

year. In my State, for example, in small towns, we have hospitals that won't be able to have a full series of services and up until now could not be certified and did not receive dollars from HCFA. We changed that so they can be something much like a clinic and have emergency care, so patients can be transferred on—sort of a wheel-and-hub concept. We did that last year.

Certainly, we need to increase the funding for Medicare and hospitals and all kinds of service providers.

A Patients' Bill of Rights, we will be working to try to do something on that. The controversy basically is how you have appeals. There have been changes, apparently, on the part of the health care providers, managed care providers, to provide more medical decisionmaking in the process, which is exactly what we need, rather than legal or nonmedical accounting kinds of decisions. So we need to pass that this year. I feel confident we will. It will be a priority.

I also believe we will make some real progress—and it is time to make progress—with regard to pharmaceuticals. We can do that. Actually, health care is something of which we should be quite proud. We have the greatest health care in the world. We also have great problems with the rising costs of health care. There are problems with HMOs and access to some breakthrough drugs. We have too many uninsured. Despite that, we have great health care, and I think it is largely because we continue to keep it in the private sector.

We need to ensure that our seniors can continue to have Medicare and that it covers their needs. We probably need to look at another change, some structural changes, so that there are choices there, where a Medicare recipient can stay where they are if they like or, indeed, set up a little like the Federal health program, where you have some choices. If you would like to add dollars to it, you can go to a different coverage than the basic one you had. I think we can do that.

I mentioned the bill of rights. It looks as if we will be able to resolve that this time, the emphasis being on decisions being made by medical providers as opposed to the economic people in the managed care system. We will be doing more research, of course, on insured, which continues to be a problem we will be able to persist with, I believe; and I don't think we will solve that by just putting a ton of money out there without making some changes.

I mentioned education, of course, and we will continue to work at that. I think our focus will continue to be funding with local decisions being made.

Social Security. I think there are resolutions on Social Security. Whether we will get to it this year, I don't

know. I hope so. I think we should. Almost everyone agrees that if we continue to do what we have been doing, we won't be able to pay the benefits at the end of this period. Much of it is simply the change in the structure of our society. I think when we started Social Security back in the thirties, there were 25 or 30 people working for every beneficiary. Now there are three. We are readily on the way to having two.

So a change would be substantially in the nature of how we pay for Social Security.

One of the opportunities of change, of course, would be to decrease benefits. Not many people are for that. Some would say we could increase taxes. The Social Security tax is the largest tax that most people pay these days.

The third one is to increase the return we have on the money in the trust fund. It seems to me to be a very logical opportunity for us to take a portion of the money people pay in—I think the caveat is that probably for most people over 50 or 55 it would not change; they would continue to go on as they are, but for younger people who are starting to pay in, part of their Social Security payment would be put into an individual account that is owned by that person. It would be invested in their behalf by contractors and it would be invested in equities. It could be in equities. It could be in bonds. It could be a combination of that, such as the plan for Federal employees. You could raise substantially the return on that money. Over a period of a person's lifetime of paying in, it would make a great deal of difference and probably ensure that those benefits would be there at the end of a period of time.

Significant change? Sure. Difficult to make? Of course. But it can be made. When you get to the options, then at least in my judgment that could become the option.

Those are some of the things I think are most important to us. We find ourselves now faced with a great opportunity to put together a priority agenda for this year. The majority party will be doing that and has done that. It will include education. It will include health care. It will include Social Security. It will include paying down the debt. It will include some kind of tax relief on an equitable basis.

It seems to me that those are the things we ought to put in as priorities. It is great to list the whole thing. It is great to go into great debates and filibusters almost by offering everything on the floor that you know is not going to happen, but I am hopeful we do not find ourselves in the position of raising issues more for the political benefit they might have in the election year as opposed to finding resolutions to those issues. It seems to me that is the challenge that lies before us.

I am very pleased to be joined during this hour by one of the leaders of our party, the chairman of our Policy Committee, the Senator from Idaho.

I yield to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, let me thank the Senator from Wyoming for yielding.

Let me also join him in his analysis, and certainly the hope that he speaks to as it relates to an agenda that the Congress might direct itself toward this year, away from, of course, the pitfalls of the kind of political rhetoric that I think we oftentimes find ourselves in especially in Presidential election years. We are now well into this Presidential year.

