United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, OCTOBER 19, 1999 *No. 142*

Senate

The Senate met at 1:15 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Tom Phillips, Plains and Peaks Presbytery, Greeley, CO. I understand he is a guest of Senator ENZI.

We are very pleased to have you with us.

PRAYER

The guest Chaplain, Dr. Tom Phillips, offered the following prayer:

Almighty God, we are grateful that Your sovereignty is demonstrated in service. As the Senators do their work here, may Your deep love for them find reality in their speech and action. As You offered Yourself freely as a way of bringing hope, overcoming discouragement, and offering a challenge to be our best, so may they share themselves with each other.

We freely admit the fear we feel when we imagine giving ourselves to each other. It seems overwhelming when we recall that You told us it is possible to so love even our enemies. O Lord, what a revolution that would be—a revolution of new life for all.

Take from our minds all fragments of fear that would lead us to withdraw into self-absorption. Give us the gift of freedom to fight without reserve for the community of humankind, the enjoyment of the world as Your gift to everyone and the special role this United States Senate has in bringing this gift to the whole world.

So, on this day, may these Senators know that the people of this Nation not only lay heavy responsibilities upon them but also hold them up in prayer. May the gracious power of Your love be served in what is done in this hall today. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE ENZI, a Senator from the State of Wyoming, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Wyoming.

Mr. ENZI. I thank the Chair.

DR. TOM PHILLIPS

Mr. ENZI. Mr. President, I wish to take a couple moments to welcome my former pastor from Gillette, WY, to the Senate Chamber. I thank him and his wife Carolyn for making the journey to Washington to visit with us and some people with whom we have become acquainted through books we have read.

Dr. Phillips came to Gillette in 1983, and he has a doctorate but prefers to be called ''pastor.'' It made a significant impression on our community. He also taught us the difference between going to church and worshiping. That has been a lasting legacy and pulled people together, unified them. But, more importantly, he provided an individual ministry to me and to the other people in the congregation. He has been an instructor and a conscience. He has stretched the imaginations and minds of the people in our congregation but most especially my mind. Diana and I have had the blessings of this wonderful couple as they have been in Gillette; they have inspired us from their position and also were friends to us as just normal people, which can sometimes be very difficult for ministers.

Unfortunately, Gillette has lost his services; he is now in northern Colorado where he is a minister to ministers. He is with the Presbytery. He goes around and shares with people who sometimes have difficulty sharing with the members of their congregation. He provides a special service there. Throughout all that time, he has been sharing books which in turn have challenged me, stretched me, and helped me to do the job here.

So I thank both of them for their contribution to my and Diana's life, the life of our family, and also to our education through the years.

I thank ''Pastor'' Phillips.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, at 1:20 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate was called to order by the Vice President.

BIPARTISAN CAMPAIGN REFORM ACT OF 1999—Resumed

The VICE PRESIDENT. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 1593) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

Pending:

Daschle amendment No. 2298, in the nature of a substitute.

Reid amendment No. 2299 (to amendment No. 2298), of a perfecting nature.

Wellstone amendment No. 2306 (to the text of the language proposed to be stricken by amendment No. 2298), to allow a State to enact voluntary public financing legislation regarding the election of Federal candidates in such State.

CLOTURE MOTION

The VICE PRESIDENT. Under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the Daschle amendment No. 2298, to S. 1593.

Tom Daschle, Chuck Robb, Mary L. Landrieu, Joseph Lieberman, Jack Reed, Max Baucus, Barbara Boxer, Richard H. Bryan, Jeff Bingaman, Tim Johnson, Harry Reid, Robert G. Torricelli, Blanche L. Lincoln, Dianne Feinstein, Jay D. Rockefeller, Richard J. Durbin, Daniel K. Akaka, Ron Wyden, Byron L. Dorgan, and Tom Harkin.

The VICE PRESIDENT. Under the previous order, the mandatory quorum call under the rule has been waived.

The question is, Is it the sense of the Senate that debate on the Daschle amendment No. 2298 to S. 1593, a bill to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative assistant called the roll.

The PRESIDING OFFICER (Mr. INHOFE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 330 Leg.]

YEAS—52

Akaka	Feingold	McCain
Baucus	Feinstein	Mikulski
Bayh	Graham	Moynihan
Biden	Harkin	Murray
Bingaman	Hollings	Reed
Boxer	Inouye	Reid
Breaux	Jeffords	Robb
Bryan	Johnson	Rockefeller
Byrd	Kennedy	Sarbanes
Chafee	Kerrey	Schumer
Cleland	Kerry	Snowe
Collins	Kohl	Specter
Conrad	Landrieu	Thompson
Daschle	Lautenberg	Torricelli
Dodd	Leahy	Wellstone
Dorgan	Levin	Wyden
Durbin	Lieberman	
Edwards	Lincoln	

NAYS—48

Abraham	Fitzgerald	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchinson	Smith (OR)
Craig	Hutchison	Stevens
Crapo	Inhofe	Thomas
DeWine	Kyl	Thurmond
Domenici	Lott	Voinovich
Enzi	Lugar	Warner

The PRESIDING OFFICER. On this voter the yeas are 52, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from South Dakota.

Mr. DASCHLE. Mr. President, I ask unanimous consent I be allowed to speak out of order for no more than 5 minutes.

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

SENATOR LEAHY'S 10,000TH VOTE

Mr. DASCHLE. Mr. President, I wish to call attention to the fact that with this vote Senator PATRICK LEAHY has reached a historic achievement in having cast his 10,000th rollcall vote.

(Applause, Senators rising.)

I join my colleagues in congratulating Senator LEAHY on his historic achievement.

In the history of our Nation, only 1,851 Americans have ever served in the U.S. Senate, and have achieved this level. And only 21 have cast 10,000 rollcall votes.

It is perhaps no coincidence that—at the very moment Senator LEAHY was casting his 10,000th vote in this chamber—baseball's home run king, Hank Aaron, was being honored on the other side of the Capitol.

PATRICK LEAHY and Henry Aaron are both ''heavy hitters''—in their own fields. They are both men whose names will be recorded forever in the history books.

The greatest compliment one Senator can pay another is to call him or her ''a Senator's Senator.'' It is not a term that is used loosely. It is a term that must be earned. To be a ''Senators' Senator,'' you have to love the Senate. You have to love its history and traditions. Most of all, you have to love what it represents; you have to love democracy. You have to love it enough to be willing to fight for it, to sacrifice for it, and sometimes, to bend for it. PATRICK LEAHY is such a man.

I am proud to serve with him in this Senate. And I am even more proud to count him as a friend.

I first came to this Senate in 1987. Those were hard times in rural America. The farm economy was in a deep recession. In South Dakota and across the country, people were being forced to sell farms that had been in their families for generations. That same year, PATRICK LEAHY became chairman of the Senate Agriculture Committee. And I became its newest member. It was on the Agriculture Committee that I first came to know Senator LEAHY. It was there that I first saw the qualities and characteristics which I now recognize as the hallmarks of his extraordinary career.

PATRICK LEAHY cares deeply about people, and about protecting America's natural resources. Under his leadership, issues that had historically been considered ''second tier'' issues—such as nutrition and the environemnt—were elevated in importance. He helped bridge differences between farmers and environmentalists.

PATRICK LEAHY is a consensus builder. That is another thing I learned from watching him. Nearly every major piece of legislation reported out of the Agriculture Committee during his years as chairman was reported out with strong bipartisan support. He worked closely, first under Senator Dole, and then later under Senator LUGAR, to build that support. PATRICK LEAHY is committed to making government work better.

In his first term as chairman, Senator LEAHY managed two of the ten measures cited by Time magazine as landmark legacies of the 100th Congress. The first was the Hunger Prevention Act; the second was the Agriculture Credit Act, the most comprehensive reform of the farm credit system in 50 years. That bill not only saved the farm credit system from bankruptcy; it saved millions of family farmers from disaster.

I learned a lot from watching PATRICK LEAHY about how to be a leader, about how to reach across the aisle and build a bipartisan consensus. He grew up in Montpelier, Vermont's capital, left to go to Georgetown Law School, and returned home to practice law. He began his political career in 1966 when he was elected the Chittenden County State's attorney. Eight years later, at the age of 34, he was selected by the National District Attorneys Association as one of the three outstanding prosecutors in the United States. That same year, he was elected to the Senate.

He remains the youngest Senator, and the only Democratic Senator, ever sent to this body by the people of the Green Mountain State.

In 1998, he was reelected with 72 percent of the vote, one of the largest margins of victory in any Senate race last year.

It is not simply the number of votes which he has cast which makes him the kind of Senator he is and the man whom we congratulate today; it is also the nature of those votes, the serious reflection that accompanied them, and sometimes the courage it took to cast them.

Over the years, Senator LEAHY has frequently spoken out against proposals he knew were popular but believed were unconstitutional. For the last 3 years, as ranking member of the Judiciary Committee, he has been an outspoken and articulate advocate for the right of Federal judicial nominees to have a fair vote, and the responsibility of this Senate to grant them that right.

On the Appropriations Committee's subcommitee, Senator LEAHY has been a leader in the global effort to ban antipersonnel mines. In 1992, he wrote the first law by any government banning the export of these weapons and played a key role in pushing for an international treaty banning their use. Now 122 nations have signed that treaty.

He has also used his leadership position to fight the global spread of infectious diseases, and to prohibit American aid to police forces that have records of human rights violations.

PATRICK LEAHY is a quiet, thoughtful man with great intellectual curiosity and a great sense of humor. He is also one of the most forward-looking people I know. He was one of the first Senators to go online and establish a home page on the World Wide Web. He frequently holds town meetings with Vermonters on the Internet.

This year, he was awarded the John Peter and Anna Catherine Zenger Award ''for outstanding contributions in support of press freedom and the people's right to know,'' only the second time since 1954 that it has gone to a government leader.

In the 25 years he has served here, PATRICK LEAHY has lost a little bit of the hair he came with, but he has gained an extraordinary amount of wisdom and skill. He has shared those gifts with America, and we are better and stronger because of it.

Besides his 10,000 rollcall votes, there is at least one other accomplishment for which Senator LEAHY will go down in the history books. We all know PATRICK LEAHY is one of the world's biggest ''Dead Heads.'' He is one of the biggest fans of the legendary band, the Grateful Dead. Several years ago, he invited Jerry Garcia and several other members of the band to have lunch in the Senate dining room. People were already doing double and triple takes—and then Senator THURMOND walked in.

Ever the bridge builder, Senator LEAHY rushed over to Senator THURMOND and said, ''Please join us. There is someone I want you to meet.''

If Patrick LEAHY can help bridge that divide between Jerry Garcia and STROM THURMOND, there is hope for all of us. There is no telling what else he can do in the Senate in the remaining time that he will be here. I hope it is for years and years and thousands of votes to come.

I yield the floor.

Mr. LOTT. Mr. President, I hate to see the minority leader's comments end. They were getting better and better as he got toward the end.

I also extend the congratulations of myself, all the Members of the Senate on this side, and on the Democratic side. It is certainly an enviable record: 10,000 votes, 25 years. We all know quite well Senator LEAHY's efforts on behalf of the environment, agriculture, judiciary, foreign policy. His efforts are legendary. He has done a great job.

Mr. President, today is a special day. In the history of our country, less than 1,300 Americans have served in the U.S. Senate. Being a Senator is a singular honor bestowed on a very few. Today, our friend from Vermont, PAT LEAHY has joined a unique club within this unique body. He has cast his 10,000th vote.

Think about what that means. When PAT LEAHY came to the Senate, as the youngest man ever sent to the Senate by the people of the United States, Gerald Ford was in the White House. Since then, Presidents and majority leaders have come and gone, the Iron Curtain has come crashing down, and PAT LEAHY has kept on casting votes.

PAT already had remarkable career before he came to the Senate. After leaving Georgetown Law School, he served for 8 years as a state's prosecutor in Vermont where he gained a national reputation as a crime fighter. In 1974, he was named as one of the three outstanding prosecuting attorneys in the United States.

Upon entering the Senate PAT became a leader on agriculture, foreign affairs, and the judiciary. His Leahy-Lugar bill in 1994 revolutionized the way the Department of Agriculture does its business and millions of farmers are better off for his efforts.

So I echo the sentiments of my friend, the minority leader. We send PAT and his wife Marcelle our very best wishes and our hopes for continued success in the days ahead.

Mr. JEFFORDS. Mr. President, it is a real pleasure and a privilege for me to be here to honor my colleague. We came into the Congress together. That moment is most memorable to me. I was at a reception and missed the first vote in the House. I thank the Senator for never burdening me with that. I am privileged to be his colleague.

For four decades, PAT has served Vermont. At the time he was a Chittenden County prosecutor, I was attorney general. We worked very closely together to make sure that Vermont was protected.

In his position, he has gained national and international recognition on many issues. He has led the fight to rid the world of landmines and continues to aid victims of these weapons through the Leahy War Victims Fund. He has helped bring the computer age to the Senate, helped educate all Members on the value of the Internet, and continues to champion environmental issues.

He always remembers his roots. I am sure I speak for him when I say that his proudest accomplishments are those that make Vermont a better place. He has worked tirelessly to ensure that Vermont receives full consideration before the Senate. He has protected Vermont dairy farmers, maintained funds for programs to preserve the waters of Lake Champlain, and helped fulfill George Aiken's legacy by adding lands to the Green Mountain National Forest.

PATRICK LEAHY is a man of his word. He is a trusted friend who has the courage of his convictions, and plays to win for the right cause. Many times he has been on the winning side for the benefit of Vermont and the Nation. I have worked on his side on many occasions and have always marveled at his sense of the democratic process, at his commitment to constituents, and his dedication to friends and his family.

I am proud to call PAT LEAHY a friend of mine, and I have valued and have enjoyed our interaction in the Halls of the Senate, from the good-natured competition of our annual intrastate softball game to marching in Vermont's miniparades.

With this vote, PAT LEAHY becomes only the 21st Member, as has been pointed out, out of 1,851 men and women who have served, to respond yea or nay 10,000 times.

It is wonderful to be with you, PAT. Congratulations.

Mr. SCHUMER. Mr. President, I rise today to add my voice to those who are so eloquently paying tribute to my friend and colleague from Vermont, Senator LEAHY. 10,000 of anything is a lot. But 10,000 votes is a mind-boggling milestone. I figured out that at our current pace, if God willing I am reelected, by the time I reach 10,000 votes we'll be debating Y3K legislation. But seriously, 10,000 votes is an indication, not of longevity, but of thoughtfulness, patience, hard work, effectiveness, and of representing ably and nobly your Vermont constituents.

Many of my colleagues have worked side-by-side with PAT LEAHY for a number of years, as he worked tirelessly and successfully to protect and advance Vermont's interests, as he led the crusade to ban the production and use of land mines, and as he wrote and rewrote laws in order to foster the growth of the Internet. When you hear them speak about PAT LEAHY, they speak about a man of exceptional character, astute vision, and abundant compassion. I've been here for only 9 months but working with PAT LEAHY has been a truly rewarding experience for me. He has been a leader, a teacher, and a friend. He is very patient and very open to ideas. And we have PAT to thank for producing a balanced juvenile justice bill—a bill that, thanks to his efforts and those of Senator HATCH, secured the support of three-quarters of this Senate. Who could have foreseen the Senate's reporting juvenile justice legislation on such a bipartisan basis? Who could have foreseen the Senate's ultimately closing the gun show loophole after kicking off the debate by voting down our modest proposal? Only those who correctly estimated PAT LEAHY's skill and perseverance.

But outside the committee, we've worked together on local economic development issues. We share a large border and many of my northern New York constituents share a great deal with PAT's rural Vermont constituents. What a relief for me that I can turn to PAT at any time on dairy and agriculture issues. I hope it is an indication that I've been a good student now that PAT has started calling me ''Farmer CHUCK.'' Well, if I'm ''Farmer CHUCK,'' then all I can say is that, in large part, I learned my new craft from the best of them—PAT LEAHY.

So, congratulations on reaching this ironman milestone. There aren't too many Senators who can make the kind of mark that Senator LEAHY has made and still be considered a friend to every person in the Senate. I know you have been a friend to me, and for that I am proud to share this great moment with you.

Mr. FEINGOLD. Mr. President, I rise today to join my colleagues in congratulating my dear friend and colleague from Vermont, Senator LEAHY, on his 10,000th vote cast as a member of this body.

What a great milestone Senator LEAHY has reached. What a great testament to the commitment of my dear

colleague to his duty as a representative of the people of the state of Vermont. Senator LEAHY now joins an exclusive group of only a handful of Senators who have cast at least 10,000 votes. At a time when many Americans are skeptical of Congress and the political process, it is re-assuring to know that my colleagues, like Senator LEAHY, take their responsibility to their constituents seriously. Even with modern transportation, it is a challenge not to miss this important responsibility of casting votes.

Senator LEAHY has been an exemplary Senator. And it's not just the act of voting that matters. I also commend Senator LEAHY for his hard work, dedication, insight and adept ability to work in a bipartisan manner—skills that he has brought to this floor, as well as to his role as ranking member of the Judiciary Committee. His leadership has been invaluable to the work of the Committee, as well as the work of moving bills on the Senate floor. As a member of the Judiciary Committee, I have been proud to work with him on innumerable pieces of legislation affecting everything from civil rights to immigration to crime.

Mr. President, I once again congratulate my dear colleague, Senator LEAHY, and wish him well in continuing his outstanding work for the American people.

