

Texas has addressed this subject many times, as I have, and I intend to do that.

Regrettably, I want to report to the Senate and to the American people something different, which is more evidence of the hypocrisy, corruption, and coverup which pervades this administration. Something happened last week. At a hearing of the Senate Armed Services Committee, we finally got some answers about the "investigation" concerning the March 1998 incident in which information from Linda Tripp's confidential Government security file was deliberately leaked to the media.

Linda Tripp was and still is a Government employee who works out of the Pentagon. I understand nobody wants to hear about this. They would rather hear warm and fuzzy things. People say they have already heard it before, which they have not, but they think they have. They say there are only 9 months left in this President's term. Everybody says: Shut up; let it go; leave it alone; there is nothing you can do about it. They say: Just move on to something else.

For those concerned about the politics of it, that is probably wise counsel, but some of us are less concerned about the politics than we are about the truth.

I wish I did not have to say anything about this subject, but somebody has to do it. We are talking about another crime committed in this administration. Politicians do not want to make people feel uncomfortable. As Henry Ward Beecher said:

I don't like those cold, precise, perfect people who, in order not to say wrong, say nothing; and in order not to do wrong, do nothing.

A lot of say nothing and do nothing takes place in this Senate. That is why I asked Donald Mancuso, the Pentagon's acting inspector general, a series of questions at the hearing last week. His answers revealed for the first time a number of things we previously did not know.

He told us: No. 1, the Pentagon Office of Inspector General completed its investigation of this matter in July of 1998. Spokespeople in the administration have been implying for the last 20 months that the Pentagon itself was still investigating. This is not true. It is just another Clinton lie.

What we have is evidence of a lie, a coverup, and a transparent effort to drag it out as long as possible, hoping to run out the clock as the administration's time in office winds down.

No. 2, we learned that the report—this is the report on the leak in 1998—was given to the Justice Department for criminal prosecution, and quoting Mancuso:

We felt we had found sufficient information to warrant consultation with the Department of Justice.

This means it was a criminal referral. The Pentagon IG obviously believed there was sufficient evidence that a crime had been committed.

No. 3, the inspector general concluded that Pentagon Director of Public Affairs Ken Bacon was involved in illegal activity. Quoting again Inspector General Mancuso:

The facts show that information was released by Mr. Bacon and it related to Linda Tripp.

No. 4, the Justice Department, after a 20-month coverup, quietly told the Pentagon in the last 2 weeks it would not prosecute anyone in the case.

We would not even have known about it if it had not been for the fact this came out during a hearing. This came out in a hearing that was live on C-SPAN. It was a public hearing, a public forum, so no one is going to be held legally accountable for what happened.

Remember, this is the President, who, in November 1992, said he would immediately fire anyone who was caught disclosing information from confidential Government personnel files.

All these things were not publicly known previously. I repeat, these four new findings we learned for the very first time only last week: First, we discovered that the Pentagon Office of Inspector General completed its investigation of the matter in July of 1998.

Second, we learned that the report was given to the Justice Department for criminal prosecution.

Third, we learned that the inspector general concluded that Pentagon Director of Public Affairs Ken Bacon was involved in the illegal activity.

Mancuso said:

The facts show that information was released by Mr. Bacon and it related to Linda Tripp.

Under the circumstances, releasing this information was clearly a criminal act, whether the Justice Department wants to believe this or not.

Fourth, we learned that the Justice Department has been covering up the crime for 20 months and only now tells us that no one will be prosecuted and no one will be held accountable.

This would never have come to light if it had not been for this hearing.

This is the same Justice Department that has botched up the investigation of the theft of information on the W-8 warhead, that has refused to appoint an independent counsel to investigate campaign fundraising illegalities, and that continues to cover up vital information in defiantly refusing to release the LaBella and Freeh memos suggesting that crimes may have been committed in the Chinagate scandal.

All this was "breaking news" last week. Did we read about it in the New York Times, in the Washington Post, or in the Los Angeles Times, or any of those publications? Did we hear about it on ABC, CBS, NBC, or CNN? No, we

did not. With the noted exception of the Washington Times, the mainstream media largely ignored this important story.