#### THE STATE OF THE UNION ADDRESS

Mr. CRAIG. Mr. President, I come to the floor as one who spent over 90 minutes on the floor of the House last week listening to the President's State of the Union Message.

For a few moments, I would like to kind of analyze that State of the Union Address as seen through the eyes of this Senator reflective of what I believe to be, shall I say, self-evident truth.

There is no question that our President is a gifted speaker. He waxed eloquently while spending our children's heritage and vastly increasing the size and the parental meddling of our Government by all of the new programs that he has proposed to create while claiming credit for virtually every good thing that has happened in the last century, including those things which were accomplished despite his opposition and his veto.

I say: Lyndon Johnson, move over; you heard a speech the other night that would cause your ghost to shudder. You had the record as being the biggest spending Government creator since FDR. Let me propose that this President is now vying for first place.

Let me start by analyzing his spending spree.

In his speech, President Clinton called for continued fiscal discipline while at the same time suggesting that we do a lot of other things and buying down the Federal debt.

I say, Mr. President, what hypocrisy. Until the Republican Congress imposed fiscal discipline, until the American people demanded fiscal discipline, the President consistently proposed budgets with spending and debt and deficits as far as the average person's eye could see and the greatest prognosticator of the Office of Management and Budget could look in his crystal ball and predict. He didn't refuse to stray from the path of fiscal discipline. He simply did it. We forced him to get to that path. That election occurred in 1994. We

know the rest of that story. Yet what has he proposed in his last State of the Union Message?

The Senate Budget Committee made a preliminary estimate of the new spending proposed by the President at about \$343 billion. That is about \$3.8 billion a minute for his 89-minute speech. Not bad spending, Mr. President—the most expensive speech given in the history of this country, I suggest. If the Treasury can only print about \$262 billion a year with the presses running nearly 24 hours a day, you even outspent, Mr. President, the ability of the U.S. Treasury to print it.

What about the taxpayers whose earnings the President would spend so freely?

Last week, the Congressional Budget Office, using its most pessimistic estimate, announced that there would be an \$838 billion non-Social Security surplus over the next 10 years. That is phenomenal. That is wonderful for this country. Yet the Clinton speech mentioned he would give back only about \$250 billion of it. That is less than 30 percent of the excessive income tax paid by the American people who that \$838 billion represents. However, even this paltry \$250 billion tax cut wasn't real. Much of it is disguised in new spending. Even the Washington Post, sometimes as difficult as it finds criticizing the President, said that he has artfully couched many of these new tax cuts in new spending programs. Thank you, Washington Post, for pointing that out.

What is worse? This \$343 billion in spending is just the tip of the iceberg, and the American taxpayers are riding on a potential *Titanic*.

The Clinton version of government is not the end of big government as we know it. That is what he said a few years ago. But then again let's remember the source. It is Bill Clinton.

More intrusive government? How about that.

Less personal responsibility? I think that was the message our President spoke to so clearly last week.

So let's talk about where he is, where I believe a Republican Congress is, and what I hope in the end we are able to do about it.

The President says he wants to make schools accountable—but to the Federal Government. The Republicans want to make schools accountable—but to the parents and to the young people who will be educated there. It takes Washington too long to realize the problems. Parents who deal with their children on a day-to-day basis know what the problem is very quickly.

According to the Heritage Foundation, one-third of college freshmen take remedial classes because our elementary and secondary schools are failing to teach them some of the basics. Those are the students lucky enough to go on to college. These kids

don't need the Princeton Review, as the President suggests. They need quality teachers who are accountable to parents and the local school board.

What about health care?

In 1994, President Clinton tried to remake a national health care system in this country in the image of the U.S. Post Office. Thanks to bipartisan opposition he failed. The world recognized it, and our public cheered.

In 1996, he vowed to push for Government-run health care "a step at a time until eventually we finish this." Those are his words. He would go after health care "a step at a time"—that is Government-run health care—until "eventually we finish this." "This" meaning, of course, his U.S. Post Office-style health care system. Now the President has renewed his commitment to Government-run health care with legislation that would cancel the private coverage of over 2 million Americans so he can push them a step at a time into an expensive Government-run program.

Then there was that great but very soft and smooth Federal land grab statement he made the other evening. The President said:

Tonight I propose creating a permanent conservation fund, to restore wildlife, protect our coastlines, save our national treasures. . . .