Mr. LIEBERMAN. Mr. President, I rise today to recognize a milestone vote by the distinguished senior Senator from Vermont. Today Senator PATRICK LEAHY becomes the 21st member in the Senate's history to pass the 10,000 vote mark. I have had the opportunity to work alongside the Senator for the last 11 years and it gives me great pleasure to take a few minutes to discuss his many accomplishments.

Senator LEAHY began working for the people of Vermont back in 1966, when he was elected Chittenden County state's attorney. He quickly gained a national reputation when he revamped the office and led a national task force that was probing the 1973–74 energy crisis. In 1974, he was elected to the Senate and he remains the only Democratic Senator in the state's history. This is important because to have the state of Vermont re-elect Senator LEAHY four times means that he is doing work here that appeals to a wide cross section of people.

During his years as Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator LEAHY demonstrated his ability to report bills to the full Senate with strong bipartisan support. In partnership with Senator LUGAR he authored two farm bills that not only protected important nutrition initiatives like the WIC program, but also included landmark environmental features that have helped to preserve farmland. He has also been able to streamline the U.S. Department of Agriculture, in the process saving more than $2 billion.

The issue that the Senator may be best known for is his fight for a worldwide ban on land mines. Since 1989 he has labored to raise awareness among the public and build political support within the administration. He pushed for an international treaty that would ban anti-personnel mines and got a commitment from the U.S. administration to sign the treaty when alternatives to the mines are available. And the Leahy War Victims Fund provides up to $12 million a year in medical supplies to aid land mine victims.

Senator LEAHY is also a cofounder of the Congressional Internet Caucus. Now in his fifth term, Senator LEAHY remains on the cutting edge of technology as he was one of the first Senators to establish a home page on the web. He also conducts electronic town meetings with residents on-line, and has sought to update copyright law to reflect the changes that have occurred with the advent of the information age.

Equally important as these legislative achievements is the sense of tradition that Senator LEAHY carries with him as he fulfills the daily tasks of a U.S. Senator. He has consistently been a voice for rural America, and, while he always votes with the people of Vermont in mind, in a more traditional way PATRICK LEAHY has not been afraid to take an unpopular stance if he believes that the national interest is at stake. He is a Statesman who appeals to a sense of bipartisanship on issues dealing with our national security and foreign policy. These are customs that are essential to the success of this institution, and the Senator is often looked to for leadership for these reasons.

I congratulate Senator LEAHY for this momentous achievement. He is a fine example of what a United States Senator should be.

Mr. EDWARDS. Mr. President, I rise today to join my colleagues in honoring Senator LEAHY on casting his 10,000th vote in the United States Senate. Given that I have just cast my 328th vote, I am humbled and impressed by the senior Senator from Vermont's accomplishment. This feat is a true measure of Senator LEAHY's dedication to the people of the United States and his commitment to the state of Vermont.

Senator LEAHY made a lasting impression on me early in my tenure as he oversaw the Democratic Senators who attended the impeachment depositions. In very difficult circumstances, Senator LEAHY set a tone of fairness and collegiality. His example during the depositions is one that I will always value as I continue my public service.

I am truly grateful for and humbled by the service that Senator LEAHY has given to this nation, and I also thank him for his enduring leadership, selflessness and influence in the U.S. Senate. I look forward to his next 10,000 votes.

Mr. HATCH. Mr. President, after 25 years of service to the country, the State of Vermont, and this body, Senator LEAHY has just cast his 10,000th vote. I should note that this milestone vote was cast in relation to substantively dubious campaign finance reform legislation. I can't say that I blame him for supporting the legislation given the fact that his Republican opponents in his last race spent no money and actually endorsed him.

All kidding aside, this is an occasion to reflect on Senator LEAHY'S impressive career. In 1974 Senator LEAHY joined this body as the youngest Senator ever elected to represent the state of Vermont. He was the first Democrat elected to the Senate from Vermont in more than a century. If political commentators thought that voting in PAT LEAHY was a one-time event, they were wrong. Senator LEAHY is currently serving his fifth 6 year term. I have had the privilege of working closely with Senator LEAHY for all of my years on the Senate Judiciary Committee, where I serve as chairman and he is my partner, the ranking member of that committee.

I have appreciated and benefited from his experience and expertise in may areas. When Senator LEAHY came to the Senate he was already an expert in the area of law enforcement having been named one of the three outstanding prosecutors in United States in 1974. We on the Judiciary Committee have looked to Senator LEAHY on these issues. On high-technology issues, as you all know, Senator LEAHY prides himself in his leadership and knowledge of the issues. His interest and expertise in these areas have helped move the Judiciary Committee forward in tackling these important issues.

We who know PAT LEAHY know that he has remained young at heart, as evidenced by his continued devotion to the Grateful Dead. But his devotion to the arts and his devotion to work in this body do not compare to Senator LEAHY'S devotion to his wife, his children, and recent grandson.

So, in conclusion, I want to pay tribute to Senator LEAHY and his wonderful family on this remarkable day which symbolizes years of hard work and dedication for which this institution and this country are grateful. While Members of the senate differ from time to time, we can all appreciate and admire the accomplishment of casting 10,000 votes. so when I leave the floor today, I'll tell Senator LEAHY, ''PAT you were, 'Built to Last' and while you may be getting up there in years, it's 'just a touch of gray. Kind of suits you anyway. That was all I have to say. It's all right.' ''

Mr. DASCHLE. I ask unanimous consent that we recognize the Senator from Vermont for a couple of minutes to respond.

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

Mr. LEAHY. Mr. President, I think Mark Twain once referred to how nice it is to hear your eulogy while you are still alive. I do appreciate hearing from my friends, my distinguished colleague

from South Dakota, the closest friend I have ever had, the distinguished Democratic leader, and the kind words he had to say; my good friend from Mississippi, the distinguished majority leader; and, of course, my colleague who I have known for longer than anybody in this body, the distinguished Senator from Vermont, JIM JEFFORDS.

These comments mean a great deal. That Vice President GORE, presided at the time of the vote meant a lot to me. I will note that the Vice President said earlier today: Boy, that guy LEAHY must be awfully old.

I point out the Vice President and I have the same birthday, March 31—about 8 years apart.

I have served here with so many. I see my dear friend and aisle mate, the distinguished senior Senator from West Virginia, who has cast the most votes in history—over 15,000 votes, and my good friend, the President pro tempore, the distinguished senior Senator from South Carolina, STROM THURMOND, who has the second most votes ever cast in this body.

I think of the people with whom I have served during the 25 years I have served, people such as Scoop Jackson and Mike Mansfield, Jacob Javits, John Stennis, Hubert Humphrey, and Bob Dole. The two closest friends I had in my class were a Republican and a Democrat: Paul Laxalt and John Glenn; and so many others who I served with including two colleagues from Vermont, Bob Stafford and JIM JEFFORDS.

How fortunate I am to serve with the men and women of this body; every one of whom is a close friend—those such as the distinguished Senator from Utah with whom I work on the Judiciary Committee; those with whom I work on the Appropriations Committee, the chairman of our subcommittee, the distinguished Senator from Kentucky, and the distinguished senior Senator from Alaska, the chairman of the committee—he and Senator BYRD have taught me so much as I have served on that committee—those with whom I serve on Agriculture, my good friend, the chairman of the Agriculture Committee, DICK LUGAR, and others. There are so many of you.

When I came here the country was very much at risk and the Senate was in good bipartisan shape. Today the country is doing very well, and we sometimes break down too much along partisan lines. I think this is unfortunate. Those of us who have served here a long time know it does not have to be that way. We know the country is better when we work together. I think of traveling with my friend from Mississippi, the distinguished senior Senator from Mississippi, THAD COCHRAN, when we went to our home States. We find, even though we are of different philosophies, there are so many things in common, so we can work together.

I hope we can do more and more of that. If I may say to all my friends, nothing I can ever do in life will give me greater pleasure or humble me more than serving in this body. There are only 100 of us who might be here at any given time to represent a great nation of a quarter of a billion people. Think of the responsibility that is for all of us. These are the finest men and women, in both parties, I have ever known.

When Marcelle and I came to this city, we didn't knew how long we were going to be here. I was the junior-most Member of this body, the junior-most Member—No. 99 in then a 99–Member Senate, because of a tie vote in New Hampshire. I sat way over in that corner.

I looked at Senators, people such as TED KENNEDY or Frank Church or Barry Goldwater, who would walk in here—people I knew from Time magazine covers or from the news—and suddenly realized, I am here. I remember that day in January when I stood up to cast my first vote and then quickly sat down. I also remember what Senator Mansfield, our leader, told me: Always keep your word, he said, and don't worry if you think you cast a vote wrong; the issue will come back. It does. I have found that is true after 10,000 votes.

So I think now I have been here long enough that this week I will finally do something I have been putting off for 25 years. I will carve my name in my desk.

I yield the floor.

(Applause, Senators rising.)

BIPARTISAN CAMPAIGN REFORM ACT OF 1999—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Reid amendment No. 2299.

Tom Daschle, Chuck Robb, Barbara Boxer, Joseph I. Lieberman, Jack Reed, Richard Bryan, Jeff Bingaman, Tim Johnson, Harry Reid, Blanche L. Lincoln, Dianne Feinstein, John D. Rockefeller IV, Richard J. Durbin, Daniel K. Akaka, Ron Wyden, Byron L. Dorgan, Tom Harkin, and Barbara A. Mikulski.

The PRESIDING OFFICER. Under the previous order, the mandatory call of the roll under the rules has been waived.

The question is, Is it the sense of the Senate that debate on the Reid amendment No. 2299 to S. 1593, a bill to amend the Federal Election Campaign Act of 1971, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The yeas and nays resulted—yeas 53, nays 47, as follows:

[Rollcall Vote No. 331 Leg.]

YEAS—53

Akaka	Feingold	Lincoln
Baucus	Feinstein	McCain
Bayh	Graham	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Hutchinson	Reed
Breaux	Inouye	Reid
Brownback	Jeffords	Robb
Bryan	Johnson	Rockefeller
Byrd	Kennedy	Roth
Cleland	Kerrey	Sarbanes
Collins	Kerry	Schumer
Conrad	Kohl	Snowe
Daschle	Landrieu	Thompson
Dodd	Lautenberg	Torricelli
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Edwards	Lieberman	

NAYS—47

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Campbell	Hagel	Smith (NH)
Chafee	Hatch	Smith (OR)
Cochran	Helms	Specter
Coverdell	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Kyl	Thurmond
DeWine	Lott	Voinovich
Domenici	Lugar	Warner
Enzi	Mack	

The PRESIDING OFFICER (Mr. CRAPO). On this vote, the yeas are 53, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2000

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of H.J. Res. 71, the continuing resolution. I further ask unanimous consent that the resolution be read a third time and passed, and the motion to reconsider be laid upon the table.

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

The resolution (H.J. Res. 71) was read the third time and passed.

ORDER OF PROCEDURE

Mr. LOTT. I ask unanimous consent that after we get an agreement on the time, Senator HATCH be allowed 5 minutes to speak on behalf of his ranking member of the Judiciary Committee.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, all I was asking was that he have an opportunity to speak very briefly about the 10,000 votes his colleague on the Judiciary Committee has achieved.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object, if I am allowed to speak on the

results of this vote before then, then I will agree to a unanimous-consent request.

PARTIAL-BIRTH ABORTION BAN ACT OF 1999—MOTION TO PROCEED

Mr. LOTT. Mr. President, let me go ahead then. This will be a little disjointed, but I think I can accommodate all Senators.

I now move to proceed to Calendar No. 300, S. 1692, the partial-birth abortion bill, and a vote occurring immediately following 80 minutes of debate, with 30 minutes under the control of Senator LEVIN, and 10 minutes each for the following Senators: FEINGOLD, BOXER, MCCAIN, SCHUMER, and SANTORUM, all occurring without any intervening action or debate. I also ask unanimous consent that Senator HATCH have 5 minutes after the vote to speak on behalf of his colleague, Senator LEAHY.

I further ask consent that it be in order for me to ask for the yeas and nays.

Mr. DASCHLE. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. There are two parts to the majority leader's request. The first is that he move to proceed to Calendar No. 300, S. 1692, which is the partial-birth abortion bill. The second is the unanimous-consent agreement involving the request by a number of Senators to be heard. I have no objection to Senators being heard. I question why we need to move to proceed to Calendar No. 300, when we simply could do so by a unanimous-consent request, thereby not taking off the table and off of consideration the campaign finance reform bill. I will, therefore, ask unanimous consent that we simply allow the partial-birth abortion bill to be taken up, thereby precluding the need to vote on the motion to proceed and thereby protecting the current position of the campaign finance reform bill.

I personally would love to have the full debate that we were promised on campaign finance reform. The amendments are pending. There ought to be a vote on the Reid amendment. I would like to have a vote on my amendment. Even though we did not get cloture, we ought to have that debate.

There are other Senators who have yet to be heard on this issue. We have not had the 5 days committed. We have not had the opportunity to vote on these issues.

I ask unanimous consent that we simply take up partial-birth abortion so we can return to this issue once that issue has been resolved.

Mr. LOTT. Mr. President, I object to that.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. By doing this, the campaign finance issue is put back on the calendar. We can have the debate that is needed on the motion to proceed to the partial-birth abortion bill, and Senators can be heard to express their concerns about the campaign finance issue, as well as the time Senator HATCH asked for after the vote. So I ask unanimous consent that it be in order for me to ask for the yeas and nays.

Mr. WELLSTONE. Object.

Mr. KERRY. Object.

Mr. GRAHAM. Object.

Mr. MCCAIN. Reserving the right to object.

Mr. KERRY. I object.

The PRESIDING OFFICER. Objection is heard to the request. The leader has the floor.

Mr. LOTT. Mr. President, is the motion to proceed pending?

The PRESIDING OFFICER. The majority leader's motion is pending.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, is the motion debatable?

The PRESIDING OFFICER. The motion to proceed is debatable.

Mr. MCCAIN. Mr. President——

The PRESIDING OFFICER. The majority leader has the floor.

Mr. LOTT. Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DASCHLE. Mr. President, I am very troubled by the majority leader's decision. There is no reason why we have to move to proceed to the partial-birth abortion bill. It is a bill that I will probably end up supporting. So this decision about whether or not we support or oppose partial-birth abortion, we will have a good debate about that and amendments will be offered. This is a question of whether or not we are going to keep our word, whether or not we are going to have the opportunity to finish the debate on campaign finance reform, whether or not we are going to have the opportunity to offer amendments. That is what this is about.

So nobody ought to be misled. Do we finish our business? Do we follow through with commitments? Do we have a good debate or not? The majority leader said no. No, we won't have a debate on campaign finance reform. No, we won't keep the commitments made with regard to how long this bill will be debated. That is wrong. A number of us—unanimously on this side and some on that side—want to make sure the RECORD clearly indicates our anger, our disappointment, and our determination to come back to this issue.

Mrs. BOXER. Will the Senator yield?

Mr. DASCHLE. I am happy to yield.

Mrs. BOXER. I say to my Democratic leader, does he not believe this is part of a pattern of taking issues that are important and rejecting them out of hand and not giving a chance for these issues to be fully heard? Does he believe this is part of it?

Mr. DASCHLE. The Senator from California raises a good point. The attitude appears to be: I am going to take my ball and go home anytime it doesn't go my way. I will just take my ball and go home. Well, I think that is wrong. We ought not to go home. This is too important an issue. We ought to be here, have the debate and the votes, and get this job done right. The American people expect better than this. They are not getting it with this decision; they are not getting it with the motion to proceed; they are not getting it with our denial to have a good vote and debate about some of these pending amendments.

Mr. LEVIN. Will the Senator yield for a question?

Mr. DASCHLE. Yes.

Mr. LEVIN. I want to clarify what the Democratic leader has done. He has offered unanimous consent to go to partial-birth abortion because if we go to it that way, after it is disposed of and resolved, we would automatically then come back to campaign finance reform and resolve that issue; is that correct?

Mr. DASCHLE. The Senator from Michigan is exactly right. If we would proceed to the partial-birth abortion bill by unanimous consent, the pending issue would continue to be campaign finance reform. By moving to proceed to the partial-birth abortion bill, we then relegate the campaign finance reform bill back to the calendar. That is what we want to avoid. That is unnecessary.

I think the American people are trying to sort this out and figure why we are doing this. The reason we are doing this is not because they want to take up partial-birth abortion alone; it is because they don't want to continue the debate on campaign finance reform. That is what this action actually telegraphs to the American people.

Mr. LEVIN. If I may further ask the Democratic leader, even though many of us oppose the bill relative to partial-birth abortion, we have nonetheless agreed that we would go to it by unanimous consent because, after it was then disposed of, however it was disposed of, we could then come back to this critical issue of campaign finance reform; is that correct?

Mr. DASCHLE. The Senator from Michigan is exactly right. We are not passing judgment on the issue of partial-birth abortion; there will be people on either side of it. But what we are united about, regardless of how one feels on partial-birth abortion—at least on this side of the aisle—is that every single Democrat believes we ought to stay on this bill. Every single Democrat wants to assure that we don't violate the understanding that the Senate had about how long we would be on this legislation, and whether or not we would be able to proceed with amendments and have a good debate. So you are absolutely right. There is no question, by going to unanimous consent,

we preclude the need to move off of this bill and put the bill back on the calendar. We don't want that to happen.