Have we come to the point, 7 years and 3 months into this President's term, that the media, that is supposed to be the watchdogs of democracy, has given up caring about lawbreaking and abuses by the incumbent administration? Is that what this is all about? Are they so tired and bored by it all that they cannot report the obvious facts to the American people?

I appeal to the media right now to cover this story, and to cover it well. Just tell the truth. Expose the facts. Expose the hypocrisy. Do not, by your silence, allow yourselves to become pawns and participants in another Clinton coverup.

This is still America. The truth still matters. Let's look at some history. Let's recall a time when the media played a much different role than they are playing now. Watergate was 25 years ago, a time before the "death of outrage," when the media boasted of its role explaining the immense significance of lawbreaking and coverups in high places.

Charles Colson, a guy I happen to know, I say to Senator BYRD—I attend a Bible study with him; an outstanding individual; at that time he was not so outstanding—was special counsel to President Nixon. He went to jail for doing essentially what Ken Bacon did. He released information to the media about a Pentagon employee that came from a confidential Government file in an attempt to discredit that person. This was a crime then; and it is a crime now.

What exactly did Colson do? This is what he said he did, in his own words. This is going back to 1991:

I got hold of derogatory FBI reports about Ellsberg and leaked them to the press.

He said further, in 1976:

I happily gave an inquiring reporter damaging information . . . compiled from secret FBI dossiers.

So what happened to Colson?

In the midst of the media firestorm surrounding Watergate, Colson pleaded guilty to the charge that he obstructed justice by disseminating to the media derogatory information from a confidential FBI file about Daniel Ellsberg.

Colson was sentenced by U.S. District Court Judge Gerhard Gesell to a prison term of 1 to 3 years and fined \$5,000. At the sentencing, Judge Gesell deplored Colson's "deliberate misconduct" and he lectured him to understand that "Morality is a higher force than expediency."

In his book, "Born Again," Colson talked about the significance of what he had done. He recalled that Judge Gesell said, in his pretrial hearing:

The whole purpose of this case, beyond its immediate objective, is to direct some attention to the desirability of having a government of law, not a government of men. That is what this is [all] about.

Colson continued, in his own words:

It is something I remembered from Civics I in school.

He said:

These were the cardinal principles of American government, the real bull-work against man-made tyranny. When a man's constitutional rights are in jeopardy, the violation, even cloaked in the time-honored protective shroud of national security, is simply intolerable.

Colson served 7 months in jail before the court reduced his sentence to time served.

Now, what did Ken Bacon do?

Let's go to the Washington Post of May 22, 1998:

The Pentagon's chief spokesman (Ken Bacon) apologized today for authorizing the release to a reporter of information contained in Linda R. Tripp's 1987 security clearance form, saying, "In retrospect, I'm sorry the incident occurred."

Bacon's remarks came after he acknowledged in a deposition last Friday that he provided the New Yorker writer Jane Mayer with the Tripp information.

So, in other words, he admitted it. There is no question about whether or not he committed this crime. There is no doubt about it, no dispute about it.

Bacon said:

I'm sorry that I did not check with our lawyers or check with Linda Tripp's lawyers about this.

Sorry? Sorry didn't cut it for Chuck Colson. Colson committed his crime in July of 1971. He admitted his guilt and pleaded guilty on June 3, 1974, and was sentenced to jail June 21, 1974.

Bacon committed his crime in March 1998. He admitted what he had done in June of 1998. The Pentagon inspector general referred the matter for criminal prosecution in July of 1998. So now, 2 years later, in April of 2000, the Clinton Justice Department says it is going to take a pass, hoping nobody will see or care at this late date.

Colson went to jail and served time in prison. If there was justice, an equal application of the law, Bacon would also go to jail and serve time in prison.

Is this the first time the Clinton administration has been involved in lawbreaking and corruption? Hardly. It has almost become a way of life: Travelgate, Filegate, Buddhist Temple fundraisers, illegal foreign campaign contributions, the compromise of high-technology nuclear secrets to China, not to mention perjury and obstruction of justice—the list goes on and on.

