

*Bob Dole*



NEWS

U.S. SENATOR FOR KANSAS

FROM:

SENATE REPUBLICAN LEADER

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## WHITewater HEARINGS UPDATE

### CONGRESS HAS OBLIGATION OF OVERSIGHT: CAN HOLD HEARINGS WITHOUT NEEDLESS INTERFERENCE IN FISKE PROBE

Earlier this week, independent counsel Robert Fiske weighed in, asking Congress not to hold hearings on the Whitewater affair until after he completes his investigation. Mr. Fiske cites concerns about the granting of immunity and the premature disclosure of testimony and documents. No doubt about it, Mr. Fiske has a tough job...But he must remember that Congress has a tough job too. In fact, Congress has more than a job, it has a constitutional obligation to exercise oversight over executive branch activities. And lest we forget, those of us in Congress were elected by the American people. Mr. Fiske was not. His appointment as independent counsel was never intended as an excuse for Congress to punt on its own oversight responsibilities.

#### Initial Request Was For Hearings

In fact, when I wrote to Senator Riegle last December, I requested Banking Committee hearings, not the appointment of a special counsel. I urged the appointment of a special counsel only after Republican calls for hearings had been rejected. Hearings are still necessary.

#### Address Fiske's Concerns

Obviously, we don't want to needlessly interfere with Mr. Fiske's investigation, and that's why it's important for Congress to do what it can to address his concerns. For starters, we can ensure that any committee looking into Whitewater not grant immunity to any witnesses. That should avoid the so-called Iran-Contra problem.

In addition, we can certainly work out whatever arrangements may be necessary to prevent the premature disclosure of testimony and documents.

Later today, Senator D'Amato will be meeting with Mr. Fiske, and these issues, no doubt, will be discussed.

#### Congressional Oversight Revealed Key Information

Mr. Fiske should also remember that the recently revealed behind-the-scenes meetings among White House, RTC, and Treasury officials would still be shrouded in secrecy if Banking Committee Republicans had not used the opportunity of an RTC oversight hearing to ask Whitewater-related questions. If there had been no hearing, there would have been no public disclosure of the meetings...and no subpoenas.

Congress has never been shy about exercising oversight, particularly when allegations of executive branch wrongdoing are involved. During the Reagan and Bush administrations, the Congressional Research Service estimates that more than 20 such hearings were held. Remember the hearings to examine the so-called "irregularities" in Ed Meese's 1985 financial disclosure reports? Or the investigation into the alleged misuse of a gift fund by President Reagan's Ambassador to Switzerland? Or the "October Surprise" hearings?

#### Precedent for Parallel Hearings & Investigation

And, yes, there's plenty of precedent for holding congressional oversight hearings while criminal and civil investigations are pending. The B.N.L. and B.C.C.I. hearings come to mind.

#### Stop Finger Pointing - Start Bipartisan Hearings

Yesterday, President Clinton unfortunately accused Republicans of practicing the "politics of personal destruction," suggesting that we are trying to gin up Whitewater hysteria. I categorically reject these claims.

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