What he wants to do is annually take several billion dollars of oil and gas royalties paid to the Federal Government and buy more land and make it Federal Government land. If he is successful, it means Congress will have to find \$2 billion elsewhere to fund programs. But more importantly, the ratios of private versus public ownership would change. The Government already owns 1 out of every 4 acres of the landmass of this country, primarily in Western States; 63 percent of my State is owned by the Federal Government. Idahoans do not want Bill Clinton buying one more acre of Idaho. Why? That is the tax base that funds our local governments and funds our schools. So, Mr. President, we won't give you that money. We should not give you that money. If the environment needs protection, we can find the necessary resources without giving you a blank check to buy more Federal land.

Mr. President, the very infrastructure of our National Park System is falling apart. How about putting some money there? That is where the American public wants to go recreate. Give our parks a chance to catch up with the traffic instead of shutting them down or closing people out of them. Let's let people into our parks. Let's invest in them. We don't need to buy more property; we need to take care of that which we have.

The President said:

The major security threat this country will face will come from enemies of the nation state: the narcotraffickers and the terrorists and the organized criminals.

He boasts about "agreements to restrain nuclear programs in North Korea"—a program for direct U.S. subsidies for one of the most vicious, anti-American, terrorist-supporting, drug-trafficking regimes in the world, responsible for deaths of millions of its own people? Mr. President, I don't quite understand your priorities.

He is patting himself on the back for victory in Kosovo, a victory that means planting American troops in an alliance with what is known to be an organization of narcotrafficking terrorists and organized criminal cartels.

Mr. President, I am not quite sure you have made yourself quite clear to the American people. I think you are saying one thing when your actions clearly demonstrate you are doing something else.

The President highlights the needs for "curbing the flow of lethal technology to Iran." The Republican Congress passed a bill that would have done just that, the Iran Missile Proliferation Sanctions Act of 1997, that is H.R. 2709. And what happened on June 23 of 1998? The President vetoed it. Remarkably, President Clinton continues to support paper agreements rather than U.S. actions to keep Americans secure. Although he outlined real threats from ballistic missile proliferation in his speech, President Clinton refuses to deploy a national ballistic missile defense system to protect Americans from ballistic missile attacks. He even signed legislation calling for the deployment of such a system, although, in typical Clinton fashion, he has found many excuses to reinterpret the straightforward language of that legislation. Instead of defending America against a clear and present danger, the President hides behind outdated, ineffective, and obsolete arms control treaties.

Because of President Clinton, Americans remain defenseless against ballistic missile attack. It is interesting; the President is now calling for "constructive bipartisan dialog" on a Comprehensive Test Ban Treaty when the administration turned a deaf ear to the critical national security concerns being voiced by Republicans for the last good many months.

Despite President Clinton's best efforts to underfund and overextend U.S. military forces, it has been a Republican Congress that has consistently sent the President bills to keep our forces well trained and well equipped and properly paid. It was a Republican Congress that initiated the bill to improve the quality of life of our soldiers, sailors, airmen, and Marines, and helped retain those who were leaving who had already gained the kind of special skills that are so necessary in our military.

Hyperbole? Hypocrisy? Exaggeration? Shame on me for even suggesting that.

The President claimed credit in his speech for most of the good news in

America for the past several decades—the healthy economy, welfare reform, falling crime rates, balanced budgets, a cleaner environment, smaller Federal workforces, and social progress. Anybody who sits in the Presidency and possesses the bully pulpit when times are good can make claim and take credit, but just for a few moments let me talk about how it got done.

Mr. President, you are entitled to take credit but you can't steal Republican principles, Republican ideas, and the kind of work that went on in the Congress to make it happen. The President claimed that he ended welfare as we know it—after he vetoed it twice. Shame on you, Mr. President. It was a Republican Congress but, more importantly, it was Republican Governors out in the States who reformed welfare. We copied them. We didn't have the genius here. We were stuck in the old bureaucracy. We wanted to talk about reform but we took the ideas of the States, implemented them into the Federal program, and it worked. So, yes, you can take credit for it but you didn't do it. You vetoed the bills, you kept vetoing the bills, and on the very day that you signed them, you said we will be back to change them because we don't like this.

But, of course, it was an election year. You knew you had to sign it, and you took credit for it while at the same time you were criticizing it. I am sorry, Mr. President; I happen to read history and I happen to remember what you said. Shame on me.

