

of the process for any Senator to criticize what is proposed, and to do whatever any Senator may feel appropriate in this matter.

To take a premature step before the committee's report would make a mockery of the committee's independence and its authority.

Members of the committee would live in fear that any decision could be the pretext for a loud and nasty floor fight, for a hasty, ill-conceived change to the committee's rules, or any other directives. I hope we will not allow that to happen.

And again, the principal beneficiaries of that not happening are those who are in the minority.

As a result of conversations I have had with many Members—and I must say on both sides of the aisle—I believe the clear majority of the Senate would allow the Ethics Committee to be able to complete its work, get a recommendation to the floor, and then give everybody an opportunity to say whatever they feel about the final product.

Respecting the concern that every Member of this body has that every case of sexual misconduct be fully and fairly investigated, we want to make sure that happens.

I hope the Senator from California will allow the committee to complete its work. I want to thank her for at least withholding this week. I think that was a gracious gesture. I am confident that if we can get back to work, we can finish the job.

So what I would like to do in conclusion today is announce that the committee will be meeting starting next Monday. It is my intention to have a meeting each day—if that is necessary—each day next week, and each day of the next week, in the hope that we can wrap this matter up, make all the critical decisions that need to be made and, if possible, wrap this matter up before the August recess.

I appreciate, Mr. President, the attention of the Senate. Frequently, when various ones of us speak, no one listens. But I hope that at least the staffs in the various offices who handle ethics matters will take a look at the speech that I have given today—it will be in the RECORD for tomorrow—to look at the history of the Ethics Committee; why it was set up; what it was designed to do; why it is best not to begin the process of criticizing its work before it is completed.

I hope we would all proceed with a cooling-off period and let the committee get back to work.

I say in conclusion, Mr. President, again that the committee will get back to work beginning Monday, and it would be my plan to meet each day next week and each day of the week after that, with the hope that we can make substantial progress on this case, which has taken quite some time to reach this stage.

Mr. President, I thank you for the time and thank you for the attention. Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

ETHICS COMMITTEE PROCEDURE

Mrs. BOXER. Mr. President, I am pleased that the Senator from Kentucky has announced that the Ethics Committee will be meeting Monday, Tuesday, Wednesday, and I certainly wish to thank Senator BRYAN from Nevada, who took to this floor yesterday and asked for that meeting. I also want to be clear about what my intentions are, because those intentions cannot be stated by any other Senator but this Senator.

First of all, I was very pleased that my colleague from Kentucky did not raise the specter of threats against any other Senator. That is a step forward from where we were last week. But I do feel that since the Senator from Kentucky did not ask this Senator what my intentions were, he really has no idea what I am planning to do in this matter, although he has essentially taken it upon himself to tell the Senate what I am not going to do.

Now, I also wish to thank the Senator from Kentucky for realizing that I have rights as a Senator. He did not need to remind me of that. I am aware of my rights. He said that I had a right to vote for tougher penalties in the Packwood case if I felt that the committee penalties were not tough enough. I know that because I voted for tougher penalties than had been recommended by the Ethics Committee in the House twice on sexual misconduct cases, once against a Democrat and one against a Republican. There was no room for partisanship. And contrary to what the Senator from Kentucky said, Congressman GERRY STUDDS was stripped of his chairmanship. In the next Congress, he ran again, he won and he got back his seniority. But he was stripped of his chairmanship.

So, yes, I understand the rights of Senators very well. And I will absolutely, absolutely make sure that all my rights are protected.

Now, let me make it clear I do plan to offer my amendment on the public hearings issue if the committee does not meet in a timely fashion—and I am very delighted to hear that they are going to meet on Monday; that is a timely fashion—or if after they meet, they do not vote for public hearings.

Let me repeat that. If they do not meet or if after they meet they do not vote for public hearings, I will be offering my amendment.

The Senator says my amendment treads on the Ethics Committee. We have never discussed my amendment, but nothing could be further than the truth. My amendment is very respectful of the Ethics Committee.

Yes, it says that Senate precedents and procedure should be upheld. And the Senator says there is no precedent for public hearings. I beg to differ with him. Senator BRYAN laid that out in this Chamber yesterday. I have laid that out for all to see. Public hearings

in cases that reach the final stage of an investigation is the practice of the Senate.