Mr. LEVIN. My final question is this: Is that not the reason why this upcoming vote—when it comes—on the motion to proceed then becomes the defining vote as to whether or not we want to take up campaign finance reform? Because if we move to proceed to partial-birth abortion, if that motion is adopted, then campaign finance reform goes back on the calendar. So this upcoming vote—whenever it occurs—on the question of moving to proceed to partial-birth abortion then becomes the defining vote ahead of us on the question of campaign finance reform.

Mr. DASCHLE. The Senator from Michigan is exactly right. The vote on the motion to proceed will be a vote to take away our opportunity to continue to debate campaign finance reform. If you vote for the motion to proceed, you are voting against campaign reform; you are voting against maintaining our rights to stay on that bill and resolve it this afternoon, tomorrow, or the next day.

Mr. LEVIN. Or after partial-birth abortion.

Mr. DASCHLE. Right. This is more than procedure; this vote is whether or not you want to stay on campaign finance reform and finish it. This is whether or not you are for campaign finance reform. That is what this vote is all about.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, first of all, I may be in some disagreement with the distinguished Democratic leader about an upcoming motion to proceed because some feel very strongly about the issue of partial-birth abortion and whether that vote might be interpreted as a vote in favor or against it.

Let me assure the distinguished Democratic leader—and I will elaborate on this in a second—we have not been treated fairly in this process by either side. So, therefore, Senator FEINGOLD and I feel no obligation except our obligation to campaign finance reform, and that is to do whatever is necessary, at whatever time, to make sure this issue is voted on, as were the terms of the original unanimous consent agreement that was agreed to by the majority leader.

I think it is fair to say that neither I nor the Senator from Wisconsin began this debate with the expectation that we were close to achieving 60 votes for campaign finance reform, although we have to be encouraged by the fact that three new Republican votes were cast in favor of campaign finance reform in this last vote. We did, however, believe that we had a chance to build a supermajority in support of some reform. We hoped that by dropping those provisions from the bill that drew the loudest opposition last year, and by allowing Senators to improve the legislation through an open amendment process, we might begin to approach consensus.

It appears we were mistaken. The opponents of comprehensive reform oppose even the most elemental reform. Those opponents abide on both sides of the aisle—if not in equal numbers, then in sufficient numbers—to render any attempt to clean up the system a very difficult challenge, indeed.

I suspect the opponents were concerned that were we ever allowed a truly clean vote on a soft money ban, we might come close to 60 votes. I believe that explains the extraordinary efforts from both Democrats and Republicans to prevent that clean vote from occurring.

I say to my friends on the other side of the aisle that I have argued with my Republican colleagues in the last two Congresses that reform supporters deserve a decent chance, through an open amendment process, to break a filibuster. I can hardly complain to them now that the other side has apparently decided it could not risk such a process, fearing that we might achieve what Democrats have long argued we should have—reform.

The Senator from New Jersey, Senator TORRICELLI, claims that the right wing of my party forced me to change our legislation. That will be news to them. I have noticed no reduction in the intensity of their opposition to a soft money ban now that it no longer is accompanied by restrictions on issue advocacy. All I have noticed is that the Senator from New Jersey has now become as passionately opposed to reform as are the critics of reform in my party.

Although I cannot criticize Republican Senators for reneging on a commitment to an open amendment process, I must observe that we were promised 5 full days of debate. That promise has not been honored. Moreover, the leadership decided to deny us even the opportunity to appeal to our colleagues before this vote, a rare and unusual occasion around here.

We were not allowed to continue our debate between the vote last night and the votes we have just taken. Whether this was done to treat us unfairly or to respond to the tactics of the minority matters little to me. In the end, we are denied a fair chance to pass our reforms, as we have been denied in the past. And although I am not all that surprised by the tactics employed by both sides, I am, of course, a little discouraged.

However, Mr. President, neither Senator FEINGOLD nor I are so discouraged that we intend to abandon our efforts to test Senate support for a ban on single source contributions that total in the hundreds of thousands, even million of dollars. We will persevere. And we believe we are no longer bound by any commitment to refrain from revisiting this issue in the remainder of this session of Congress. I know there is not a lot of time left before adjournment, but if the opportunity exists to force an up or down vote on taking the hundred-thousand-dollar check out of politics, we will do so, Mr. President.

Some Senators may wonder why would we persist in these efforts when it is clear that the enemies of reform are numerous, resourceful, and bipartisan. Are we just tilting at windmills? I don't believe so Mr. President. I believe that some day, the American people are going to become so incensed by the amount of money that is now washing around our political system that they will hold Senators accountable for their votes on this issue. Then, I suspect, we will achieve some consensus on reform. Until then, it is our intention to do all we can to make sure the public has a clear record of support or opposition to reform upon which to judge us. Yesterday's cynical vote for a ban on soft money indicates to me just how fearful of a straight, up or down vote the opponents are.

Mr. President, I want to respond again to the criticism that my stated belief that our campaign finance system is corrupting is untrue and demeaning to Senators. Let me read a few lines from the 1996 Republican Party platform.

> Congress had been an institution steeped in corruption and contemptuous of reform.
>
> Scandals in government are not limited to possible criminal violations. The public trust is violated when taxpayers' money is treated as a slush fund for special interest groups who oppose urgently needed reforms.
>
> It is time to restore honor and integrity to government.

I repeat again. I am quoting from the Republican Party platform of 1996.

Mr. President, I'm not saying anything more than what is, after all, the official position of the Republican Party. Or is it my Republican colleagues' view that only Democratic-controlled congresses are ''Steeped in corruption and contemptuous of reform''?

As I said last week, Mr. President, something doesn't have to be illegal to be corrupting. Webster's defines corruption as an ''impairment of our integrity.'' I am not accusing any Member of violating Federal bribery Statutes. But we are all tainted by a system that the public believes—rightly—results in greater representation to monied interests than to average citizens. No, Mr. President, there is no law to prevent the exploitation of a soft money loophole to get around Federal campaign contribution limits. There is no law, but there ought to be. That's why we're here.

Does anyone really believe that our current system has not impaired Congress' integrity or the President's for that matter? When special interests give huge amounts of cash to us, and then receive tax breaks and appropriations at twice or five times or ten

times the value of their soft money donations. What is it these interests expect for their generosity? Good government? No, they expect a financial return to their stockholders, and they get it, often at the expense of average Americans. Would they keep giving us millions of dollars if they weren't getting that return? Of course not.

Cannot we all agree to this very simple, very obvious truth: that campaign contributions from a single source that run to the hundreds of thousands or millions of dollars are not healthy to a democracy? Is that not evident to every single one of us? A child could see it, Mr. President.

The Senator from Kentucky said the other day that there is no evidence, no polling data, no indication at all that the people's estrangement from Congress would be repaired by campaign finance reform. He is correct, there is no such evidence.

But I have a hunch, Mr. President, that should the public see that we no longer lavish attention on major donors, should they see that their concerns are afforded just as much attention as the concerns of special interests, should they see some evidence that their elected representatives place a higher value on the national interest than we do on our own re-elections, should they no longer see tax bills, appropriations bills, deregulation bills that are front-loaded with breaks for the people who write hundred-thousand-dollar checks to us while tax relief or urgent assistance or real competition, or anything that could immediately benefit the average American is delayed until later years, if ever, should they see that, Mr. President, I have a hunch, just a hunch, that the people we serve might begin to think a little better of us.

Mr. President, no matter what parliamentary tactics are used to prevent reform, no matter how fierce the opposition, no matter how personal, no matter how cynical this debate remains, the Senator from Wisconsin and I will persevere. We will not give up. We will not give up in the Senate. And we will take our case to the people, and eventually, eventually, we will prevail.

I ask my colleagues, why must we appear to be forced into doing the right thing? Why can't we take the initiative, and show the people that it matters to us what they think of us?

Mr. President, despite our protestations to the contrary, the American people believe we are corrupted by these huge donations. And their contempt for us—even were it not deserved—is itself a stain upon our honor. Don't allow this corrupt—and I use that term advisedly—this corrupt system to endure one day longer than it must. We have it in our power to end it. We must take the chance. Our reputations and the reputations of the institution in which we are privileged to serve depend on it.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, we have just completed the 20th cloture vote on this subject since 1987. Since my party took over the majority in the Senate, the 52–48 vote was the highest watermark actually during that period, and going all the way back over the 20 years I have been involved in this issue.

So I thank the 48 Senators—regretfully, all of them were Republican—who resisted the temptation to support a measure that would have quieted the voices of American citizens and destroyed the effectiveness of our national political parties.

Then, on the second vote, which was narrowed to only affect the two great political parties, there were 47 votes against that proposal, which is more than we had gotten on a much broader measure back in the first Congress after my party took over the Senate.

So I think it is safe to say there is no momentum whatsoever for this kind of measure which seeks to put the Government in charge of what people may say, when they may say it, and attempts to take the two great American political parties out of the process.

I thank the Senator from Arizona for retracting his statements on his web site which were highly offensive to the Senator from Utah and the Senator from Washington State. We took a look at the web site. Those have been deleted and we thank the Senator from Arizona for doing that.

Turning to the sequence of events over the last week, we began the debate on Wednesday, October 13. Admittedly, it was later in the day than the majority leader had intended. That was the day of the vote on the Comprehensive Test Ban Treaty, but those who were on the floor were ready to go and suggested we begin Wednesday night at 7:30 p.m. and get started on the bill. There seemed to be not a whole lot of desire on either side to begin at that time of the night.

On Thursday, Republicans offered Senator MCCAIN and Democrats an overall agreement providing for a vote on the Daschle-Shays-Meehan amendment, and providing that all other amendments must be offered by 5:30 on Monday. Consequently, this agreement would have outlined an orderly fashion for debate and final disposition of the campaign finance reform bill. That agreement was objected to by Senator MCCAIN and our Democratic colleagues.

On Friday, Republicans offered Senator MCCAIN and the Democrats an agreement that would provide for a time limit for debate on the Daschle-Shays-Meehan amendment and a vote in relation to that amendment. That agreement was also objected to by our Democratic colleagues.

Also on Friday, several efforts were made on behalf of the Republicans to proceed with amendments to the pending campaign finance reform bill. The minority leader and the assistant minority leader then offered first and second-degree amendments, thereby filling up the amendment tree. The first-degree amendment offered was the Shays-Meehan bill and the second degree was the McCain-Feingold bill. Cloture was then filed on each amendment in the order stated. Those cloture votes, of course, have just occurred.

Again, on Friday, numerous unanimous consent agreements were offered, largely by this Senator, in an effort to lay aside the pending Democratic amendments in order to proceed with the amending process. Those consent agreements were objected to by the Democrats and thus the Senate was put in a holding pattern awaiting today's cloture votes.

Yesterday, the Senate debated throughout the day the pending two amendments, and the Senator from Arizona made a motion to table the Reid second-degree amendment and the motion to table vote occurred at 5:45 yesterday and was defeated by a vote of 92–1.

The consent was offered to debate between 9:30 and 12:30 on Tuesday—today—calling for the cloture votes at 2 p.m. on Tuesday. That was objected to. Therefore, the Senate had no alternative than to convene at 1:15 today and use the cloture rule to have the cloture votes occur at 2:15.

For the benefit of those who may not have followed this debate quite as closely as the Senator from Kentucky, I wanted to lay out the sequence of events since last Wednesday when we went to the bill and the numerous efforts were made to have an open amending process so we could have a chance to improve a bill that obviously is fatally flawed.

As is the case in all measures of any controversy in the Senate, I think it is important to remember every controversial measure has to achieve a 60-vote threshold. That is not unusual. That is the norm. It should not be surprising that this highly controversial measure, which many people on my side believe is not bipartisan and not properly crafted, would be subjected to the same 60 votes as other controversial measures.

The majority leader and the Republicans lived up to their end of the agreement. We are disappointed the Democrats refuse to abide by it. I am equally disappointed to hear the Senator from Arizona and the Senator from Wisconsin have announced they now refuse to honor that agreement.

Mr. KERRY. Will the Senator yield?

Mr. MCCONNELL. No. I am about to yield the floor and you can say whatever is desired.

I yield the floor.

Mr. REID. Mr. President, I have enjoyed working with the Senator from Kentucky on this issue. He is certainly an expert at what is going on in the Senate. But I do say respectfully, he has over the years decided that the best defense is a good offense. Certainly, that is what he has done. One of

the biggest targets he has talked about during the last few days is the Democrats having stopped the Republicans from offering amendments to this bill. It is simply not true, as indicated by the fact the Senator from Minnesota offered an amendment yesterday. There was still room to offer three or four amendments.

It was chosen as a matter of tactics not to offer amendments and then talk about the fact they were not able to offer amendments. In fact, the majority could have offered all the amendments they wanted. They say, if cloture was invoked, the amendments would fail, well, that is the way it always works around here.

We simply wanted a vote on the two issues before this body: The House passed Shays-Meehan bill; and the so-called ''McCain-Feingold lite''—that is, to ban soft money.

That is what the debate has been about, an effort to avoid an up-or-down vote on those two very important issues that the American public deserve to have heard.

There was no holding pattern; the holding pattern was generated by the majority themselves, as indicated by the actions taken by the majority.

This is just the culmination of a number of things that we have around here. When the going gets tough, we go off the issue. The going was just getting tough on this issue. My friend from Kentucky can spin things; he is very good at that. Of course, everyone knows the Senator from Wisconsin and Senator MCCAIN have picked up eight Republicans we never had before. When the first votes took place on this issue, Senator BYRD was majority leader, we tried to invoke cloture seven times. The Democrats voted to invoke cloture on campaign finance reform, but we didn't have the support of Republicans, generally speaking—certainly not eight. We now have that.

I say to my friend from Kentucky, he can spin it however he sees proper, but the numbers don't lie. We are picking up Republican Senators every time we have a vote on this issue. We have eight now. That is a victory for campaign finance reform.

This debate should go forward, not be stopped now. As our Democratic leader further announced earlier today, there are issues we need to be talking about. We should be talking about the Patients' Bill of Rights—a real Patients' Bill of Rights, not the ''Patient Bill of Wrongs'' passed out of this body. We should pass a Patients' Bill of Rights as the House of Representatives did.

Minimum wage. Minimum wage is not for teenagers flipping hamburgers at McDonald's. People earn their living with minimum wage. Mr. President, 65 percent of the people drawing minimum wage are women; for 40 percent of those women, that is the only money they get for their families. Minimum wage is an issue we should be out speaking on today, now.

Juvenile justice: We have been waiting for 5 months for that conference to be completed. It is not close to being done.

Medicare: We talked about Medicare. We go home and we know the problems with Medicare. We did some things with the balanced budget amendment that we need to correct. We should be working on that right now.

Any time we have something important that is a little difficult, we walk away from it, just as we walked away from one of the most important treaty's to come before the Senate, the Nuclear Test-Ban Treaty. We had 24 Republicans that signed a letter saying they thought the treaty should not be acted on at this time, however, when the vote came, they all walked away. The fact of the matter is if they didn't like it in its present form, shouldn't we have had a debate on the Senate floor and maybe make some changes to it—just not vote it down. We were prevented from doing that.

So I believe we should go forward on this most important issue. This is the fourth time during this debate I have had the duty of managing, on the minority side, this bill, this most important campaign finance reform. This is the fourth time I have said this, and if I have the opportunity I will say it four more times.

The State of Nevada has less than 2 million people. In the campaign between HARRY REID and John Ensign almost a year ago, we don't know how much money was spent, but we know between the State party and Reid and Ensign campaigns we spent over $20 million. That does not count the independent expenditures. We do not know how much they were. John Ensign and I estimate it was probably about $3 million in ads run for and against us. If you use no other example in America than the Reid-Ensign race of last year, that is a reason to take a real, strong, close look at campaign finance reform.

Maybe after the two measures see the light of day and amendments are offered and we have a full debate, maybe they would be voted down. But should not we at least have that opportunity? I think after what happened in Nevada, if in no other place in America, we deserve a full airing of campaign finance reform. How in the world can you justify spending, in the State of Nevada, the money that was spent in that race? John Ensign and HARRY REID have said to each other, and said publicly: We never had a chance to campaign against each other for ourselves. We were buried by all this outside soft money.

Campaign finance reform, Patients' Bill of Rights, minimum wage, juvenile justice, Medicare—there are a lot of other things we should be debating. But right now—today, this week —in the Senate, we should be spending more time on campaign finance reform.

I say, as I have said on a number of occasions, I greatly appreciate the efforts of my friend from Wisconsin. Here is a person who put his career on the line for a matter of principle. He was the original sponsor of McCain-Feingold. In the election that occurred last year, he almost lost the election because he was buried by soft money. As a matter of principle, RUSS FEINGOLD refused to allow anyone to use soft money in the State of Wisconsin for his benefit. He offended people by saying: I know you are trying to help me, but I will not allow you to bring soft money in the State of Wisconsin as a matter of principle. He is still here. I have great admiration for him. I think what he has done for the people of the State of Wisconsin and this country is commendable.

If for no other reason, I believe he deserves a full debate in this. Of course he is joined with the Senator from Arizona.

We need to go forward on this issue. Personally, as has been indicated, I have supported the next measure the majority leader wants to bring up. But if I have an opportunity to vote on whether or not we are going to proceed to partial-birth abortion, I will vote no, even though I am a supporter of that legislation.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the assistant minority leader for his very kind remarks and his very strong remarks on the need to stay on this bill. I also thank the leader, Senator DASCHLE, for his strong remarks in support of reform in the presence of so many Democratic colleagues on the floor at that time right after the vote was taken. Of course my gratitude goes to the Senator from Arizona for continuing to fight.