On the environment, the President said:

... one of the things I am grateful for is the opportunity that the Vice President and I have had to finally put to rest the bogus idea that you cannot grow the economy and the environment at the same time.

He said:

... we have rid more than 500 neighborhoods of toxic waste, ensured cleaner air and water for millions of people. In the past 3 months alone, we have preserved over 40 million roadless acres in the national forests. ..."

Mr. President, here is the rest of the truth. Those 500 neighborhoods you claim are a product of the Superfund laws that were passed long before you got here. Also, you are taking credit for cleaner air and water. Congress passed the Clean Air Act and Congress passed the Clean Water Act under Republican direction, and subsequently amendments to change that in a way that would make it more operative—and it has worked. But you are the one who ruined regulation, through ozone and particulate matter rules, for example, that have tried to pull it down and make it less operative.

Mr. President, why don't we both take credit for the environment: past Congresses, current Congress, past administrations, current administration. We have worked together and our envi-

ronment is cleaner, and we are proud of that.

In 1995, President Clinton said balancing the budget was a bad idea. Let me repeat that. In 1995, Mr. President, you said balancing the budget was a bad idea, it was bad for the economy.

Going into 1996 and faced with poll data that indicated the American people were demanding a balanced budget, you decided to surrender on principle and argue about the details later. The size of our economic boom today is because Bill Clinton reluctantly went along with the core principles that swept Republicans into control of the Congress in 1994. That balanced budget did not happen until there was a Republican Congress shaping it and, Mr. President, you know it. Social Security taxes today are being locked up and protected to secure Social Security and, Mr. President, that was not your idea. In fact, you wanted to spend a big chunk of that money last year, and we simply would not let you do it.

President Clinton's greatest success story—the continued economic boom—is a direct result of the Republican fiscal policies enacted over the consistent objections of the President and his Democratic colleagues in the Congress. No, we will stand toe to toe on that debate. You cannot hide from your rhetoric and your actions of the past. Those were your policies before the American people said: We have gone too far; let's bring our Government under control.

President Clinton is a President who claims he wants to protect Social Security, but in 8 years, he has failed to submit a serious Social Security protection plan. And President Clinton is a President who claims he wants to protect Medicare, and yet, last year—we all know it—he whispered in the ears of those he put on that conference and said: Don't vote for it. That was a bipartisan proposal, and that is the way reform of Medicare must come.

Why didn't he want them to support it and to get it all wrapped up and finished in an election year? Because one could go out and point fingers and politicize Medicare and prescription drugs. Shame on you, Mr. President. Come back and work with us on that. Let's reinstitute the bipartisan agreement on which Democrats and Republicans stood. We will vote for it and you ought to sign it, Mr. President. And if you do, that could be your legacy. On that I would give you some credit.

We have reinvented Government, transforming it into a catalyst for new ideas. . . . With the smallest Federal workforce in 40 years, we turned record deficits into record surpluses. . . .

I was quoting the President. Our record surpluses have little to do with the size of the Federal workforce. Record surpluses were created by hard-working Americans earning money and

paying taxes and a highly productive economy. That is what has produced the surpluses, Mr. President, and it also produced record high taxes.

Another area on which I want to comment is foster care. It was fascinating to me and frustrating when the President talked about foster care. I know how that happened. I know Republicans and Democrats have their differences. We came together and we worked on it in Congress. It was not in the White House nor was it the President's idea. But because it was a strong bipartisan effort here, we happened to pass it. Democrats and Republicans at the congressional level did that, and the President has ridden on it ever since. Why? Because it worked, because children are less in foster care today, and we are finding them permanent, loving homes. No longer is the bureaucracy harboring them. Foster care is a good institution, but it is an institution that was reshaped.

Mr. President, because you signed the bill, I am willing to give you some credit for it, but that is all you did and that is all you deserve.

Then, of course, there is that issue of guns. Last June, the President said: I will not send up a licensure bill on guns because the Congress won't pass it.

Even on less controlling issues, a Democratic vote in the House killed gun control ideas of this administration. So why did the President do it this time? For Bill and AL; that is Bill Bradley, of course, and AL GORE. They are out on the stump talking about it. His party failed to make guns a national issue, and the reason they failed is because the American people know there are over 40,000 gun control laws on the books today, and the American people have grown wise. If you do not enforce the laws, the criminal element still runs rampant and commits crimes with guns.