Why is any of this important? It is all about a concept that is basic to America, a concept as basic as going to church on Sunday. That concept is: Equal application of the law.

Only the media can ultimately protect this fundamental principle by informing the people about what is hap-

pening. If the people do not know, of course, they will not care. The role of the media is critical in protecting our liberties. So again, I appeal to the media to cover this story, not to cover up this story.

Does anyone care? I believe the American people care. But they must be informed first.

Let me conclude by recalling the words of Chuck Colson. In writing about his own case, he said:

I pleaded guilty after being told by Watergate prosecutor Leon Jaworski that my conviction would deter such a thing from [ever] happening again.

So I am here today to tell the American people, it just happened again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

MARRIAGE TAX PENALTY RELIEF ACT OF 2000—Continued

Mr. ROTH. Mr. President, I rise to discuss the centerpiece of our efforts to reduce the tax overpayment by America's families. The Marriage Tax Penalty Relief Act of 2000 delivers savings to virtually every married couple in America. And it does so within the context of fiscal discipline and preserving the Social Security surplus.

The importance of this measure cannot be overstated. According to the most recent CBO estimates, in 1999, 43 percent of married couples—about 22 million couples—faced the marriage tax penalty. The average penalty was \$1,480 per couple. This was levied on individuals who are already overburdened with expenses—the costs associated with buying homes, paying for education, raising children, and building financial security for retirement.

It isn't fair, Mr. President. It isn't fair that when two individuals marry their combined tax liability becomes greater than if they had remained single and continued to pay taxes at their single rate. But unfortunately, this has been the case—to one degree or another—for more than 30 years.

Now it's time for a change.

It's time to restore equity—to bring balance and fairness into the tax equation for these married couples. This, of course, is not as simple as it might appear. Our tax system has tried to balance three disparate goals—progressivity, equal treatment of married couples, and marriage neutrality. And it is impossible to achieve all three principles at the same time.

The principle of progressivity holds that taxpayers with higher incomes should pay a higher percentage of their income in taxes. The principle of equal treatment of married couples holds that households with the same amount of income should pay the same level of tax. And the principle of marriage neutrality holds that a couple's income tax bill should not depend on their

marital status. The tax code should neither provide an incentive nor a disincentive for two people to get married.

Our policy response differs depending on how we balance these different principles. For instance, if we want to ensure that when two singles get married their total tax bill will not rise—but we do not mind if two married couples with the same overall income level are treated differently, then we arrive at one result. However, if we want to make sure that two singles who marry do not face increased taxes—and we want to make sure that two married couples with the same income level are treated evenly—then we arrive at a different result.

Last year, the Senate position in the Taxpayer Relief Act of 1999 embraced the first policy result. We focused on the difference between what two spouses would pay in taxes if they were single versus what they would pay in taxes if they were married. In order to fully address that problem, we developed a system whereby a married couple would have an option. The couple could continue to file a joint return using the existing schedule of married filing jointly. Or the couple could choose to file a joint return using the separate schedules for single taxpayers. It was straightforward, and it was universal—we did not try to impose arbitrary income limits to cut off the relief.

As I said last year, this approach had a lot of good things about it. Most importantly, I liked the way that it basically eliminated the marriage penalty for all taxpayers who suffered from it. It delivered relief to those in the lowest brackets as well as to those in the highest brackets. It also delivered relief to those who itemized their deductions as well as those who took the standard deduction.

Nevertheless, I did not propose, or support, the separate filing plan this year. As the Chairman of the Finance Committee, I am responsible for developing tax policy in a rational manner. I am also responsible for working with members of my Committee and of the full Senate.

After listening to my colleagues' views on marriage tax relief, I came to the conclusion that the best approach at this time is to build on the foundation that Congress has already approved. Last year, in the conference report of the Taxpayer Relief Act of 1999, the Congress adopted three components of marriage penalty relief. These include an expansion of the standard deduction for married couples filing jointly; a widening of the tax brackets; and an increase in the income phase-outs for the earned income credit. A different part of the bill also addressed the minimum tax issue. This year, the House passed a marriage penalty tax bill that included the first three components.