My amendment is very respectful of the Ethics Committee because the crux of it is that there will be public hearings but—but—the Ethics Committee by majority vote could say we will not have public hearings. And rule 26 is an important Senate rule that is there to protect witnesses, or matters of national security will allow the committee to close off parts of that hearing.

So the Boxer amendment, as I will offer it, if I have to offer it—and let me say I hope the committee votes overwhelmingly for public hearings so I will not have to—will be respectful of the committee.

My colleague from Kentucky mentioned Senator BYRD's name quite a few times. And who more reveres the Constitution than Senator BYRD?

Well, just read article I, section 5 of the Constitution, and you will find that in there it says we must police ourselves. We must discipline our own. And that is a serious responsibility of every Senator, not just the Senators who serve on the Ethics Committee but every single Senator. And that is why every Senator has a right, in my view a responsibility, if he or she feels that the investigation at this stage should be open to the public, to say so and not be intimidated and not be threatened privately, publicly, in the press, outside this floor.

Well, it was serious to me in the House. It was serious to me in the House. And for a freshman in the House to override the committee is speaking with a very loud voice.

A colleague came to me, a friend, and said, "If you persist in this, they are going to talk about your record in the House." I said, "Good. Good. I'm proud of it." Not only did I vote tougher penalties, but in 1989 I voted to change the rules in the House so that hearings would be public in the final stage of an investigation. Look at the record, 1989. And that is all I am asking for here.

How about changing the subject? We have the Senator from Kentucky reading articles from Roll Call about things that happened in the 1980's. How about working on things that happen right here?

How about bringing justice and upholding the precedents of the Senate? Let the sunshine in and let us deal with these matters.

I want again to compliment Senator BRYAN. I think in no small measure he is responsible for the fact that the committee is meeting again because the rules of the Senate allow the vice chairman to call a meeting if the chairman does not. So I want to thank him for his leadership in getting the committee going again.

My colleagues, I have never heard of a circumstance where a committee's work grinds to a halt because the chairman is unhappy with another Senator's view on a matter and says,

“That Senator might offer an amendment.” I do not know of many committee chairmen who are not facing that every day; there is somebody who does not agree with them and might offer an amendment. Do we stop the wheels of progress in the Senate because one Senator says she or he is going to offer an amendment on the floor and debate it in an open fashion, exercising his or her rights as a U.S. Senator? It is beyond me.

So I hope we do not start that again. In other words, here I am on the floor saying I am not backing off. I am glad that the committee is meeting, but I am not backing off one bit. If they do not vote for public hearings, I will be back here with an amendment.

The American people believe there ought to be public hearings. A recent CBS News-New York Times poll showed that less than 50 percent of the people think there ought to be hearings on Waco again. They have held them before. Less than 50 percent of the people think there ought to be hearings on Whitewater because they have been held before.

But 60 percent of the people believe there ought to be hearings in the open on the Packwood case. It crosses over

parties. Republicans think there ought to be open hearings. Democrats think there ought to be open hearings. Independents think there ought to be open hearings. And the committee has the protection of rule XXVI. And in my amendment, if I have to offer it, it gives them the chance on a 4 to 2 vote to close the doors altogether. That is respectful of the committee.

So a lot of people are waiting for justice to be done. We are in the final investigative stage. In every case to reach this stage, there have been public hearings. There are those on this floor who would vote for public hearings for Waco. There were those on this floor who voted for public hearings on Whitewater. I am on that special committee. We now are in our second year of hearings on Whitewater. We are looking at the Vince Foster handling of the papers again. When we are finished with that, there is another phase to go. I voted for that because I feel it is not good for the country that there is whispering or people think there is somebody covering it up. Open the doors.

But, suddenly, those who are chomping at the bit for hearings on these subjects are saying, “Well, not on this. Not on this. Do not tell the Ethics

Committee what to do.” I do not want to tell the Ethics Committee what to do. I want them to do the right thing. I stood on this floor last week and I listed every case. I feel it was a complete recitation of the precedents. Today I feel more strongly than ever that that is the right course.

I ask unanimous consent to have printed in the RECORD the history of Senate misconduct investigations under current procedures.