The American people are not asking for more gun control laws. They are asking for a Justice Department that will prosecute those who violate the law. Mr. President, that is the message and, of course, that is what we will do as a Congress. We are not going to stack up more gun laws; we are going to cause the Justice Department to enforce them.

There are myriad other points of discussion, but I wanted the public and the record to show there is a very real difference between what this President said in his State of the Union Address and what actually happened and what is happening because we do not stand with this President on a variety of his ideas, and Congress and the public have largely rejected them.

Republicans will not stand for a Government-run health care system. We will pass a Patients' Bill of Rights this year. We will allow citizens to be in control of their health care and their

health care delivery, and we will enhance education this year. We will send it back to the States and local communities to control. We will save Social Security, as the Senator from Wyoming said, and I hope we can deal with Medicare.

Mr. President, what is important is that if you want to work with us to resolve these problems in the final hours of your administration, then let us sit down and begin to talk because the hour is late, and I believe you have already written your legacy. I do not think there are enough Federal dollars for you to buy a new one. The American people are going to remember Bill Clinton not for his big government ideas and his big spending but for something entirely different.

Let us begin our work in this Congress in the last session of the 106th Congress to balance the budget and to secure Social Security. I hope we can deal with a Patients' Bill of Rights. I would like to see us deal with pharmaceutical drugs for our elderly. I hope we can also deal with our farm crisis and assure a strong military.

I am not going to promise we can do all that Bill wants done and give tax cuts and buy down the debt because we cannot do all those things. Most important, we should not. I hope we can give a tax cut. We are buying down the debt. Most importantly, I say to the American people: We are not going to allow Government to grow in the image of Bill Clinton just for a legacy he would like to establish.

I thank my colleague from Wyoming for the liberty he has allowed me in the use of time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I thank my friend from Idaho. Certainly, we share all those thoughts and ideas. I want to expand in the few minutes we have remaining in our allotment of time the public land issue the Senator mentioned.

Public lands, of course, are very important to those of us in the West. As was pointed out, 1 out of every 4 acres in this country is owned by the public. My State of Wyoming is 50-percent owned by the Federal Government. Idaho is some 63-percent owned by the Federal Government. Nevada is 83-percent owned by the Federal Government. The management of these lands then, rightfully, is a public issue and one with which all of us need to be concerned.

It would not be a surprise to know that some of the issues with regard to the management of those lands are seen differently by the people who live there and who have access to the lands as opposed to those who equally own them and live many miles away. The fact is it is a public issue and it deserves public input.

There is a system that has been set up by the Congress and happens to be

followed by everyone, except the administration, which allows for public input. It requires that all ideas be set forth so that they can be considered and there can be statements made on all these issues. Sometimes it takes an excruciatingly long time to do it, but nevertheless it is a vital concept.

Now, of course, we have a different thing going on in the administration. They call it a land legacy, an effort by the President in these remaining months to leave a Teddy Roosevelt land legacy for himself and his administration. In so doing, he has done a number of things quite different from what we have seen done before and, quite frankly, has created a good deal of controversy, particularly in the West.

There are different kinds of lands, of course, set out for different purposes. I happen to be chairman of the Parks Subcommittee, so I am very interested in that. I grew up right outside of Yellowstone National Park. As you know, Wyoming has several famous national parks. We are very proud of them. Those lands were set aside for a particular purpose. They were set aside because they were unique and they were different. They are used for a limited number of purposes.

We have the forest reserve which, by its nature, was set aside, was reserved for special uses. Although there are many, part of them are wilderness areas set aside by the Congress in specific acts that limit the use, and properly so, in my view.

Then there is the Bureau of Land Management, which has a very large section of lands. Those lands, rather than having been set aside for some particular purpose, were generally what was left after the Homestead Act was completed. They were sort of residual lands that were managed, first of all, by a different agency but now by the Bureau of Land Management—clearly multiple use lands. They are used for many things.

These are the kinds of things we have. We have seen suddenly a rush for doing something in public lands. The system being used now by the administration completely ignores the Congress, which should have a say in these kinds of things, and as a matter of fact generally ignores people. One of them is the 40 million acres of roadless areas nationwide that were declared by the Forest Service.