We are making progress. The story has not yet been told on this floor of what just happened on this vote. Certainly I do not share the interesting account of the Senator from Kentucky, who seems elated that three Republicans who have stuck with him all the way did not vote with him this time. That is what just happened. That is what nobody is pointing out.

Day after day after day in this effort I am asked: What other Republicans are you going to get to support you, RUSS? I am never sure because, obviously, each Senator makes his or her own decision. They often do not make their decisions until the last minute because these issues are often tough calls. But we finally had a vote where we found out we have a lot more support than some people thought. This is why games have been played in the last couple of days. This is why we had the Senator from Kentucky voting not to table a soft money ban last night. I don't think he has changed his mind. But he urged every one of his Republican colleagues last night to, in effect, vote to ban soft money after they just stood out here for 2 or 3 days and argued against a ban.

Why? Why would they do that? Why did we not meet this morning? Why

didn't the Senate do anything this morning? Here we are, near the end of one of the most difficult floor periods in a Congress, with appropriations bills and many other matters before us, with the leadership telling us over and over again we need to get all this work done, but we did not meet this morning. I will tell you why. Because the Senator from Kentucky knows his support is slipping. He may have even known we would pick up the support—and I say this to members of the press and others who always ask me this: Who is going to support you? This time we had Senators from Delaware and Arkansas and Kansas vote with us, including Senators who have never voted with us before.

I recognize there are still some tough issues to resolve for some of the Senators who voted with us. But this is an exciting development. Last year the big deal was we had not gotten a majority. Then we got a majority. The natural question is, How do you get to 60 votes? My answer is, one at a time. But today we took three steps in that direction. I think that tells you what is going on. They want to move off this bill because we are moving in the right direction. We are not there yet but, boy, we are getting closer.

What will bring us to the end of this process, a fair end of this process? First of all, the understanding we had is that we would have 5 real days of debate and amendment. You cannot count starting at 7:30 at night on a Wednesday when Senators had left the Capitol as a day. So we are entitled, under this understanding, to come back in here the rest of today and tomorrow and debate this issue. We had three full days on this bill—Thursday, Friday, and Monday. On two of those days we had no real votes. Then today, the fourth day, we didn't come in until 1:15 pm. That is not the five days of debate that we were promised.

I know there are other Senators on the Republican side who want to join us, who want to add to the 55. But they want something every Senator has a right to want. They want a chance to offer amendments. They have some ideas they would like to add to this soft money ban that I think could be acceptable, and they could finally help us break down this absurd roadblock to banning this form of corruption that is affecting the Senate.

Make no mistake, three new Senators have voted with us. They do not represent an ideological group from the left or the right. They are just different Senators who, I believe, have finally had it with this soft money system. This is why the Senator from Arizona and I used the strategy of simplifying this bill, of saying let's at least have an up-or-down vote on soft money. That is what we just had. I find what these Senators did very encouraging. I thank them because it takes guts. It is tough to stand up to your leadership on this. They did it. I am grateful for this vote. It is very significant.

So we should not leave the issue now. This is the time to let those Senators, and other Senators who have indicated an interest in banning soft money, come to the floor, offer their amendments, and see if we can fashion a compromise that could cause the Senate to be proud and to join the House in trying to actually do something about this problem.

I thank all the Senators who will assist us in preventing this matter from coming off the floor. It belongs on the floor. It is the most important issue before this country, and we need to continue to work on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I ask unanimous consent my comments not count under the two-speech rule.

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

Mr. KERRY. Mr. President, first of all, I thank Senator MCCAIN and Senator FEINGOLD for their efforts, though I must say I take exception to the comment of Senator MCCAIN which he made earlier. He is my very close friend. I have worked with him very closely on a lot of issues. But when he suggests there is a bipartisan opposition to reform, I think he is not paying tribute to the fact that no Democrat voted against cloture. No Democrat voted against proceeding to the full measure of germane amendments that would precede the bill. So even though the Senator from New Jersey, Mr. TORRICELLI, may feel very strongly about not just dealing with soft money, he was prepared to accept the verdict of the Senate in a normal process of amendment. This is not bipartisan in opposition. There is only one group of people who voted against proceeding to campaign finance reform, only one group, and I regret it is entirely on the other side of the aisle, the Republicans, because, obviously, we are not trying to make this partisan.

We were very grateful for those courageous Republicans who decided the time has come to vote for campaign finance reform. Obviously, we want them. We desperately need more Republicans who are willing to embrace campaign finance reform.

But the fact remains that on the critical votes of whether or not the Senate was prepared to eliminate the extraneous amendments, have cloture, and proceed to the process of debating this bill, not one Democrat said no to that. It was only Republicans who have stopped the Senate in its tracks.

Where do we find ourselves? What did the Senator from Kentucky say? He recited a few days of histrionics, a few days of sort of maneuvering. We had a whole morning, this morning, as the Senator from Wisconsin was saying, where we could have debated this. Why didn't we debate this morning? The Senate did not even convene until 1 hour prior to having the votes, and that was because under the consent order previously entered into, with the two cloture votes, those votes were going to take place 1 hour after the Senate convened.

So what could be more convenient? Convene the Senate as late as possible so that you have no time to debate and then proceed to have two votes. Why? Because you cannot turn up the heat on the issue; because the television cameras will not be on; because the galleries are not open; because the American people will not be sharing in a real debate about the impact—the corrosive impact—of money on the American political system.

And our 47 and 48 colleagues on the other side of the aisle who stand there and close down the process ought to take a sampling of the people who are in the galleries. I know we are not allowed to do that, but I bet if you asked every single one of them, as they leave this Chamber, ''Do you think there is too much money in American politics? Do you think the money gains access to the system? Do you think the money distorts the process? Do you think the money somehow does favor for certain issues over the general interests?'' Every single one of those people, or at least 85, 90 percent would tell you, yes, there is too much money in American politics, and it separates the average citizen from the people they elected to represent them. Overwhelmingly, Americans believe that. And, overwhelmingly, Americans understand there is a connection between what happens in Washington and what does not happen in Washington and all of the contributions.

This is the fight that some of us came to have: The fight over whether or not we are going to have a fair political system.

I understand a lot of our friends on the other side of the aisle do not want to change the system. Politics has a certain amount of self-interest in it; and the self-interest of getting reelected is a powerful one. A lot of our colleagues over on the other side of the aisle have a lot more money available to them than Democrats.

I was outspent in every election I ran in until the last election when a Republican agreed with me to do something different. We had a fair playing field. He was a sitting Governor. I was a sitting Senator. So you know what we did. We both banned soft money—no soft money in our campaigns; we banned independent expenditures—no independent expenditures; and we actually reached an agreement that we would both limit ourselves to how much money we would spend in our race.

Then we did something else different. We had nine 1-hour televised debates so the people in our State could share in a good, healthy exchange about the issues that matter to them.

So you can do it differently. You can do it differently. But if a lot of incumbents sit here and say: Boy, I like that money; it's so much easier for me to go

down to the Hyatt Hotel or the Hilton Hotel or the Sheraton and have an event; and there are a whole lot of people who can afford the flight, the air ticket to Washington, and then can, after the air ticket, afford to bring a big check to me, come and meet me for a little while, and I can collect a whole lot of money—that way, I can fund a campaign—that is pretty easy. Most challengers in this country cannot do that.

The end effect of that is literally to strip away the vibrancy of our own democracy because what happens is the money is very well represented. But the points of view that do not have the money are not as well represented. And no one here can deny that. No one here can deny that.

We have heard a lot of talk in the last few days about corruption. We have heard about the way money corrupts politics, about how it corrupts the system. I express my admiration to the chairman of the Commerce Committee, my friend who is on the floor of the Senate. I think he has a lot of guts. He has a lot of courage to come to the floor of the Senate and tell a lot of people the truth. And a lot of people do not like to hear it.

So it got very personal last Friday—very personal—as we got led off into a tangential debate where one Senator was challenging Senator MCCAIN, was challenging him to name names, lay out for us a list of those in the Senate who have been corrupted.

I say to my colleague who was asking that question: Where does that line of questioning take us? Where does that line of questioning take us? No Member of the Senate that I know of runs around impugning the character or the integrity of another colleague. That is not what the Senator from Arizona was doing.

What the Senator from Arizona was doing was having the courage to point out that we are all prisoners—something he knows something about. But in this case, we are also the jail keepers because we have the key. We have the ability to release every single one of us from this prison—where we have to go out and raise these extraordinary amounts of money, where we allow ourselves to be proselytized by groups of people who spend $100 million a month in this city, either to get us to do something or to stop us from doing something. Think about it.

Then go out and ask how many of the average Americans are contributing to that $100 million. Ask the folks working two or three jobs, ask the folks who pay their taxes and struggle to send their kids to a good school, and who know their kids need technology and child care and health care and a whole lot of other things if they feel well represented by that $100 million.

How many of them are lined up outside the Commerce Committee or the Banking Committee or the Ag Committee, or any other committee, when we have a markup around here?

How many of them can afford to send a young messenger to wait in line, from the early hours of the morning, so they are assured of having a seat where the action is taking place?

I think we ought to get away from the side arguments and the side diversions and understand what the Senator from Arizona, the Senator from Wisconsin, the Senator from Minnesota, and a whole lot of other Senators, a majority of the Senate, think about that, a majority.

This is not some wild-eyed, crazy fringe, tiny group of Senators who are somehow trying to stop the Senate from doing business. This is a majority of the Senate who believes the time has come to have campaign finance reform. Oh, sure, we all know the rules say it takes 60 votes. That is a supermajority. We all understand that. But on the great fights of the Senate, people were willing to stay and fight. It took 6 weeks, I think, of filibuster for the Civil Rights Act to pass. We can go back in history through a lot of other great debates of the Senate. It took a long time, with serious work, serious meetings, serious efforts to try to reach agreement.

Let me give Senators a critical fact concerning the perception among the American people today. I don't think anybody can disagree with this. Some people want to avoid it, but I don't think an honest, intellectual assessment would allow them to disagree with it. Every poll shows it; every conversation anybody might have, even with the top corporate chieftains of this country. I have talked to some of the top CEOs of some of the biggest Fortune 500 companies in the country about how they feel about fundraising—from a Democrat or from a Republican. Those are the people who are increasingly turning off the current system. They are scared. They don't voluntarily get out of it.

There are a few who have. The committee of businessmen that has come together with a new plan has had the courage to say: We are not going to give to Republicans, and we are not going to give to Democrats, either. I have heard so many of these CEOs say: I know it is bad; I know it is corrupting. I don't like it; I don't want to be part of it. But if I unilaterally stop doing it, my competitor will be at the table, and I won't be at the table.

That is what happens. So they don't do it. The fact is, the majority of Americans believe the amount of money spent on campaigns gains a special access to the political system for those who are most capable of contributing, whatever side they are on, whatever side of the issue.

Let's assume, for the sake of argument, no Senator is affected by the money that is given. Take the word ''corruption'' off the table, as it applies to any specific act of any legislator. Ask yourself, by fairer judgment, if the group that wants to achieve goal A can go out and raise tens of millions of dollars and have the ability to then load that money into campaigns for people who will vote for what goal A is, and the people in goal B are all pretty poor or don't have access to money or aren't organized and don't have the ability to contribute the same way, but their goal may be equally worthy or, in fact, more worthy, is there a fairness in the system? Is there a form of corruption of the political process, not of the people but of the political process, that denies the kind of fair playing field I think is at the heart of the kind of democracy this country wants to provide its citizenry and for which it really stands?

I think the perception of that unweighted playing field, the perception of that unfairness ought to concern every Member of the Senate.

We can sit back and point to our own personal integrity. We can say we don't make decisions on public policy based on campaign contributions. The truth is, we are extraordinarily exposed to the general awareness and perception and belief and cynicism that is now attached to the system which says that the money speaks and that it makes a huge difference.

I think such a significant portion of Americans are affected by this that, in point of fact, the standard set up by the Supreme Court with respect to the perception of corruption is met.

When the Senator from Kentucky—I will talk about this a little later—talks about the first amendment, there is a sufficient test under first amendment standards that would allow the Court to make a decision in favor of some restraints. They have already done that. They did it in 1972, in 1974. We certainly have the right to do it now.

I ask my colleagues, every year 20,000 Americans are poisoned with the E. coli bacteria when they eat contaminated food. They have found tuberculosis in beef, and two-thirds of chickens contain the potentially deadly campylocbacter bacteria. That is not a finding of politicians. That is what scientists tell us. But in spite of the rapid spread of food-borne illnesses, we haven't responded. We haven't done anything. Walk into a room of 50 ordinary Americans and tell them we haven't done anything to promote public health needs on this issue, that every single bill that has come before us on food-borne illnesses has been killed, and then tell them the food industry has made $41 million in campaign contributions to congressional candidates over the last 10 years. Almost every person who hears that will say: I bet you there is some kind of connection there.

Seventeen thousand people were killed by drunk drivers last year. Mothers Against Drunk Driving, the National Safety Council, and hundreds of other organizations formed a coalition to pass stricter standards on drunk driving, in order to keep drunk drivers off the road and get tougher on them when we catch them. Almost

everyone agrees this would save lives. But the regulations didn't pass. Surprise.

Ask the average person on the street if they think our inaction on something as obvious as that has any connection to the over $100,000 spent by Alcohol Wholesalers, by the National Restaurant Association, Wine and Spirits Wholesalers, other alcoholic beverage organizations, that gave to both sides, Democrats and Republicans alike. Ask them if they think there is a connection.

Last year, we tried to do something to respond to the fact that every day 3,000 kids become smokers. We know, because the doctors and scientists tell us, that half of those children will wind up dying early and costing us enormous sums of money in our medical care system until they ultimately die from their addiction. Ask the average American if they believe all our legislative efforts on tobacco fell apart, or at least in any part was it connected to the fact that Philip Morris and all the other big tobacco companies spent millions of dollars over every year for several years in contributions to both parties to hundreds of candidates for the House and the Senate. Was that a spending in the general public interest? Was that a spending in the interest of the Nation?

Certainly—and I agree with my colleague from Kentucky—if it wasn't spent to elect a candidate, if it was spent to sell the virtue of tobacco or of something that had nothing to do with an election, certainly that fits under the first amendment. I understand that. That is a separate issue that can be dealt with separately.

I think we have to be even more frank than that in sort of acknowledging the kind of connection people perceive. The truth is, I think all of us know, to varying degrees, we are trapped in a reality where big money gets its calls returned. Big money gets its meetings. Big money gets the face time it asks for and looks for. We can see it in all of the fundraisers that take place in this city and in other parts of the country. Every single one of us is sensitive to that reality. I understand that.

There are very few Senators who don't work hard to try to undo that, the notion of the walls of the prison, if you will. I don't think Senators like it particularly. Some are content to live with it, even though they may not like it. The reality is, nonetheless, it changes the way the institution operates.

We only have to listen to someone such as Senator BYRD, the former leader, who has seen it on every side and has seen it change over the years that he has been in the Senate. He will tell us how the Senate has changed in the way it operates because of the amount of money in our system today.

I say to my colleagues, rather than put current Members on the spot, listen to what some of our colleagues who have retired from Congress, who are liberated from having to raise the money, who are out of the system, have said about the current game in which they were once trapped.

Representative Jim Bacchus, a Democrat from Florida:

> I have, on many occasions, sat down and listened to people solely because I knew they have contributed to my campaign.

There is an honest statement by a former Representative. I don't expect all my colleagues to stand up and say that, but that is what he said.

When asked whether Members of Congress are compromising the institution of Congress when they solicit contributions from the special interests they regulate, former House minority leader Bob Michel, a Republican from Illinois, said simply:

> There is no question. I don't know how you even change that. It is a sad way of life here.

That is a former leader in the House of Representatives, and a Republican.

I don't have the quote, but I remember my friend, Paul Laxalt, one of the closest friends of Ronald Reagan, who, when he left the Senate, said unequivocally:

> The amount of money being raised in the U.S. Congress was corrupting the process, and it was having a profound impact on the quality of the U.S. Congress.

Listen to what former Representative Peter Kostmayer said:

> You get invited to a dinner somewhere, and someone gives you money, and then you get a call a month later and he wants to see you. Are you going to say no? You are just not going to say no.

Why do the special interests give money? I think everybody would agree that former Senator and majority leader George Mitchell was a man of enormous integrity. He led the Senate. He has been leading the peace talks in Northern Ireland, a person of huge integrity, a former U.S. district judge, a former Senate leader. George Mitchell summed it up saying:

> I think it gives them the opportunity to gain access and present their views in a way that might otherwise not be the case.

That is fundamentally the flaw. The Senator from Kentucky and others can take umbrage at the notion of the use of the word ''corruption,'' but you don't have to be specifically corrupt in some way that breaks the law to be sharing in a general corruption, an ''impairment of the integrity,'' as Webster defines it, of the institution, and the integrity of this institution is impaired by the current system.