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

HISTORY OF SENATE MISCONDUCT INVESTIGATIONS UNDER CURRENT PROCEDURES

In 1977, the Select Committee on Ethics overhauled its rules and established a three-stage procedure for investigating allegations of misconduct. Under the procedure, the Committee first conducts a “preliminary inquiry,” and if warranted, an “initial review” follows. Only if the Committee finds that the allegations are supported by “substantial credible evidence” does the case enter the final phase, a formal investigation.

Since these procedures have been in place, every Ethics Committee case to reach the investigative phase has included public hearings. The following chart summarizes Committee action on misconduct investigations.

Senator/Sanction	Inquiry begun	Investigation begun	Hearings held
Bob Packwood/Case Pending	December, 1992	May, 1995	None.
Alan Cranston/Committee Reprimand	November, 1989	February, 1991	November, 1990-January, 1991.
David Durenberger/Censure	March, 1989	February, 1990	June, 1990.
Harrison Williams/Expulsion (Resigned)	February, 1980	May, 1981	July, 1981.
Herman Talmadge/Censure	May, 1978	December, 1978	April-July, 1979.

Mrs. BOXER. In the RECORD you will see, each and every time, public hearings, public hearings, public hearings, public hearings. Oh, they say this one might be embarrassing. I heard a colleague say, “The people are getting too much of the O.J. Simpson trial. Now they’re going to get this.”

What is the message here? If you commit an ethics violation, make it so embarrassing that you will be protected behind closed doors? I hope not. So here we are. We are moving ahead. I am very pleased that the Ethics Committee will be meeting Monday, Tuesday, and Wednesday. I will be watching and waiting and hopeful that they will hold a vote on the public hearings question. If some of them think we should not have public hearings, so be it. I will accept their opinion. I will not agree with it. And I will take the issue to the Senate floor. If they vote for public hearings, they still have the protection to close off part of those hearings if they feel it is necessary to do so.

The Senate is the people’s Senate. We did not get here because we knew the boss and got hired. We got here because a lot of people voted to send us here. This is the people’s Senate. This is not a private club. Shining the light of day on this matter and resolving it is very important, Mr. President. And I hope that next week we will hear good news out of the Ethics Committee. And I will await that news with bated breath. If there is no movement on this mat-

ter, I will be back with an amendment. I yield the floor.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

KOREAN WAR

Mr. GLENN. I ask unanimous consent to speak as in morning business for 6 or 7 minutes.

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

Mr. GLENN. Mr. President, we just came back from the dedication of the Korean War Veterans Memorial, and I just want to say a few words about that. It has been a long time since 1986 when we started this effort. A lot of people were involved; a lot of people worked very hard to see this memorial come to fruition.

Korea was sort of the forgotten war. I think there were several reasons for that. It came so closely on the heels of World War II, which was a war with many nations involved, global in scope. Then, all at once, here we were involved in Korea. The area of conflict was more geographically limited. But what transpired within the borders of Korea was every bit as violent as anything that happened anywhere in the world in World War II.

Now, I think it is a shame after the war—I always have felt this way after a war when people come back. When you leave for the war bands are playing, you are off for freedom, this sort of

thing. When you come back, sometimes the band is playing and the talk about freedom and protecting freedom is there, it is true. But when you are out there and you are in combat, the whole horizon of the world narrows down. And it is you and the people you are with in combat, its survival, and you take losses. Then you come back. Yes, it is “thank you” a little bit. But then it is sort of forgotten.

I think that was particularly true in Korea. Korea became the forgotten war, largely because it came so closely on the heels of World War II. And because, a few years later, Vietnam became such a divisive war, attracting so much attention on the national scene that Korea was really that forgotten episode out there.

I know it is not good to compare one war with another as far as losses go, not to those involved, whether families or friends, nor to the people who are out there getting shot at, wounded, and killed. I know you cannot compare one war with another and do it properly. But Korea, for the length of it, was one of the bloodiest wars that this Nation has ever fought. Vietnam was stretched out over a period of about 10 years. There were 58,000 Americans—58,000 Americans lost—killed in Vietnam. In 3 years in Korea we lost 54,000 Americans—some of the bloodiest fighting that ever occurred.

It was the Chosin Reservoir. In the annals of military history, particularly of the Marine Corps, Chosin Reservoir