Frankly, I have no particular quarrel with the idea of taking a look at roadless areas in the forests, but each forest has a very extensive, very expensive, very important forest plan, a process that has been gone through that requires studies, that requires proposed regulation, that requires statements, that requires hearings. That is where those things ought to be done rather than having one EIS over the whole Nation, not for the Secretary

of Agriculture to just come out and declare that there are going to be 40 million acres, and not even knowing exactly where they are.

As a matter of fact, we had a hearing with the Secretary and with the Chief of the Forest Service in which they could tell us very little about it.

Another is the \$1 billion from offshore oil royalties that the administration has asked to be given to it to spend, without the approval of Congress, to acquire additional lands.

As the Senator from Idaho said, in the Western States the acquisition of new lands is not the issue. The care of those lands, the investment in parks, the investment in forests is where we ought to be, in my view.

The Antiquities Act, which is a legitimate act, has been on the books since 1905. Teddy Roosevelt put it there. As a matter of fact, Devils Tower, in my State, was put in by the Antiquities Act and was part of Teton National Park. But times have changed, and we understand now the President is going to have 18 different land areas changed in their designation without, really, any hearings—we had one last year in Utah that the Governor and the congressional delegation did not even know about until it was done. That is not the way to do these kinds of things.

They have a proposal to change the way the Land and Water Conservation Fund is allocated. It was set up by Congress to go half and half—State and national. Now the administration wants to spend all that money for land acquisition.

BLM now has a nationwide roadless plan in which there is very little, if any, input. They have the Clean Water Action Plan, which is something done by EPA, which has to do with the control of water, which is really a way of controlling land.

Each of these things probably has some merit, but they ought to be examined. They ought to go through the system. They ought to be talked about. They ought to be agreed to, rather than imposed unilaterally by an administration.

We can preserve public lands, and, indeed, we should: they are a legacy for us. We can have multiple use on those lands. We need them for the communities. We can have public involvement. That is the way it ought to be. We can have cooperating agency agreements in which the State and the local communities ought to have a real voice in doing this.

I hope we do not politicize public lands simply because it is an election year, to the distraction of public use, to the distraction of the economies that surround them. The purpose of public lands is to preserve the resources and give a chance for the owners to enjoy it. The owners, of course, are the taxpayers.

It is an issue on which I think we will have more and more input throughout the year. I hope we do.

Mr. President, our time is nearly expired. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. GRASSLEY. I think we are in morning business, right?

The PRESIDING OFFICER. That is correct.

#### THE PENTAGON'S ACTING INSPECTOR GENERAL

Mr. GRASSLEY. Mr. President, I would like to take a moment with my colleagues to discuss a recent article that was in the National Journal. It was about the Pentagon's Acting Inspector General, Mr. Donald Mancuso. The article was written by Mr. George Wilson. Mr. Wilson was a senior defense reporter at the Washington Post for many years. He left the Washington Post in 1991 to write books. He is now a columnist with the National Journal.

Mr. Wilson is a top-notch reporter. He is respected for being very thorough and very fair. But, above all, he is respected for an uncanny ability to find the nub of a complex issue and expose it to public scrutiny in an interesting and also informative way. He had a recent article in the National Journal that is no exception. It has exposed a very raw nerve. The article is entitled: "Tailhook May Soil Choice for Pentagon's Mr. Clean." It appeared in the January 22, 2000, issue of the National Journal on pages 260 and 261.

Mr. President, I ask unanimous consent to have that article printed in the RECORD at the end of my remarks.

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

(See Exhibit 1.)

Mr. GRASSLEY. The article I refer to raises important questions, even new questions, about Mr. Mancuso's integrity and judgment. At some point down the road, this body may be called upon to confirm or not confirm Mr. Mancuso's nomination because it has been suggested that President Clinton is expected to nominate him to be the next Department of Defense Inspector General.

If that happens, then each Member of this body would need to weigh all the facts bearing on Mr. Mancuso's fitness to serve as the Pentagon's watchdog, which is also the Pentagon's top cop.

In October, my staff on the Judiciary Subcommittee on Administrative Oversight and the Courts issued, for me, a

report on the Defense Criminal Investigative Service. I am going to refer to that, as it is always referred to, as the DCIS—Defense Criminal Investigative Service.

I strongly urge my colleagues to read this report. It substantiated allegations of misconduct on the part of senior DCIS management, including Mr. Mancuso, and at least one of his investigators, Mr. Mathew Walinsky. Mr. Mancuso at that time was Director of DCIS, and he was so from 1988 until 1997.

