Mr. Hubbell have any discussions with White House officials about the RTC's criminal referrals on Madison Guaranty? And what contacts, if any, did Mr. Hubbell have with Paula Casey, the U.S. Attorney in Little Rock, who has recused herself from both the RTC matter and the criminal prosecution of former Judge David Hale?

I don't know the answers to these questions, nor do I have any idea what Whitewater hearings may or may not disclose. But I do know that hearings can help the independent counsel. They can promote full public disclosure. And they are absolutely essential if the President is to remove the ethical cloud now hanging over the White House.

#### Oversight in Reagan-Bush Years

As I've said before, Congress has never been shy about exercising oversight. On more than twenty occasions during the Reagan and Bush administrations, Congress investigated alleged executive branch wrongdoing. In fact, by my count, the Republican-controlled Senate conducted four separate investigations into the activities of Reagan administration officials: a staff investigation into the private business dealings of CIA Director William Casey; a hearing on the business activities of S.E.C. official John Fedders; a staff report on U.S.I.A. Director Charles Wick; and a preliminary investigation in 1986 into the so-called Iran-Contra affair. So, Republicans have been willing to investigate other Republicans, despite the political embarrassment these investigations may cause.

Even the regulations under which Mr. Fiske was appointed acknowledge the oversight role of Congress, and I quote: "Nothing...shall prevent the appropriate committees of the Congress from exercising oversight jurisdiction with respect to the official conduct of any independent counsel..., and such independent counsel shall have the duty to cooperate with the exercise of such oversight jurisdiction." That's right: the independent counsel has the "duty"--the duty--to cooperate with Congress in the exercise of its oversight authority.

#### Stop the Fingerprinting

Charging Republicans with engaging in the "politics of personal destruction" won't make Whitewater go away. It wasn't a Republican who claimed that "when the rip-off artists looted our S&Ls, President [Bush] was silent." It wasn't a Republican who resorted to "extreme words" when he said that President Bush and Vice President Quayle "appealed to our worst instincts." And it wasn't a Republican who, when speaking about the so-called Iraq-gate affair, charged President Bush with "presiding over a cover-up significantly larger than the watergate cover-up."

So, let's stop the finger-pointing. And let's get on with the hearings...bipartisan hearings...to get Whitewater behind us so that we can move on to the vital issues facing our country.

My amendment expresses the "sense of the Senate" that the Senate leadership--Democrat and Republican--should promptly determine the method, forum, and timetable for hearings into the Whitewater allegations. The amendment draws no conclusions. It levels no charge. But it does give the Senate the opportunity to show that it takes its oversight obligations seriously.

The bottom line is: one-party government should not be an excuse for hiding the truth from the American people.

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