I mentioned a moment ago some of the best minds in the business community—CEOs and others—who have shared with me, and I know with other colleagues, that they find the current system nauseating, sickening. They are tired of being ''shaken down''. That is their term, not ours. I know there are letters that have been sent by Members of the Congress to those groups that don't give. People have been threatened not to give to the other party. People have been threatened. These stories have all appeared in the Washington Post, New York Times, Los Angeles Times, Boston Globe—stories all across the country. People believe if they don't play the game on the fundraising circuit, they will lose out in the subcommittees, the committees, and on the floor.

We saw, this summer, that some prominent business executives joined a coalition for campaign finance reform, called the Committee for Economic Development. They promptly received a letter from the Senator from Kentucky, chairman of the National Republican Senatorial Campaign Committee telling them in no uncertain terms:

> If you disagree with the radical campaign finance agenda of the CED, I would think that public withdrawal from this organization would be a reasonable response.

So what is the message there? The business leaders told me what they thought the message was. They said: We find it ironic that you are—

This is what they sent to Senator MCCONNELL. This is their response to the people who are trying to keep us from voting for campaign finance reform. The business leaders wrote:

> We find it ironic that you are such a fervent defender of First Amendment freedoms, but seem intent to stifle our efforts to express publicly our concerns about a campaign finance system that many of us believe is out of control.

I don't raise these issues to suggest in any way that any individual Member of this body is corrupt. I am not saying that, nor is the Senator from Arizona. But the system is leading us all down a road that diminishes the trust of the American people in this institution and that diminishes our connection to the American people and therefore their faith in the system of Government and in the capacity of this Government to do what our Founding Fathers wanted it to do.

This is less and less a real democracy, and more and more a ''dollarocracy,'' a democracy mostly decided and impacted by the amounts of money that can be raised and spent, and not by the quality of the ideas that are put forward and debated in the great manner of Lincoln and Douglas and others who took ideas to the American people.

Are we scared of ideas? Do we have to pitch every idea in a 30-second advertisement, or a 60-second advertisement, and flood the airwaves with seductive, distorted, completely contrived messages, rather than laying out to the American people a series of facts and relying on them to choose?

I have been here now for 15 years, and every year I have been here we have tried to achieve campaign finance reform. In fact, I was the author, together with Senator Boren, Senator Mitchell, and others, of an original effort that had a component of public financing. We actually passed that on the floor of the Senate when the Democrats were in the majority. President Bush vetoed it. Subsequently, we got

as many as maybe 46—I think it was—votes for a bill that might have had some component of public financing.

But, each year, as the Republican majority has grown, the number of people willing to embrace a broader set of reforms has also diminished, leaving us now with a stripped-down version of McCain-Feingold—stripped-down to the point that many people on our side of the aisle fear that it may have the unintended consequences of the 1974 reforms; that if you do one component of reform, but you don't have a fair playing field, you simply unleash torrents of money into other sectors that may wind up having a negative impact on the ability of people to be elected.

I think we have to act. I say to my colleague from Kentucky, the notion that the members of the media are going to sit there—those who have covered the Senate for years—and believe that 4 days of truncated, half-hearted debate somehow represents a legitimate effort on campaign finance reform is beyond anything credible. I don't think a member of the media could believe that when we sit here and say, well, we went to this last Thursday, and on Friday half of the Senate left to go home, and on Monday half of them hadn't come back, and on Tuesday morning there was absolutely no debate at all, and then we had two votes, and pretend somehow that the Senate has done anything serious about campaign finance reform. What a farce. What a joke.

My colleagues on the other side of the aisle need to understand that this is an issue that isn't going to go away. We must begin to be serious about having a fair playing field—and I do mean a fair playing field, not trying to jockey it for Democrats or for Republicans but deciding as a matter of common sense how we can approach an election.

We are supposed to be the premier democracy on the face of this planet. We are supposed to be setting the example for people in other parts of the world. And more and more people look at our system, and say: That is what it is all about? They spend $20 million in States such as Nevada chewing each other apart trying to prove what an evil American the other guy or woman is. How extraordinary.

I think everybody on our side of the aisle was prepared to go into long and serious meetings. We are prepared to caucus. We are prepared to have efforts to try to decide how we can come up with a fair playing field. We ought to have a real debate because we need to understand that the costs of campaigning are eliminating the capacity for fully representative government for most Americans. Some people do not believe that. I know my colleagues on the other side of the aisle argue with fervor that the first amendment is represented by money, and the more money you can raise, the fairer it is. You can go out and campaign.

In 1996, House and Senate candidates spent more than $756 million. That is a 76-percent increase since 1990. And it is a sixfold, 600-percent increase since 1976.

The average cost of a race in 1976 was $600,000 for a winning Senate race. The average cost went to $3.3 million.

Many of us in 1996 were forced to spend more than that. My race in 1996 was the most expensive race of that year in the country—a paltry sum compared to the Senator from California. I think she and her colleague had to raise upwards of $20 million, and I think perhaps $30 million was spent against Senator FEINSTEIN. I am not sure of Senator BOXER—but somewhere in that vicinity. My race in Massachusetts was cheap compared to that. We had only $12.5 million, maybe $13 million for 6 million people.

In constant dollars, we have seen an increase of over 100 percent in the money spent for Senator races from 1980 to 1994.

I know Senators don't do this. Not every Senator is raising money every single week. But many are because of the vast sums they have to raise. But on average, each Senator has to raise $12,000 a week for 6 years to pay for his or her reelection campaign. That is just the tip of the iceberg now because we have had this incredible explosion in soft money.

Soft money represents everybody taking advantage of the loopholes. It wasn't the intention of campaign finance reform or Congress to allow soft money. I must admit some Democrats managed to develop that loophole rather more effectively at the outset than some Republicans. It doesn't make it right.

In 1988, Democrats and Republicans raised a combined $45 million in soft money; in 1992, that number doubled to $90 million; and in 1995 to 1996, that number tripled to $262 million.

Do you know where it comes from? It comes from U.S. Senators who are passing legislation making telephone calls, or having meetings with high-powered corporate types, or very rich people who write checks for $50,000, $100,000, $200,000, and $300,000. Indeed, I believe the last year, in 1996, there were nine people in America who wrote checks for $500,000.

That is where it comes from. And don't let anybody kid you. It goes into campaigns. It wasn't meant to originally. But now it goes almost directly into campaigns.

So you, frankly, have corporations and a lot of big money directed into the campaign process which was never the intention of the U.S. Congress back in 1974 when they passed campaign finance reform.

Do you know why ordinary citizens believe they are being shut out? Do you know why the average American doesn't believe the system is on the up and up? Do you know why the average American thinks big money gets influence over their money? I will tell you why. Because fewer than one-third of 1 percent of eligible voters donated more than $250 in the electoral cycle of 1996.

I want to repeat that. Why do people think the system is out of whack? Because fewer than one-third of 1 percent of all the eligible voters in America gave more than $250 in the electoral cycle.

Think what would happen in this country if we invited people, as we used to do in the Tax Code, to take a tax deduction for a $50 or $100 donation. And those tax deductions, when people were encouraged to take them, in fact, added up to about $500 million a cycle, which would have paid for almost all the races back then. You could do it with small donations, if they wanted to—if they wanted to. But they like to go out and get the bigger dollars. One-third of 1 percent of Americans contribute over $250.

Ask most Americans what they think they are capable of giving to campaigns or are able to contribute, and you will get a sense of the great divorce in this country, a huge gulf, a Grand Canyon of campaign finance gap that is separating the average American from the political process.

Then we have another problem in the system—the issue ads. These are those ubiquitous TV and radio ads bought by all kinds of special interests to persuade the American people to vote for or against a candidate. Usually, these ads are negative. They are usually inaccurate. But they are one of the driving forces of the American political process today. They violate the spirit of campaign finance laws in the country. Of course, they do.

Listen to what the executive director of the National Rifle Association Institute for Legislative Action said. He said:

> It is foolish to believe there is a difference between issue advocacy and advocacy of a political candidate. What separates issue advocacy and political advocacy is a line in the sand drawn on a windy day.

Mr. President, the American people want us to fix this system.

An NBC-Wall Street Journal poll shows that 70 percent of the public believes campaign finance reform is needed.

So what the Republican Party is doing today is saying, well, we don't care what 70 percent of the American people are willing to do. They are unwilling to pass campaign finance reform that is fair, unwilling even to deal with it in a serious way.

Last spring, a New York Times poll found that an astonishing 91 percent of the public favor a fundamental transformation of the system.

I believe we ought to be able to deliver on that kind of reform.

Some of our colleagues believe that reforming the current finance system in a comprehensive manner would violate the Constitution. The constitutionality of a ban on soft money could raise questions. I think the issue of a total ban on soft money, depending on how it is structured, could conceivably be worked out in a thoughtful and artful way. But the point is it is fundamentally a sham issue as it is being

presented by the other side. And the first amendment is being used as a shield to prevent the proper scrutiny of this issue and to prevent us from changing it.

The truth is there are ways that you can reform the system within the confines of the first amendment.

On the critical soft money issues, leading constitutional scholars and former ACLU leaders agree that banning soft money contributions will not violate the Constitution if properly constructed. And we forget that the Supreme Court in Buckley versus Valeo held that limits on individual campaign contributions do not violate the first amendment. It simply cannot be said the first amendment provides an absolute prohibition of any and all restrictions on speech.

When State interests are more important than unfettered free speech, that speech is appropriately allowed to be narrowly limited.

Speech is already limited. We know in cases of false advertising and obscenity. And I think it is clear that under the limits of Buckley we can deal with the risk of corruption or the appearance of corruption and the warranted limits on individual campaign contributions.

The ban proposed in McCain-Feingold simply requires all contributions to national political parties be subject to the existing Federal restrictions on contributions to those parties that are used to influence Federal elections, and it would bar State and local parties from raising soft money for activities that might affect a Federal election. Groups remain completely free to spend as much money as they want on speech.

This is a red herring, a straw man. It is well used, I might add, by the Senator from Kentucky, but it is wrong. I am convinced the courts would ultimately hold it so, were we to do our work properly.

We've also heard that if we ban soft money, we will unconstitutionally infringe upon the rights of special interest groups to engage in free speech. I would respectfully suggest that there is some real confusion here. The ban proposed in McCain-Feingold would simply require that all contributions to national political parties be subject to existing federal restrictions on contributions those parties use to influence federal elections, and it would bar state and local parties from using soft money for activities that might affect a federal election. Groups would remain free to spend as much as they wanted on speech—they simply could not funnel that money through the political parties.

Another favorite argument offered by those opposed to reform is that we already have bribery laws to prevent corruption and the appearance of corruption. This argument ignores the fact that the Supreme Court in Buckley explicitly considered and rejected the same claim. The Court said that it was up to Congress to decide whether bribery and disclosure laws were enough to address the federal problem with real and perceived corruption. A majority of the Members of the House and Senate do not believe the bribery laws are sufficient to limit corruption or the appearance of corruption.

Opponents of campaign finance reform are vehement that any effort to control or limit sham issue ads would violate the first amendment. They argue that as long as you don't use the words ''vote for'' or ''vote against'', you can say just about anything you want in an advertisement. But that is simply not what the Supreme Court said in Buckley. It said that one way to identify campaign speech that can be regulated is by looking at whether it uses words of express advocacy. But the Court never said that Congress was precluded from adopting another test so long as it was clear, precise and narrow. It is exactly that kind of test that is included in Shays-Meehan and that I hope can be put back into the reform bill we are debating here today.

I believe reasonable people can come together and work through these first amendment questions. Certainly that ought to be a challenge the United States Senate is capable of meeting. And I believe that if we can do that we can move on to a question no longer of whether to reform the campaign system, but how.

I believe that the amendment offered by our minority leader would help us embrace reform. Though not a cure, embracing the Shays-Meehan model passed in the House treats the most serious symptoms that threaten the health of our whole democratic system.

Let me say again, this amendment is by no means sweeping reform. It does not limit spending by candidates. It does not replace private campaign contributions with clean money. But, it does address two of the most serious problems with our current, broken campaign finance system. It bans soft money and it clamps down on phony issue ads. We must attack both of these problems simultaneously if our campaign finance system has any hope for recovery.

And I would remind the Senate that even those of us who agree that there is a serious problem have different ideas on how to fix it, or what aspect in particular most desperately needs a cure.

I have long been an advocate of one particular kind of reform. I joined Senator WELLSTONE once again this year in offering a clean money bill that would take special interest money out of the political system. But I am a realist. The Senate is not yet ready to embrace something as broad as clean money, in spite of its merits. that is not going to happen yet, but I continue to hope and believe that it will someday.

In the meantime, we must focus on finding a remedy for the worst of the problems from which our campaign finance system suffers. I believe Shays-Meehan can do that.

And, Mr. president, I believe we can move this debate forward and pass this legislation if we can avoid the hot-button issues on both sides, the poison pill amendments we've encountered again and again which have stopped us in our tracks.

One amendment which particularly worries me is the so-called paycheck protection amendment. Some of my colleagues on the other side are advocating that unions obtain written authorization from all union members before using any portion of union dues for political activity. The amendment would not require corporations to obtain the same written authorization from shareholders before using corporate treasury funds used for political activity. Proponents of this amendment complain that union dues are used to run issue advocacy campaigns that are really thinly disguised electioneering. However, rather than closing the issue advocacy loophole, which would comprehensively solve the problem, my colleagues on the other side would inhibit unions only while leaving corporations as well as conservative advocacy groups untouched.

If paycheck protection were passed, it would limit almost all political activities by unions, not just use advocacy. It would gut the funds the unions use for internal communications activities, particularly get out the vote activities. Rather than adopting this inherently unfair amendment, which would target only unions, a better solution is to close the issue advocacy and soft money loopholes. I hope my colleagues on both sides of the aisle will join me in opposing a paycheck protection amendment if one comes up.

Mr. President, I hope we can avoid those poison pills, I hope we can actually pass something this week, and that we can support the campaign finance reform bill that was passed in the House, so that we have the tools to remedy both sham issue ads and soft money.

There is an awful lot riding on this debate. Because we have been down this road before, many think the result is a foregoing conclusion. In a front page article last Tuesday, the Washington Post stated,

''. . . opponents of reform will rest easy in the knowledge that nothing will be accomplished.'' I hope the Post is wrong. I believe we can make the system better. We are not going to take all of the steps that would be necessary for a cure, but we can take care of the parts of the system that are hurting all of us the most. And that is a course of action on which all our citizens—and this Senate—ought to be able to agree.

I urge the Senate not to turn away from a real process where we sit together, work through the objections, have honest debate and discussion, and allow the Senate to work its will on the floor of the Senate rather than

walking away again from one of the most urgent needs as expressed by our fellow citizens in this country.

I yield the floor.

Mrs. BOXER. Mr. President, I thank the Senator from Massachusetts. He is eloquent on this subject.

I am grateful we have been able to extend the debate on campaign finance reform at least a little bit because of this motion that has been made. On the other hand, it was our understanding we were going to be on campaign finance reform for 5 days. Sadly, we didn't have the expectation met that we would be 5 days on this particular matter.

I know the Senator from Michigan is here. I ask unanimous consent upon completing my remarks the Senator from Michigan be recognized.

The PRESIDING OFFICER. The Presiding Officer in his capacity as the Senator from Washington objects.

Mrs. BOXER. Mr. President, it is hard for me to understand why my friend objects, but that is his right to do so.

I wanted the Senator from Michigan to be heard because he is feeling very strongly this particular vote we are going to have is as important as the other two votes we took on the procedural matter of cloture. If Senators believe we should have campaign finance reform, they should vote against the motion to proceed to an abortion issue that truly should not be coming before this Senate. I will have more to say on why I believe that to be the case. The Senator from Michigan, Mr. LEVIN, I am sure, will get the time on his own accord at the appropriate moment.

As Members know, the Democratic side of the aisle was not going to object to going to the abortion issue—although many do not believe it is the right time to do so—we would not object to that and we would have been willing to go to that. It would have meant as soon as the debate was finished on that abortion issue, we would have gone back to campaign finance reform. Because of the parliamentary maneuver of the majority leader, Senator LOTT, we will not be able to go back automatically to campaign finance reform if we vote to proceed to the abortion question.

I make a case for voting against that. I think the best case to make is the issue we have been trying to debate for the last few days, the issue of campaign finance reform.

I stood on this floor last week and admitted, with all eyes upon me, I was a user of the campaign finance system, I was good at it, I was better at it than my opponents. I know how to use the system. I have been in Congress since 1983. I learned very well by making mistakes early in my career that Members need the resources in order to answer the charges that are thrown against them.

I say the system is broken for three reasons. One, the average person doesn't believe in this system. They have tuned out. They don't vote because they believe, rightly or wrongly, that it is the people with the money who are the people with the access who essentially control this agenda. They feel very left out of the system.

Second, there is an appearance of corruption. Everyone who partakes in this system plays the game that to many Americans appears to be corrupt. We all play it well. The system has the potential to corrupt, and the system, at a minimum, has the appearance of corruption.

Third, this system takes too much of our time away from our work, away from our jobs.

I see the Senator from New York. I am proud of the kind of campaign he ran. I know it was as hard for him as it was for me to raise the kind of money we raised. We are good at it. We know how to do it. It is not necessarily to our benefit to change the system, but we know how bad it is.

My friend from Minnesota, Senator WELLSTONE, and I were talking about dialing for dollars, when we are up and we are hoping no one is on the other end, hoping it is an answering machine so we can leave our message because it is so demeaning to have to call total strangers we have never heard of —had 100,000 donors to my campaign; I didn't know the majority of those donors—to have to ask them for money. This is not why a Senator is elected.