Since that report was issued in October, my staff has been inundated with new complaints about alleged misconduct by Mr. Mancuso and mismanagement at DCIS while Mr. Mancuso was the Director of DCIS. My staff is now in the process of evaluating these allegations to determine if they have merit. Once that review has been conducted, I may issue a second report.

Getting back to Mr. Wilson's article in the National Journal, by comparison, instead of my report opening up a new can of worms, Mr. Wilson's article has opened an old can of worms—in this case, Navy worms. It explores Mr. Mancuso's role in the investigation of misconduct at the infamous Tailhook convention in September 1991. By reopening this very unfortunate episode in naval history, Mr. Wilson has shed new light on Mr. Mancuso's fitness to move into the inspector general's slot.

Mr. Wilson reports that the U.S. Court of Military Appeals condemned Mr. Mancuso and the DCIS for, in their words, "heavy-handed investigative tactics that trampled constitutional rights." According to Mr. Wilson, Mr. Mancuso's tactics included "threats, intimidation, falsification of interviews, and overreliance on lie detectors."

In an opinion issued on January 11, 1994, on the Tailhook case, the U.S. Court of Military Appeals denounced Mr. Mancuso's tactics. The court compared the Tailhook case review process, which was set up by Mr. Mancuso, to sort of an assembly line justice, where investigative and judicial functions were merged and blurred. "Merged" and "blurred" are words the court used. "Assembly line" are words the court used. The court called Mr. Mancuso's assembly line justice "troublesome."

Going on to quote the court:

At best, it reflects a most curiously careless and amateurish approach to a very high profile case by experienced military lawyers and investigators. At worst, it raises the possibility of a shadiness in respecting the rights of military members caught up in a criminal investigation that cannot be condoned.

That is what the U.S. Court of Military Appeals had to say. That is the highest military court in our land. It is often called the United States Court of Appeals of the Armed Forces. So this

highest court has condemned Mr. Mancuso for "shadiness." The court said his practices were "careless and amateurish" and even "troublesome." The court said he and his investigators failed to respect the constitutional rights of members of the armed services.

I hope the Chair will agree that these are very serious charges about a person whom the President may nominate for our confirmation as inspector general of the Department of Defense. The court's criticism—again referring to the Court of Military Appeals—may help to explain why the Tailhook investigation was a total failure. The entire investigation probably cost the taxpayers close to \$10 million and involved several thousand interviews. Unfortunately, not one single naval aviator who faced an assault charge was ever convicted by a court-martial.

As the Director of DCIS, Mr. Mancuso led the Tailhook investigation. He is accountable for failing to conduct it as a professional. A legitimate question for my colleagues and for the President: Should that same man, a man who used shady investigative tactics, a man who failed to respect naval judicial process in Tailhook, be confirmed as the Pentagon's watchdog? It is legitimate to ask if Mr. Mancuso is the best person to fill that position.

I leave those thoughts with my colleagues over the next several weeks as this nomination may come up for consideration.

I yield the floor.

EXHIBIT No. 1

[From the National Journal, January 22, 2000]

TAILHOOK MAY SOIL CHOICE FOR PENTAGON'S  
MR. CLEAN

(By George C. Wilson)

The man President Clinton is expected to nominate as inspector general of the Defense Department—the Pentagon's top cop—is coming under increased scrutiny in the Senate for questionable official conduct. Questions surround his role in the Tailhook sexual assault investigation of the early 1990s and his handling of his own investigators, one of whom pleaded guilty to stealing a 13-year-old boy's identity to obtain a false passport.

Donald Mancuso, the Pentagon's acting inspector general and probable nominee for the permanent job, formerly led the Defense Criminal Investigative Service. DCIS, which conducts most of the fraud and misconduct investigations at the Defense Department, had taken over the Tailhook investigation in 1992 after the Navy was accused of botching it.

During the Tailhook investigation, naval aviators accused Mancuso's agents of heavy-handed tactics that trampled their constitutional rights. These tactics, they maintained, included threats, intimidation, falsification of interviews, and overreliance on lie detectors. In the end, no aviator was convicted at court-martial for misconduct at the Tailhook convention, which was held in September 1991 at the Las Vegas Hilton.

The U.S. Court of Military Appeals, in its review of the Tailhook cases, criticized military lawyers and the IG's investigators—who