

We have received letters from the inspector general of other departments, the Departments of Defense, Energy, Justice, Commerce, and the Central Intelligence Agency, expressing the strongest possible concern that this proposal creates a dangerous precedent which could undermine the investigative and oversight capabilities of IG's throughout the Government. It is important for us to recognize that no other IG office in the entire Federal Government is subject to the restrictions that this language would impose.

Other departments of the Clinton administration fear that this amendment is a proverbial foot in the door that will undermine their authorities. The bill language would place the State Department's inspector general outside of standard Federal law enforcement policies and procedures and severely undermine the State Department IG's abilities to carry out its investigative function. It would significantly diminish the State Department inspector general's ability to hold departmental employees accountable for criminal wrongdoing.

The bill language imposes a reporting requirement on the State Department's inspector general that is itself unwarranted and unnecessary. It would require the State Department's IG to prepare and submit a report to the relevant committees providing detailed descriptions of any instances in which any disclosure of information to the public by an employee of the office of inspector general about an ongoing investigation occurred.

I mentioned at the outset that I have great respect for the author of this language. I also have great respect for the author of this amendment, and I think they both intend to achieve the same result, which is that our agencies, and in this case the State Department, will operate free of internal corruption. But it would be unwise, it seems to me, in the extreme to impose requirements on the inspector general's office that frustrate the IG's ability to get to the bottom of corruption within the Federal Government.

The bill language, I want to emphasize once again, imposes requirements on the State Department's IG that are not applicable to any other agency's IG. Why we are on a rifle shot basis, on an ad hoc basis trying to change the rule just for the State Department, rather than making sure that we are consistently affording people due process, escapes me.

It is possible, by the way, to afford people something that we call due process, that is itself a procedural frustration of all of our rights. All of us here have rights. Taxpayers, for example, have a right to be protected from fraud and corruption within the State Department.

Let us assume for the sake of argument that the constable blundered in this case, and I want to point out that the IG is not the constable, the IG is not a prosecutor, the IG is not criminal

law enforcement. But let us assume that the IG made a mistake and that the IG behaved improperly in this instance. Is that of itself a reason to make sure that we frustrate every future IG investigation, or is it instead a reason to take this matter up in the context of the events that occurred with that particular department and find out why, if someone's rights were abused, that took place?

I want to commend the author of this amendment, because he has done a good job in focusing on what I think is the language surely to give rise to the law of unintended consequences. I think he has quite properly gone after the reporting requirements, the diminution in the IG's authority, the frustration of legitimate investigations of wrongdoing by Federal employees. For that reason, I strongly support the Goss amendment to the Foreign Relations Authorization Act.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I thank the distinguished gentleman for yielding.

Mr. Chairman, I wanted to point out a couple of things have been said that I think Members need to understand. We are not talking about due process. We are talking about way beyond due process here. Due process is guaranteed. This is not an issue of due process. This is a provision of special privilege for a narrow group of government employees that is entirely unwarranted and will in fact hamper investigation by those who are charged with the heavy responsibility of investigating wrongdoing in the Department of State. Who would want to stand behind the proposition that we want to slacken our efforts, defang our watchdogs and just basically cast a blind eye to the fact that there might be some wrongdoing in this day and age? That is not what the constituency of America is asking us to do.

I am not an investigator, and my distinguished colleague from New Jersey, whose opinion I have great respect for and I have every reason to believe, has come to a conclusion that he firmly believes but based on the wrong information. Let me tell my colleagues what the people who are charged with this responsibility are saying. They are saying that passage of this amendment would seriously impede effectively and timely criminal investigations. I am not making that up. I am quoting from a letter signed by Michael Bromwich, inspector general of the Department of Justice; Frank DeGeorge, inspector general of the Department of Commerce; and Eleanor Hill, inspector general of the Department of Defense. These are people charged with the heavy responsibility who have said for the record publicly that if we do not remove the language that is in the bill and we do not pass the Goss amendment, that we are seriously impeding effectively and timely criminal investigations.

I do not want my name associated with anything that is going to impede effective and timely investigations. Again, I am not an investigator, but I will take the say-so from the people who are in charge of the job. The people who are in charge of doing that job feel that this is going to hurt their ability. I would suggest to my colleague and close friend, for whom I have huge respect as he well knows, the gentleman from Indiana [Mr. HAMILTON], that if there is a problem with the inspector general's power, that we look at all of them and we do it appropriately and in a deliberate way. I certainly do not think it is a perfect system but I certainly feel that going piecemeal after one on what seems to be sort of a payback motive, these guys were overeager, so let's show them that we've got the muscle, I do not think that is the right way to make good legislation.

Mr. HAMILTON. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Indiana.

Mr. HAMILTON. I thank the gentleman for yielding. I really think the language that the gentleman has quoted from our respected inspector general in other departments is quite exaggerated. What we are doing here is asking the IG to make the best efforts to provide adequate notice to individuals about their rights, including their right to counsel. That is the core of my amendment. That is all we are doing. We are just saying, please give these individuals information about the circumstances they are going to be in. We are not restricting in any way the inspector general's right to look into these matters and to investigate. The gentleman is quite right that an inspector general needs broad powers, but it is also true that individuals have rights, too, and they surely must be entitled to the right to know what is going on and who is going to be present in that room and why they are there.

Mr. GOSS. In fact, all the individual has to do is ask. They have the right to ask and they have the right to get the right answer, but remember that we are talking about investigations here. We are not talking about people who are arrested. There is not a question of rights. This is a question of special privilege and this is an investigation.

Mr. COX of California. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from California.

Mr. COX of California. In this matter, I think we need to pay especial attention to what the Clinton administration Justice Department inspector general is telling us and the U.S. Department of Justice, office of the inspector general has provided us with very explicit advice on this language in the bill.

The CHAIRMAN. The time of the gentleman from Texas [Mr. PAUL] has expired.