The system is broken and needs to be fixed. People are not voting because they don't believe in the system.

What does the majority leader do after a couple of days of debate? He wants to take campaign finance reform out of here. He wants to take it off the Senate floor. I think I see a pattern emerging in the Senate Chamber which I don't think is particularly good for the American people.

Campaign finance reform, wheel it out the door tomorrow.

The test ban treaty, we had a majority vote for that. Wheel it off the floor.

Minimum wage, block it from ever coming. Lock the doors. We don't want to hear about minimum wage, even though we are in an economic recovery and the bottom economic class is not benefiting from it. The least we can do is raise the minimum wage a few cents an hour. We can't even get that through the door.

He doesn't want sensible gun control. We passed it over his objection. The majority party doesn't want it here. It was wheeled out the door, into a conference committee, never to be heard from again. How many more of our children have to die before we bring that back and vote in those sensible gun control measures?

The majority doesn't want real health reform. We passed a sham bill. The House passed a good one. How about going to conference, strengthening health reform so people can see the doctor they need to see, when they need to, that they can get the tests they need when they need the tests and they can live a good quality of life. No, that is shut out, wheeled out of here, never to be heard from again.

School construction, nowhere in the majority's bills; 100,000 cops on the beat, nowhere in the majority's bills; school construction to begin to fix up the school classrooms, nowhere here, out the door.

This is becoming a killer Congress—kill everything the people want, including campaign finance reform.

I ask unanimous consent to have two editorials printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the San Diego Union Tribune, Oct. 19, 1999]

CAMPAIGN FINANCE REFORM—TIME FOR A VOTE ON ENDING SPECIAL INTERESTS' REIGN

Unpopular because of his relentless crusade to block campaign finance reform, Sen. Mitch McConnell, R-Ky., is resorting to stoning the messenger.

Rising on the Senate floor recently, McConnell indignantly challenged Sen. John McCain, R-Ariz., co-sponsor of the campaign finance reform bill, to specify which senators have been corrupted by special-interest contributions. McConnell's theatrics were seconded by Sen. Robert Bennett, R-Utah, objecting to McCain's suggestion that lawmakers could be bought or rented.

Coolly refusing to take the bait by naming names, McCain recalled last year when Senate Republicans were assured by their leadership that they needn't fear electoral repercussions from voting against an anti-tobacco bill, because the industry's political action committees would generously support their re-election campaigns.

McCain could have recounted many other examples where big contributors have wielded inordinate influence over the Senate. The open secret on Capitol Hill is that, the bigger the contributions, the greater the access.

Former Sen. Don Riegle, D-Mich., conceded as much when he was accused, along with four other senators, including McCain, of receiving $1.4 million to run interference for Charles Keating while he ran a California savings-and-loan institution into the ground. Although McCain was a bit player in this sleazy process, he was scarred by it nonetheless. That may help explain why he's so committed to sanitizing the system.

The bill that he authored with Sen. Russ Feingold, D-Wis., would ban soft money, which is unlimited contributions that political parties collect and spend to promote their candidates. The reform measure may not completely cleanse the system. But it would put a crimp in the current process, which amounts to little more than legalized bribery.

For all his fulminations about protecting the sanctity of free speech, McConnell knows that special-interest money rules. In fact, he's altogether comfortable with a system under which the National Rifle Association shoots down gun-control bills, the oil lobby secures lower royalty payments, and the telecommunications industry benefits from legislation that lawmakers passed largely on faith.

These and other well-heeled interests make out very well because they have invested plenty in lawmakers who repay their favors. That is precisely what McCain means when he says Congress has been corrupted by special-interest money. And that's why Republican and Democratic lawmakers alike support his bill to help clean up this mess.

The question is whether McConnell and Senate Majority Leader Trent Lott, R-Miss., will permit a floor vote on the reform measure. Or will they resort once more to procedural gambits and strangle it?

[From the Bakersfield Californian, Oct. 19, 1999]

CAMPAIGN REFORM VITAL

Senators should be allowed to vote up or down on a proposal to overhaul a federal campaign finance law. Then, if the bill by Sens. John McCain, R-Ariz., and Russ Feingold, D-Wis., does pass, the courts can sort out a potential constitutional issue.

Instead, opponents of a proposed ban on so-called soft money are vowing a filibuster—a non-stop talk-a-thon that prevents debate on an issue. It is a parliamentary ''don't-let-'em-get-a-word-in-edgewise'' maneuver. The filibuster can be broken only if opponents muster a two-thirds vote in favor of open and free debate—more than the majority vote needed to pass the subject legislation itself. Soft money is a contribution made in federal elections to political parties for activities that are not supposed to support a specific candidate. The idea was to stimulate public awareness of elections and issues with such tasks as voter registration drives and get-out-the-vote efforts.

However, critics of the practice wisely note that experience shows a huge influx of money from well-heeled interests—corporations, unions, special interest groups. The effect is to overwhelm potential access to the campaign process by individuals.

Worse, with some clever use of the funds, they can be directed to help build awareness among voters of issues being emphasized by specific candidates. The real-world effect of the practice is to void the very theory of soft-money; emphasize issues and process, not specific candidates.

In doing so, it creates an end-run around other rules which set dollar limits on contributions that can be made directly to candidates. Those limits are designed specifically to level the access playing field by making all sources of influence roughly equal.

It is worth noting that the House of Representatives—which does not allow filibusters and whose members have the grind of seeking election every 2 years—were shamed into passing a version of the bill. But senators, who have the comparative luxury of six-year terms, are balking at even allowing a vote on the issue.

Opponents of the McCain-Feingold soft-money limits piously say the law would inhibit the ability to buy advertising, and hence limit politicians' freedom of speech. This from a minority of senators who are muzzling free speech on the bill???

The issue of whether campaign finance laws are unconstitutional needs serious consideration. It is getting it where it should: in the Supreme Court.

Let the Congress propose, the courts dispose. Vote on and pass McCain-Feingold.

Mrs. BOXER. Mr. President, I find these articles interesting because they are editorials from two Republican newspapers in my State, the San Diego Union Tribune and the Bakersfield Californian. Normally I would not be reading their editorials into the RECORD because I usually do not agree with them, but I agree with them on this. Because I do not want to mention the name of any Senator, I will leave it out. The article from the San Diego Union Tribune says:

For all the fulminations about protecting the sanctity of free speech [this particular Senator] knows that special-interest money rules. In fact, he's altogether comfortable with a system under which the National Rifle Association shoots down gun-control bills, the oil lobby secures lower royalty payments, and the telecommunications industry benefits from legislation that lawmakers passed largely on faith.

This is pretty extraordinary for the San Diego Union Tribune. Of course Senator FEINGOLD has been on this floor daily, reading us this list of contributions and showing how it lines up with the legislation that is taken up on this floor. I assure you, the people who need an increase in the minimum wage are not making contributions to any of us, OK? I assure you they are not. They cannot. They can barely put food on the table. No wonder they cannot even get their bill heard.

Then the Bakersfield Californian says:

Opponents of the McCain-Feingold soft-money limit piously say the law would limit the ability to buy advertising, and hence limit politicians' freedom of speech.

And they say:

This from a minority of senators who are muzzling free speech on the bill?

That is interesting, by taking off the floor this bill for which a majority voted, they are muzzling us. That is why this vote tomorrow is so important.

I want to make a couple of points about the bill waiting in the wings to come back on this floor for the third time. It is called the partial-birth abortion bill. There is no such thing as a partial-birth abortion. Ask any doctor. This is a made-up term. It is either a birth or it is an abortion. But it is fiery language. It makes people think that a woman is waking up at the end of her pregnancy and saying: I have changed my mind. Nothing could be further from the truth.

What this bill is about is banning a procedure doctors say they need to save the life and health of the mother. The Senators want to come in here and play doctor and say what procedure can and cannot be used on my daughter and on everybody's daughter in the country. They are going to do it again, even though they do not have the votes to pass it over the President's veto, and even though across this country that ban has been ruled unconstitutional in 20 different states.

So we are going to throw out campaign finance reform to go to a bill that does not even belong here. This subject belongs at the medical schools and in the hospitals and clinics across the country. They are the folks who have to decide how to deal with a medical emergency in the late term of a pregnancy.

There is not one Senator in this Senate who favors abortion in the late term—not one. We have all voted for various bills to say no. What we do say is this: If it is an emergency to save the life of the woman, to spare her health, to keep her fertility so she can have other children, then it is up to a physician to decide.

We are going back to that bill. I will be debating it along with my colleagues. There will be various alternatives. But let's be clear, let's not pull any punches here; it is all about politics. They think it is an issue that gets them some votes out there.

I hope people will listen to the debate because I don't think people elected us to come here and be doctors. They go to the hospital to see a doctor, not a Senator, and they come to the Senate to hear Senators, not doctors. It is ridiculous. If 100 physicians walked in with their coats on and tried to evict us from our chairs, they would be arrested. But we come and we pass legislation telling doctors they are going to go to jail if they do something to save a woman's life or her health. Something is wrong. This does not belong here.

But we are going to go to this bill for the third time. The President will veto it for the third time. We will uphold his veto for the third time. We will talk about it for the third time, and we will protect the life and the health of the women in this country for the third time.

In the meantime, we are throwing off the Senate floor issues that can get through this Senate and can get a signature from this President: the minimum wage, 100,000 teachers, school construction, campaign finance reform. We can do it. We have a majority who believe in it. We can clean up the system.

I wish to say a special word about the Senator from Michigan. He has shown tremendous leadership on this issue over the years. He has seen this as a moment where we can stand our ground and keep this bill on the floor of the Senate. I look forward to his remarks as well as to those of the Senator from New York. I am proud to have voted for every campaign finance reform measure that ever came down when I was in the House. Even when I was on the board of supervisors in Marin County many years ago this subject came up. So it has been many, many years. Maybe now, with this vote tomorrow, maybe now we can get 51 people to say: Keep campaign finance on the floor.

My very last point: I ask unanimous consent to have printed in the RECORD one more letter.

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

OCTOBER 18, 1999.

Hon. TRENT LOTT,
U.S. Senate,
Washington, DC.

DEAR SENATOR LOTT: Saturday, October 23, will mark the one-year anniversary of the assassination of Dr. Barnett Slepian, who was murdered in his home in Amherst, New York. As you are undoubtedly aware, there have been five sniper attacks on U.S. and Canadian physicians who perform abortions since 1994. Each of these attacks has occurred on or close to Canada's Remembrance Day, November 11. All of the victims in these attacks were shot in their homes by a hidden

sniper who used a long-range rifle. Dr. Slepian was killed. Three other physicians were seriously wounded in these attacks.

Federal law enforcement officials are urging all women's health care providers, regardless of their geographic location, to be on a high state of alert and to take appropriate protective precautions during the next several weeks. Security directives have been issued to all physicians who perform abortions for clinics or in their private practices, and to all individuals who have been prominent on the abortion issue.

Senator Lott, on behalf of our physician members, and in the interest of the public safety of the citizens of the US and Canada, we urge you to reconsider the scheduling of a floor debate on S–1692 at this time. As you are aware, each time this legislation has been considered, extremely explicit, emotional, and impassioned debate has been aroused. We have grave fears that the movement of this bill during this particularly dangerous period has the potential to inflame anti-abortion violence that might result in tragic consequences.

We sincerely hope that you will take the threats of this October-November period as seriously as we do, and that you will use your considerable influence to ensure that the Senate does not inadvertently play into the hands of extremists who might well be inspired to violence during this time. We urge you to halt the movement of S. 1692. Please work with us to ensure that the senseless acts of violence against US citizens are not repeated in 1999.

VICKI SAPORTA,
Executive Director, National Abortion Federation.
EILEEN MCGRATH, JD, CAE,
Executive Director, American Medical Women's Association.
WAYNE SHIELDS,
President and CEO, Association of Reproductive Health Professionals.
GLORIA FELDT,
President, Planned Parenthood Federation of America.
PATRICIA ANDERSON,
Executive Director, Medical Students for Choice.
JODI MAGEE,
Executive Director, Physicians for Reproductive Choice and Health.

Mrs. BOXER. Mr. President, this is a letter signed by the National Abortion Federation, Planned Parenthood Federation, American Medical Women's Association, Medical Students for Choice, and the Executive Director of Physicians for Reproductive Choice and Wayne Shields, President and CEO, Association of Reproductive Health Professionals.

This is a serious letter. This letter points out this is the very worst time to go to this abortion bill. This letter points out that ''Saturday * * * will mark the one-year anniversary of the assassination of Dr. Barnett Slepian, who was murdered at his home * * *'' while he stood in his living room; ''* * * five sniper attacks on U.S. and Canadian physicians * * * since 1994.''

I have to say this group is very concerned; this is not the time to bring up this bill. What is the rush to bring up this bill this week? Unfortunately—they sent this letter to Senator LOTT—from what I understand, they did not get an answer. They are saying:

Senator LOTT, on behalf of our physician members, and in the interests of the public safety of the citizens of the U.S. and Canada we urge you to reconsider the scheduling of a floor debate on S. 1692.

That is the bill we are going to go to.

As you are aware, each time this legislation has been considered, extremely explicit emotional and impassioned debate has been aroused.

They write, and I think this is very serious, I say to my friends:

We have grave fears that the movement of this bill during this particularly dangerous period has the potential to inflame anti-abortion violence that might result in tragic consequences.

This is a simple request. Wait a week or two before bringing this bill to the floor. So I think it would be good if we didn't go to this bill right now. I am very willing to debate it any time, any day of the year, for hours. I will stand on my feet. I will talk about the women who had this procedure who might have lost their lives or their health had they not had it. It is not a problem for me. We are going to be able to sustain a veto with this President. But at least we should put it off for a week if we are being asked to do that.

For so many reasons, I hope we will not proceed to this abortion bill. If we do, we will be on the floor, we will talk about it, but I hope we will not go to it. I hope we will continue our work on campaign finance reform.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank the Senator from California for her inspiring words, as well as the Senator from Michigan for his leadership on this issue. I will not speak for a long time, but I felt compelled to rise because we really are at a crucial time in a debate on campaign finance reform.

We have debated this bill for a few days. Most of it has been on Friday and Monday, when most of the Members have not been here. The debate is just beginning to reach its fulsome place. We need to continue this debate.

Campaign finance reform has been an issue that has been debated for over a decade. Scant progress was made. We made more progress on the floor today, when 55 Senators voted for the McCain-Feingold bill, than we have made in a long time. And those who wish to nip that progress in the bud are not for campaign finance reform.

If anyone ever needed a distinction—there is a lot of rhetoric going on and a lot of little cloudmaking machines to hide what is going on—look at the vote. If you were for campaign finance reform, you voted for that proposal; and if you were against, you voted against it—even modest campaign finance reform.

Many of us bit our tongue when we voted for it because it is a small step, a very small step—the simple abolition of soft money. It is not even what the House did. I would expect, on a lofty issue such as this, the Senate to lead but instead the Senate trails far behind even the House of Representatives and certainly the American people.

And now, when we want to continue the debate, there is a move to shut off that debate. I would certainly ask my 10 colleagues on the other side of the aisle who voted for this modest proposal not to shut off debate, if you are serious about campaign finance reform. We have not even begun the amendatory process.

I have an amendment, along with the Senator from Illinois, that is very simple: When issue committees put ads on television, they should have to disclose where the money comes from—no prohibition, no limitation, simply disclosure. Isn't it unbelievable we would support a campaign finance bill and not have disclosure of where people are spending that money? The public certainly has a right to know about that.

My good friend from Kentucky has been arguing the first amendment for a very long time. I don't know why we don't see the same passion on other first amendment issues as we see on this one, but so be it.

But the amendment the Senator from Illinois and I will be proposing is a first amendment type of amendment: disclosure, sunlight, sunshine. If a big corporation, any other big interest—it could be an environmental group or a labor group or some group that I generally support—puts money out there, large amounts of money, to make their viewpoint known, the public ought to know, particularly in these days when advertising can be so deceptive. We have groups called citizens for fair this and fair that, when they are really interest group shields. Come clean.

Allow that amendment to be debated. I think if the amendment were debated, it would pass. It has had some bipartisan support. Even the Senator from Nebraska has indicated a likelihood of support. But if we cut off debate, simply after the two cloture motions, we will have no chance to debate that amendment and other amendments. I think this amendment would strike a balance that would satisfy most people.

So we sit in this Chamber. Today we began at 1:15. It is not that we are out of time; it is simply that those on the other side of the aisle do not want to debate this issue. They want to put a dagger in the heart of campaign finance reform and by not debating don't even want to leave fingerprints. With the cloture votes today, I say to my colleagues on that side of the aisle, your fingerprints are all over that dagger that killed campaign finance reform.

There is not even a pretense, so at the very least let us debate it. Let us

spend some hours reminiscent of the great days of the Republic and the Senate debating this issue, which is a very serious issue about how we govern our country. Let the debate be full. Let there be dialog. Let there be amendments.

I worry about the future of this Republic. We have a great structure. The Founding Fathers were truly geniuses. The more I am around, the more I respect their genius. We have a great economic system, which the world emulates, that promotes entrepreneurialism, that allows anybody, no matter how poor they start out, to rise to the top. But we have a poison eating at us, and that is the mistrust that the public has of the Government. That mistrust is more caused by the way we finance campaigns than any other single issue. It creates the partisanship people decry.

