

Mr. HEFLIN. Mr. President, in a moment I will ask for the yeas and nays, but I would like to mention just one or two things.

I do not want to leave the impression that during the times the special counsel appeared that he was advocating action against Senator DURENBERGER. On many occasions he was there defending him. You do not know what went on in each of those meetings in which he was present, and you jump to conclusions when you make such wild statements.

I think it is unfair to the special counsel to leave here with some impression that he has used those occasions to advocate a position contrary to the best interests of Senator DURENBERGER. He evaluated evidence. He presented it. He reviewed certain statutes, and he recommended not to apply certain of those statutes. If those statutes had been applied, the resolution would have been calling for expulsion.

So I say that the attacks that have been made upon him have been unfair to our special counsel. I do agree that it is a very difficult task and perhaps maybe the rules do need changing. I think they need to be further studied, and I think that our rules and process can be improved.

But I do not want to leave here with the impression that the Ethics Committee, which has six individuals, three from each party and most of whom are lawyers—I believe Senator HELMS is not a lawyer, but the Senator over the years has exercised good judgment in carrying out his Ethics Committee duties—is going to be pulled around as if we have a ring in our nose. I can remember many instances in which several Senators had knockdown, dragout arguments with our special counsel. I did. I disagreed with him and we argued back and forth. I do not want to leave here with the idea that he has done something wrong. I think he has a difficult task. In my judgment, he has done a fine job.

After we finish this, sometime, I would like to have the floor to thank some people. But since I think we have gone along far enough on this, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is the demand sustained? The demand is sustained.

The yeas and nays were ordered.

The PRESIDENT pro tempore. Senators are reminded that Mr. DURENBERGER will address the Senate following the vote. The Chair will take the liberty of asking Senators to remain in their seats during the vote and that the clerk repeat the response of Senators. The clerk will call the roll.

The legislative clerk called the roll.

Mr. BOSCHWITZ (when his name was called). Present.

Mr. DURENBERGER (when his name was called). Present.

Mr. SIMPSON. I announce that the Senator from Wyoming [Mr. WALLOP] is necessarily absent.

I further announce that the Senator from South Dakota [Mr. PRESSLER] is absent due to a death in the family.

I further announce that if present and voting, the Senator from South Dakota [Mr. PRESSLER] and the Senator from Wyoming [Mr. WALLOP], would each vote "yea."

The PRESIDENT pro tempore. Are there any Senators in the Chamber who have not voted, or wish to change their vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 175 Leg.]

YEAS—96

Adams	Fowler	McCain
Akaka	Garn	McClure
Armstrong	Glenn	McConnell
Baucus	Gore	Metzenbaum
Bentsen	Gorton	Mikulski
Biden	Graham	Mitchell
Bingaman	Gramm	Moynihan
Bond	Grassley	Murkowski
Boren	Harkin	Nickles
Bradley	Hatch	Nunn
Breaux	Hatfield	Packwood
Bryan	Heflin	Pell
Bumpers	Heinz	Pryor
Burdick	Helms	Reid
Burns	Hollings	Riegle
Byrd	Humphrey	Robb
Chafee	Inouye	Rockefeller
Coats	Jeffords	Roth
Cochran	Johnston	Rudman
Cohen	Kassebaum	Sanford
Conrad	Kasten	Sarbanes
Cranston	Kennedy	Sasser
D'Amato	Kerrey	Shelby
Danforth	Kerry	Simon
Daschle	Kohl	Simpson
DeConcini	Lautenberg	Specter
Dixon	Leahy	Stevens
Dodd	Levin	Symms
Dole	Lieberman	Thurmond
Domenici	Lott	Warner
Exon	Lugar	Wilson
Ford	Mack	Wirth

NAYS—0

ANSWERED "PRESENT"—2

Boschwitz Durenberger

NOT VOTING—2

Pressler Wallop

So the resolution (S. Res. 311) was agreed to.

Mr. HEFLIN. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. RUDMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. DURENBERGER] is recognized.

Mr. DURENBERGER. Mr. President, as you can imagine my heart is very full at this moment, and I will be very brief.

Actions speak louder than words. And I am acutely aware that nothing I say today will change the past, or the future for that matter.

The record of my previous statements to the committee, to the people

of Minnesota, is there for anyone to examine. To my colleagues here who know me and work with me, I would just say how deeply sorry I am for the painful and the necessary experience we have just been through; also, as the vice chairman said, for that extra burden that my misconduct has placed on each of you.

I love the Senate and cherish the ideal it stands for. If anyone wants to judge my respect for this body and for each of you, I would simply suggest that they look at my actions over the last 22 months to help bring this matter to a conclusion.

I opened my files and my staff to complete scrutiny by the committee; I released my lawyers from the attorney-client privilege; I cooperated in expediting the hearings and over the last few days, and just minutes ago I urged final and uncontested action on the resolution.

Mr. President, I did everything in my power to have this matter fairly considered and behind us.

Now, thankfully, that has been done. As for the future I would ask only that I be judged by that same standard, not necessarily what I say, but what I do. Financial restitution is only a beginning. I intend to apply myself every day to lifting a portion of the burden that I have placed on the Senate by taking more than my share of the institutional responsibilities around this place.

I will work even harder than I already have to bring about solutions to our national challenges by bringing to the Senate the best ideas my State and my experience can produce.

Mr. President, if there is a smudge on the seal of the U.S. Senate, or on the Star of the North, as we like to call our State, I will work my hardest to polish both back to brightness.

These are easy and on my part hopeful things to say, I know. But with God as my witness, I have committed myself to the work it will take to get it done.

I want to thank our leaders, GEORGE MITCHELL, and BOB DOLE, for their fair and expeditious handling of this matter, and my special friend, the Republican whip, ALAN SIMPSON, for his love, my colleague, RUDY BOSCHWITZ, for always being there for me throughout this process.

I commend the members of the Ethics Committee for their commitment and their dedication to the most difficult task in this place. I thank all of my colleagues who have encouraged me. I thank those who have spoken here today. I thank the other members of the Senate family—on the staffs, in the restaurants, and the elevators, on the subways, and at the guard desk.

I thank my outstanding attorney, Jim Hamilton, Bert McKasy, Mary