When I went home to New York, I got lots of that this weekend because of the Comprehensive Test Ban Treaty. It promotes the feeling that an individual citizen cannot have any influence on the Government. It promotes a view that it is not one-person/one-vote, but one-dollar/one-vote. Those views we do not even have to comment on their veracity. I think there is a lot of truth to them. But it certainly creates a mistrust, a distance between Government and the people.

In an era where things move quickly, in an era of global competition, in an era where we all have to work together as one, this is poison. We have a chance to take a modest step. It is not everything I would want—not even close—but it is a modest step. We made real progress today. We got more votes than we thought we would. Two Senators on the other side of the aisle who had not voted for campaign finance reform before have voted for it now. Maybe if we debate this for another few days, we will not win any more votes, but maybe we will. Maybe someone will offer an amendment that strikes some kind of unity, some kind of feeling of bringing us together.

The issue is too important to brush aside. The issue cries out for full debate. To move off now, just as things begin to get going, is wrong and tragic, if that does not overstate it, because I think the issue is so important for the Republic.

So I make a plea to the Senator from Kentucky and the Senator from Mississippi: Don't cut off debate. Don't use your legislative prerogative and might to shut this debate down. Let it continue. Let the debate continue. Let amendments, such as mine, be offered. Let amendments, such as others have proposed, be offered. Let the chips fall where they may. But to shut off debate in this untimely manner is a travesty of this body and for the American people.

Mr. President, I yield back my time.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Washington.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Democratic whip.

Mr. REID. Mr. President, what I would like to do now—not to bring any final disposition to this matter—there have been people coming on and off the floor. The Senator from Washington is here. If he would be recognized next, then Senator LEVIN after that, and then Senator REED after that.

Mr. REED. Could I——

Mr. REID. Senator REED before Senator LEVIN.

Mr. WELLSTONE. Senator WELLSTONE before everyone.

Mr. REID. Senator LEVIN, and then Senator WELLSTONE. And then following Senator WELLSTONE, on our side, Senator BOB GRAHAM from Florida. If any Republicans come in the interim who want to speak, we will stick them in so there is a balance.

Mr. GORTON. Mr. President, I will object to the request at least in the form in which it was presented. It seems to me there ought to be a right for anyone on this side of the aisle to speak first, after the conclusion of any speech on that side of the aisle. If the request is only for the order of speaking of Members of that side of the aisle, with the clear understanding that if a Member on this side of the aisle wishes to succeed one of them, that he or she may do so, then I will not object.

Mr. REID. I say to the Senator from Washington, that was part of the consent. I already said that. If somebody wants to come in from the Republican side, they would step right in following the Democrat.

Mr. GORTON. With that understanding, I will not object.

Mr. REID. I say to the Chair, the reason for this is we have people who have been waiting for hours, not knowing when they are supposed to come. I appreciate the consent of the Senator from Washington.

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

The Senator from Washington is recognized.

Mr. GORTON. Mr. President, for all of the hours that have been spent on the debate on the particular bill that has been before the Senate, this year's form of McCain-Feingold, I believe it was summarized best, with the most striking degree of contrast to the paradox imaginable, last Friday by the distinguished Senator from Wisconsin, Mr. FEINGOLD. He came to the floor of the Senate and specifically singled out the Microsoft Corporation, based, of course, in the State I represent, in an attempt to make a direct link between campaign contributions and/or contributions to political parties and the appearance of political corruption. In order not to misstate in any respect, I will quote briefly from the remarks of the Senator from Wisconsin:

> Apparently Microsoft and their allies are not seeking to directly affect the litigation that is being conducted with regard to Microsoft by the Justice Department at this time; what they are trying to do, according to this article [an article in the newspapers on that day] is cut the overall funding for the Justice Department's Antitrust Division. In this context, if somehow things don't look right, there is the ever present possibility that there would be an appearance of corruption.

The Senator from Wisconsin then went on to relate how he recently read that Microsoft Chairman Bill Gates is the world's wealthiest individual. This led the Senator from Wisconsin to say:

> I have no idea what Microsoft's or Bill Gates' actual contributions are, and I am not suggesting that they are making those contributions to influence funding of the Justice Department. But for us to create a scenario where Mr. Gates could give unlimited amounts of money rather than the old $2,000 of hard money, or a Microsoft PAC could give more than $10,000, to just have it be unlimited I believe almost inherently . . . creates an appearance of corruption that is bad for Microsoft, bad for the Justice Department, and bad for the country.

It is 2 weeks ago that the General Accounting Office issued a report indicating the Department of Justice had spent, so far, $13 million in a lawsuit that it has brought against the Microsoft Corporation. Included in that $13 million is a considerable amount of money for public relations efforts on behalf of that lawsuit.

I think much of the speculation fueled by those public relations experts is that the Department of Justice, if it has the opportunity, may well ask the court literally to break up what has been the most successful single corporation, the single corporation most responsible for the dramatic change in the way our economy is run of any corporation in the United States. So we have an administration and a Government spending $13 million to prosecute a case against this corporation, speculating that it may ask for the breakup of the corporation. But for the CEO of that corporation to spend more than $2,000 in political contributions or for its political action committee to spend more than $10,000, that is an appearance of corruption which must be controlled by the Federal Government.

The bill the Senator from Wisconsin was promoting at the time he made this speech would say that corporation and that individual could not give $1, either to the Republican or the Democratic Party or to any of their subsidiary organizations, designed to be used for the education of voters or indirectly for the election of an administration more favorable to entrepreneurship in the United States. And this is denominated campaign election reform designed to deal with an appearance of corruption. Absolutely amazing—the Microsoft Corporation, not accused of doing anything wrong at all but simply because a Member of this body or the Department of Justice itself says there might be an appearance of corruption, should be deprived of any effective means of defending

itself in a political court of public opinion. The Government can spend $13 million or twice or three times $13 million engaged in the prosecution; the company cannot attempt to influence either the amount of money the taxpayers give to that Department of Justice or, more profoundly, the nature of the next administration that may or may not follow the same antitrust philosophy itself.

Now, I guess I can lay it out. I am the Senator from the State in which Microsoft is located. Close to 15,000 of my constituents are employed by that company. They have transformed not only my State and my constituency in a magnificently positive fashion but the entire United States of America and have had a tremendously positive impact not only on America's image in the world but on its economic success in the world.

You bet I defend them. You bet I hope in my next political campaign I will have its support. I already do, to a certain extent. That is totally public and above board. I would be totally remiss in my duties if I didn't do so. But to say, in a world with a Government that may be trying to destroy the company, that it is appropriate for this body to tell it that it effectively cannot participate in the political system or, for that matter, its employees can't effectively participate in preventing the Government from destroying their livelihoods in the corporation that they bring up is bizarre. Apparently, those who want to change the laws and ban political parties from raising so-called soft money say they do it to remove the appearance of corruption. But they will define what the appearance of corruption consists of so once anything that they dislike is described by them as an appearance of political corruption, all limitations are off. They can do whatever they want. They can restrict first amendment rights guaranteed by the Constitution of the United States in whatever way they would like to restrict them. The first amendment may permit, to an almost unlimited extent, pornography, but it doesn't guarantee the right of an individual or a group of individuals operating through a corporation to defend their livelihoods and their existence.

At the outset of this debate, the proponents were asked to come up with any incidents of actual corruption. In fact, they go out of their way to say there aren't any, or there aren't any that they know of, or there aren't any that they are willing to report. But they say: In our mind's eye, the present system creates an appearance of corruption; therefore, we can say to Microsoft, we can say to General Motors, we can say, for that matter—in theory, as they work through political parties—to liberal individuals or interest groups that you cannot contribute one dollar to the political party of your choice, to the political party you deem is most likely to allow you to conduct your business and your affairs in a profitable and constructive manner.

No attack on the first amendment rights of free speech could be more open or blatant than that. It says, simply, once we use those magic words ''appearance of corruption''—and we will define that phrase and we will define every activity that can be described by that phrase in our minds—we can then tell you that you are out of business; you can no longer participate, except with very modest contributions directly to candidates of hard money. And this philosophy isn't limited to the rather bizarre nature of the bill before us, which says that of the 5,000 to 7,000 registered organizations that say they want to participate in the political system through the use of soft money and so-called issue advertising, it prevents only six of them from doing so—three Republican formal organizations and three Democratic formal organizations.

This bizarre bill says it is perfectly all right to contribute this money to any of the other several thousand such organizations, but it is only the historic political parties in the United States, around which we have organized for almost our entire history, the activities and support of which somehow or another create an appearance of corruption.

Now, of course, the original McCain-Feingold bill did go beyond that and did say that no matter how seriously your most passionate interests as an individual or a group are attacked by the Government, or by a rival political organization during the last 60 days before an election, you could never mention the name of the candidate for office. Well, I think, for all practical purposes, we all know that proposition is simply blatantly unconstitutional. It flies in the face of the first amendment to the Constitution of the United States.

But, this afternoon, at least for the more than 1 hour that I listened to speeches on this subject, the actual bill that is before us was almost not mentioned at all. All of the criticisms were aimed at the money chase through which candidates go, the demeaning nature of having to ask people directly for money to fund candidates' activities. But neither in McCain-Feingold 1 nor McCain-Feingold 2 is that subject dealt with at all. Not a word, not a line has anything to do with contributions to individual candidates.

''McCain-Feingold lite'' has to do only with contributions to political parties for purposes other than the direct advocacy, election, or defeat of a particular candidate. How that is supposed to corrupt the process is, for all practical purposes, unstated. There is not the slightest allegation that Members somehow do things that they would not otherwise do because someone has given their political party an amount of money that can't be used directly for their own election.

''McCain-Feingold heavy'' is hardly a selfless effort on the part of any Member of this body because what ''McCain-Feingold heavy'' says is that your name, Mr. President, my name, and the names of all other Members can't even be mentioned in one of these ads for 60 days before an election. Boy, that is certainly comfort for the political class—take everyone out of the business for the last 2 months before an election of communicating their own ideas about candidates independently of a candidate himself or herself.

Now, we are also told that we didn't get enough time to debate this matter and that the debate wasn't broad enough. I was here when we came very close to a unanimous consent agreement for a week's worth of debate on this issue. The whole thrust of that set of negotiations was that we could start with whatever the Senators from Wisconsin and Arizona wished, but there would be lots of amendments—amendments from the Democratic side of the aisle, amendments from the Republican side of the aisle, and several votes on a wide range of ideas.

But what actually happened was, on the second day—I must say, over the objections of the Senator from Arizona, who sits right in front of me—the minority leader and the minority whip set up a situation under which nobody else's amendments except theirs could be brought up, until theirs were completely dealt with.

My friend and colleague, the junior Senator from Nebraska, Mr. HAGEL, came down here with a proposal in which I joined that said, OK, let's have a little bit more balance; let's increase the amounts of hard money contributions that we like—almost, though not quite, back to the level they were in 1974, in real dollars. And then at the same time, we will impose soft money limitations of the same amounts in which we have hard money limitations. There are even a few Members on the other side of the aisle who thought that was an idea worthy of discussion. But we weren't allowed to discuss it. We weren't allowed to put that one up. They used their perfect parliamentary right to squeeze it down to their own proposals. And now they complain because their own proposals could not get a sufficient number of votes to bring them to any kind of final decision.

Now, in an ideal world, I don't think we should limit either of these kinds of contributions. I think we should make them all public and make them public promptly. But if we are going to do so, I can't see the slightest rationale in the world for saying that the limitation in certain forms of speech to six organizations across the United States of America is zero, while limitations on everyone else with that kind of money do not exist at all, and limitations on direct contributions of candidates are so low as a result of 25 years of inflation that anyone who truly wants to participate has to do it in a different division.

One of the primary reasons more money goes every year into so-called soft money contributions is the fact

that hard money contributions directed to candidates are increasingly limited simply by the passage of time and by inflation. But then, of course, there would be other forms of soft money that aren't even remotely covered by even the broad version of McCain-Feingold. That is the political advocacy of every major media in the United States—of newspaper, radio station, and television station. What is the value of those contributions on editorial pages across the country? Does the average citizen who is brought up having an interest in government have the same influence over the political process as the editorial director of the New York Times? Of course not. Does that individual have the same influence as the head of Common Cause or the National Rifle Association or the AFL-CIO? Of course not. Both latter organizations are at least membership organizations which sometimes to a certain extent reflect the views of their members.

The newspaper editorial writer reflects only the views of the newspaper owner or the newspaper publisher or the decisionmaker within that newspaper. Of course, those newspapers want to limit other people's voices. From their perspective, the first amendment is the total protection, from their view, and it is. But to exactly the extent they can limit the voices of others, their voices will be heard more loudly. And little is heard about the fact their voice is louder than that of the average citizen. But the first amendment does not say everyone has an equal voice in the public marketplace. It does say everyone has an equal vote in an election. But with respect to the marketplace and political ideas, it simply says Congress shall pass no law abridging the freedom of speech. And every member of the Supreme Court of the United States of America in 1974, when the last case came before it, said that freedom of speech to be effective does allow and require the use of money to make it carry further than any of our individual voices do on a windy day out of doors—every single one of them.

So the idea that somehow or other all voices have to be heard equally is not only not found in the Constitution, it is not found in any free society. To allow the Government to try to determine what voice each person sends is exactly a power James Madison and the draftsmen of the first amendment said they would not allow the Government to do.

Let me return to the point at which I started, which does at least have a virtue of dealing with the bill that is before us and not the lamentations of many of the Members on this floor that have nothing to do with the bill that is before us.

They are saying, in effect, in one instance named by the Senator from Wisconsin, that a company now being prosecuted by the Federal Government may not participate effectively in the political world out of which that prosecution grew, may not participate effectively in supporting candidates or a political party that will have a profoundly different view on antitrust laws. The Government can spend an unlimited amount of money. Editorials writers can write an unlimited number of editorials. But the very subject of that prosecution, the very subject of those editorials, cannot participate effectively in the political process that brought about the prosecution in the first place.

The very statement of that kind of limitation is an argument—in my view an overwhelming argument—against this proposal at the present time. The marketplace of ideas is disorderly. The marketplace of ideas is open. The marketplace of ideas is often dominated by those who have the most ideas, the greatest stake in whether or not they carry. No citizen is limited in his or her participation. But each citizen can spend as much of his or her time and effort and money as he or she deems necessary at least to see to it those ideas are heard effectively by the people of the United States in a free country.

I deeply hope Microsoft and the employees who work for it in my State and elsewhere will have decided by this time next year that they need a new administration with a very different direction of the United States in order to keep providing for this country the kind of leadership they have provided. I am not sure I have persuaded them of that yet, but if I do, and if others do, they should not be artificially limited with the statement that freedom of speech is for someone else but, for all practical purposes, not for you when your very existence is threatened.

That is what this is all about. And I don't think views on the floor of the Senate—or at least the votes—are going to be changed by another week's worth of debate.

I am unhappy only with an alternative idea, somewhat more reasonable and somewhat more balanced, that the very tactics of the people who are now protesting the end of this debate prevent this presentation.

We will try at least to put it in play for the next time around. But for now, it seems to me appropriate to move on to another subject.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REID. Will the Senator withhold for a second?

Mr. REED. I withhold.

Mr. GORTON. Mr. President, will the Senator from Nevada yield to me for a procedural request?

Mr. REID. Yes.

ORDER OF PROCEDURE

Mr. GORTON. Mr. President, I ask unanimous consent that a vote occur on adoption of the pending motion to proceed at 9:50 a.m. on Wednesday, October 20, with the 20 minutes prior to vote equally divided between the majority leader and the minority leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GORTON. Mr. President, under those circumstances, for the majority leader, I can now say that in light of this agreement, there will be no further votes today. The next vote will occur at 9:50 a.m. tomorrow.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, thank you.

First, let me thank the Senator from Michigan for graciously allowing me to precede him. I also understand he may have a parliamentary inquiry.

Mr. LEVIN. I thank my good friend from Rhode Island. I wonder if I could propound a parliamentary inquiry without the Senator from Rhode Island losing his right to the floor.

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

Mr. LEVIN. There has been a lot of confusion about whether or not the bill was amendable prior to the cloture vote, and whether it would have been amendable after the cloture vote had cloture been invoked.

Parliamentary inquiry: I ask whether the tree was filled basically prior to the first cloture vote.

The PRESIDING OFFICER. Prior to the cloture vote, an amendment to the Wellstone amendment was in order. If cloture had been invoked, the Wellstone amendment would fall, and an amendment to the bill then would have been in order.

Mr. LEVIN. If cloture had been invoked after the disposition of all pending germane amendments, would the bill have been open to amendment?

The PRESIDING OFFICER. Once an amendment had been agreed to upon which cloture had been invoked, then further amendments would have been appropriate.

Mr. LEVIN. If the amendment had not been agreed to but had been defeated, would the bill have been open to amendment?

The PRESIDING OFFICER. It would still be in order.

Mr. LEVIN. I thank the Chair.

Mr. REED. Mr. President, I rise with regret. Again, we are on the verge of abandoning substantive votes on campaign finance reform. This is an issue of vital importance to the American people. It is of vital importance to the majority of Members of this body.

We are here today because of the efforts of many, but particularly the efforts of Senator MCCAIN and Senator FEINGOLD, who have advanced this issue relentlessly over the course of the last several years. I regretfully and unfortunately fear we will step away once again from this debate, step away once again from consideration of this important topic. This is detrimental not only to this body, but also to the American people, who desperately want to see changes to our campaign finance system. I am disappointed because we have come very close collectively in this Congress to a principled reform of our campaign finance system.

The other body has passed legislation which is comprehensive. They have passed legislation which is now embodied in an amendment filed by Senator DASCHLE and Senator TORRICELLI. I believe this legislation goes a long way towards addressing many of the problems that confront our campaign finance system. It is not perfect. It is not absolutely complete. But it is a powerful corrective to the current problems we find in our campaign finance system.

The amendment which Senator DASCHLE and Senator TORRICELLI have advanced, known popularly as the Shays-Meehan amendment for the sponsors in the other body, does several important things. First and foremost, it bans soft money. Unlike the McCain-Feingold legislation, it bans all soft money—not just soft money directed at political parties.

Although we speak in these terms constantly, soft money, hard money, et cetera, I want to point out that soft money is unregulated contributions from corporations and individuals, typically very wealthy individuals, that are increasingly commonplace in elections throughout this country.

The Daschle legislation bans all such soft money contributions with respect to Federal elections. I believe that is the best way to proceed. Even though the McCain-Feingold bill is noteworthy and important, I fear simply banning money from political parties will drive these contributions to other formats, other forms, other forums.

Campaign dollars, like water, find their own level. When one channel is blocked, another channel will be pursued. Unless we have a comprehensive approach, unless we ban all soft money, rather than eliminating this problem we will merely redirect and reposition these soft dollars into other forms.

The second important point with respect to the Torricelli and Daschle legislation, is that it recognizes a relatively new phenomena in campaigns, sham issue ads, which are really campaign ads which are unregulated. They are dressed up to talk about an issue, but they are really about attacking candidates. Unless we have some disclosure, some regulation, these ads will become more prevalent and more pernicious in our campaign system.

The third point that the Daschle-Torricelli bill addresses is improving disclosure by the Federal Elections Commission and enforcement by the Federal Election Commission. It is not sufficient to have laws and rules on the books; they must be enforced. We all understand and believe that the more knowledge the American public has about campaign contributions and their sources and uses, the more comfortable they will feel with the political system.

Finally, this legislation which Senator DASCHLE and Senator TORRICELLI introduced establishes a commission to study further reform. All of these points are necessary. They don't completely solve all the issues that confront our campaign finance system, but they go a long way towards advancing the cause of fundamental campaign finance reform.

Personally, I believe one of the problems we face is the escalation of spending on elections throughout this country and that we should address this issue of unlimited spending. None of the legislation currently before the Senate goes that far, but I believe we have to review and visit that issue when we again commence our debate on campaign finance reform.

This issue of campaign finance reform is not an academic, hypothetical, theoretical concern. It comes directly from the concerns of the American people. It is manifested by their increasing cynicism about the political system. It is manifested by their increasing indifference to the forms of government, to elections, to voting. This cynicism and indifference weakens our civic connections, weakens the foundation of our government—which is at heart the belief by our people in its fairness, efficiency and its service to them. All of this can be traced in part to the growing cynicism towards the campaign finance system.

These public phenomena have been measured by various surveys. In August, the Counsel for Excellence in Government released a survey conducted by Peter Hart and Robert Teeter, a Democratic pollster and a Republican pollster. They found less than 40 percent of the American people believe in the immortal words of President Abraham Lincoln: Our government is by and for the people.

Rather, they believe it is a captive of special interests, and the lure the special interests use are campaign finance dollars.

In the past, people have been disillusioned with big government and unaccountable bureaucrats. Today, they are cynical and disillusioned about the flood of cash flowing through the campaign finance system.

Another survey in January of this year, the Center on Policy Attitudes, found continuing record high public dissatisfaction with government. This finding supports the notion that people believe that government, and particularly elections, are not about ideas and policies, but about money. Money is talking and the American public's voice is being drowned out.

We must counter this—but we don't counter this type of public perception by walking away and abandoning campaign finance reform; rather, we counter it properly, correctly, and appropriately by debating and voting on substantive campaign finance reform.

I have made it clear my preference is for legislation along the lines of Senator DASCHLE's and Senator TORRICELLI's amendment, essentially accepting the work of the other body in the Shays-Meehan legislation, moving it forward, letting the President sign it, and letting the American people know that we are listening to them; we hear them, and we want to respond positively to their concerns and their growing uneasiness with our campaign finance system.

We are all trapped in a system that no one seems to like. The public does not like it and candidates are increasingly uneasy and concerned about the need to raise huge amounts of money, the constant effort needed to do that, and the perception of their efforts with respect to their obligations as public servants. Donors are increasingly troubled by the system. Indeed, many prominent business men and women throughout the country have banded together to support comprehensive campaign finance reform. It seems we are engaged in a race to the bottom—a race to see not what idea will prevail but how much money one can raise; to not just express a message but to drown out all other messages.

Another disturbing aspect of this process, campaigns now are being wrenched away from the candidate. One of the more disconcerting aspects of recent campaigns, a candidate can be out there making his or her case and suddenly be informed there is a TV ad from some unknown group from someplace in America arguing against them, advocating their defeat. All of this suggests we have to do something about our campaign system.

As I mentioned, the other body has stepped forward. They have given us legislation. We are very close, if we embrace this legislation, to passage of fundamental campaign finance reform. I hope we will take this step, but it appears increasingly clear we are abandoning our obligation to the American people. We are stepping away from votes on the substance of campaign finance reform, be it the McCain-Feingold legislation or the Daschle-Torricelli legislation. I believe that is a mistake. I believe the American people want us to act responsibly; they want us to act promptly; they want us to do what they sent us here to do, which is their business. And their business in the campaign finance area is putting in place reasonable restraints on spending.

A lot has been said about the marketplace of ideas, and that any fetters on campaign contributions would somehow affect the marketplace of ideas. There very well might be a marketplace for ideas in today's campaigns, but it is a market with very high barriers to entry, barriers that require extensive fundraising to overcome. It certainly is not perfect competition because the American people believe their voices cannot compete with the voices of large corporations or wealthy individuals who can, through direct contributions to candidates and indirect contributions of soft money, get their messages across on television or in the advertising media. What many people fear is that elections have become less about candidates and ideas and more about auctions. They find that instinctively repelling.

We have a chance to act. We should act. Regretfully, today we are forsaking that obligation. We are turning away from campaign finance reform. We are abandoning an obligation we should meet. I regret that. I hope we can proceed with this debate and move to votes on these measures, but I fear that will not be the case.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, tomorrow we will be casting the critical vote which will decide whether or not those of us who are in the majority will insist that this body continue on the debate on campaign finance reform. This will be the vote that counts. This will determine whether the majority will back off because our bill is being filibustered. This is a real test vote tomorrow in the battle to close the soft money loophole.

We knew it was not going to be easy. We knew this was going to be filibustered. But it is not the first time that major legislation involving key democratic principles has been filibustered on the floor of this Senate. Those of us who favor closing the soft money loophole, reducing the influence of huge contributions in political campaigns, it seems to me, now have to be just as committed, just as determined, just as passionate in our beliefs as the opponents are in their beliefs.

The opponents have every right to filibuster our bill. The rules allow filibusters. We ought to change those rules, but until we do, most, if not all, of us participate, from time to time, in cloture votes, making the other side get to 60 before we proceed. But just as the minority has a right to filibuster a bill, those of us who are in the majority have the right to say we are not going to back off just because a bill is being filibustered. We are not going to give up our effort. Rather, we are going to say to the opponents of this bill who are in the minority and who are filibustering our bill: That is your right and you have a right to exercise it. Proceed with the filibuster. We are not going to withdraw our legislation.

During the civil rights days there were instances where there had to be multiple cloture votes. There was a bill relative to fair housing in 1968 which had four cloture votes over a period of 7 or 8 weeks before there were enough votes to end the debate. The people who passionately believed in civil rights proceeded with their cause. They did not give up because they did not get enough votes to close off debate and to end the filibuster the first time. They did not give up the second time. They did not give up the third time; 7 or 8 weeks later, on their fourth cloture vote, finally they were able to achieve success.

I was reading these debates from the civil rights days, 1968, last night. I read some of the speeches of a whole bunch of great Senators on both sides of the issue: Senators Mansfield, Hart, Ervin, and other Senators, Javits. They were debating civil rights. It was a controversial bill. It involved whether or not citizens would have a right to housing free from discrimination based on race.

What struck me was the determination of the supporters of civil rights, the unwillingness to give in, give up, because they could not get enough votes the first time around to stop the filibuster. Senator Hart, after they lost the first cloture vote said:

> Those of us who support the bill that has been pending now for, I think, 6 weeks, on the occasion of the vote last week . . . indicated our intention to submit a modification today or prior to the vote today. The modification would lessen somewhat the reach of the coverage and make some procedural changes.
>
> I want to report that over the weekend a new and most encouraging factor has developed. It is a new force and gives a new dimension and promise for those of us who believe with a very deep conviction that this country needs to be assured that what a majority of the Senate has plainly indicated it desires to achieve can be achieved, an effective . . . open housing order.

Today, a majority of the Senate, in the words of Senator Hart, ''plainly indicated'' that it desires to achieve campaign finance reform. On one vote, there were 52 Senators; on another vote, there were 53 Senators. Today a clear majority of this Senate plainly indicated that it wants to achieve campaign finance reform.

Then it occurred, the third time they tried to attain an end to the filibuster. By this time, Senator Dirksen, who was the Republican leader, who had been a supporter of civil rights prior to this bill in the earlier days of the 1960s—Senator Dirksen, in 1968, after voting against ending debate the first and second time, decided that, with certain changes in the legislation, he was going to vote to terminate a filibuster in which he had participated. He said:

> The matter of equality of opportunity in civil rights is an idea whose time has come. And all the fulminations, whether substantial or superficial, will not stay the march of that idea.

The time has come for us to end the unlimited amount of money which flows into campaigns. This is an idea whose time has come. A majority of us have so voted. A majority of us feel strongly about it, and the public, much more important than either of those comments, feels very strongly about it. They are sickened by the amount of negative advertising they are bombarded with. They are sickened when they read about $50,000 and $100,000 and $1 million going into political parties in order, mainly, to fund these negative TV ads.

They are sickened when they read about a Democratic Party invitation or a Republican Party invitation that sells access to our key leaders for big contributions. They are disgusted when they see an invitation that reads: For $50,000 a year, you get two annual events with the President, two annual events with the Vice President, and you get to join party leadership as they travel abroad to examine current developing political and economic issues in other countries. They are disgusted when they see for $250,000 you get breakfast with the majority leader and the Speaker and you get a luncheon with the Senate Republican committee chairman of your choice. So for $250,000 you get a luncheon with the committee chairman of your choice. What do we expect the American public to think when they hear and read about that? And that is directly connected to the soft money loophole.

The scourge of soft money, of unlimited contributions, inherently breeds distrust for our democratic institutions. It is something that is inherent in the unlimited amount of the contribution.

Now, many of us believe very strongly that is true. But far more important than that is what the Supreme Court has said about this issue. In the Buckley case itself, a case which we all look to, and I will quote from, the Supreme Court said the following about the ''appearance of corruption inherent in a system permitting unlimited financial contributions. . . .'' Those are the words of the Court, and now I am going to read the entire quote:

> And while disclosure requirements serve the many salutary purposes discussed elsewhere in this opinion, Congress was surely entitled to conclude that disclosure was only a partial measure and that contribution ceilings were a necessary legislative concomitant to deal with the reality or appearance of corruption inherent in a system permitting unlimited financial contributions, even when the identities of the contributors and the amounts of their contributions are fully disclosed.

The Buckley Court went on to say the following:

> Not only is it difficult to isolate suspect contributions but, more importantly, Congress was justified in concluding that the interest in safeguarding against the appearance of impropriety requires that the opportunity for abuse inherent in the process of raising large monetary contributions be eliminated.

Then the Court wrote about the contributions which are given either for a quid pro quo or for the appearance of a quid pro quo. This is what they wrote:

> To the extent that large contributions are given to secure political quid pro quos from current and potential office holders, the integrity of our system of representative democracy is undermined. . . . Of almost equal concern is . . .

That is, equal now to the quid pro quo—

> the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions. . . . Congress could legitimately conclude that the avoidance of the appearance of improper influence ''is also critical . . . if confidence in the system of representative government is not to be eroded to a disastrous extent.''

The Supreme Court wrote that before the soft money loophole became fully

exploited, before invitations, such as the kind I read from, went out telling people if they contribute $250,000 or $100,000, they will get meetings with the majority leader or they will get meetings with the President or they will get meetings with the committee chairman of their choice. This kind of sale of access, which we see in such a disgraceful display, I believe, on the part of both parties, was not even in existence at the time the Buckley Court wrote that opinion.

Both parties are engaged in this. This is not pointing the finger at either party. Both parties engaged in soliciting these huge—unlimited just about—amounts of money in exchange for access. And that is soft money. That is unregulated money. That is money above and beyond what is permitted to be directly contributed to a candidate.

In fact, the Supreme Court was very explicit about another provision of the law which provides that $25,000 is the limit which can be given in all contributions during a year. The Supreme Court said this about the $25,000. They describe the $25,000 limit as a modest restraint which serves, in the words of the Court, ''to prevent evasion of the $1,000 contribution limitation by a person who might otherwise contribute massive amounts of money to a particular candidate through the use of unearmarked contributions to political committees likely to contribute to that candidate or huge contributions to a candidate's political party.''

So we have a $25,000 per year limit in the law. That is the most you can give to a candidate or to a party, and the purpose, the Court said, was legitimate to prevent evasion of the $1,000 contribution limit to any particular candidate. And yet we have parties soliciting $250,000 and $50,000 and $100,000. That is the state of decay of our campaign financing.

So what we will decide in our vote tomorrow morning is whether or not the majority of this body—which has voted today to support the elimination of the soft money loophole—the majority of this body, which has voted today for campaign finance reform, will be willing to simply withdraw because the filibusterers have, so far, succeeded in stopping us from getting to 60 votes. That is what we will decide tomorrow.

This great Senate is a battleground where wills are tested, where people who believe strongly in one side of an issue will test their commitment against people who believe strongly in the other side of an issue. Everybody in this body has rights. The majority has rights. The minority has rights. The minority has a right to filibuster, a right which I will defend until we change those rules.

But the majority surely has the right not to give up in the face of a filibuster. The majority has a right—indeed, I believe an obligation on a matter of this principle—not to simply say: Well, we didn't succeed the first time or the second time, so we're just going to throw in the towel.

If we feel keenly about this issue—as the majority, I believe and hope, does—then tomorrow, when that vote comes, we should vote not to move to other business. It has nothing to do with what the other business is.

The issue tomorrow morning isn't whether or not we favor or oppose late-term abortions. That is not the issue. That was clear when the Democratic leader offered a unanimous consent request to move to the late-term abortions bill, to move to the late-term abortions bill by unanimous consent, which would have allowed us to then return, immediately after the disposition of that issue, to the campaign finance reform. But the Republican leader, our majority leader, objected to that unanimous consent proposal and as a result made a motion. And if this motion succeeds, then campaign finance reform goes back to the calendar and is put on the shelf. The vote tomorrow is the acid test vote as to whether or not we in the majority, who favor the closing of the soft money loophole, who believe that loophole is the principal culprit in the erosion of our campaign finance laws, those of us who believe that soft money has blown the lid off the contribution limits of our campaign finance system, those of us who believe the appearance of impropriety, which is created when people are solicited for huge sums of money to political parties and those parties, of course, turn around and spend it relative to campaigns and candidates, which is their business, those of us who believe keenly that this system is broken and we have to close this loophole—tomorrow will be the acid test for us. Tomorrow we will be put to the test.

It is not an easy test for all of us. Tomorrow we will be asked whether or not we are willing to move to other business, to put back on the calendar, to put on the shelf, this fight for campaign finance reform.

It is my hope the vote tomorrow will be at least as strong as the vote we had today, that 52 or 53 of us will say: No, we want to stay on this bill or come back to this bill automatically; we want to address an issue which has created such a terrible feeling in the stomachs and the hearts of our people. That is the feeling that is created when this huge amount of money washes into these political campaigns and when it is used to buy the kind of access which is purchased from both political parties.

This will be the acid test vote. This is the key vote. I hope we can live up to the responsibility we have to fight as hard for something we believe in as the opponents oppose with all their hearts. I hope we can do what was done in the days of the civil rights bills, where one failure to stop a filibuster did not deter the supporters of civil rights, where two failures to stop a filibuster did not deter the supporters of civil rights, where three failures did not stop the supporters of civil rights. They proceeded. They amended. They modified. They worked the issue because civil rights day had come. And just as the day for campaign finance reform has now come, I hope we can live up to our responsibility tomorrow and vote not to move to other business but, rather, to stay on this issue, to put the public focus on this issue, to say to those who would filibuster, that is your right, but we are not going to withdraw simply because you in the minority are filibustering this important cause.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank the Senator from Michigan for his comments. As I was listening to him talking about the history of the civil rights movement, it occurred to me that the civil rights movement was all about giving people of color, all Americans, the right to participate fully in the political life of our Nation. In many ways, I consider this issue to be every bit as important as that issue.

The civil rights movement was a movement that changed our country for the better, not just for people of color but for all of us. I think today many Americans believe they have been locked out and they can't fully participate in the political life of our Nation. I think the ethical issue of our time is the way in which big money has essentially hijacked politics, has corrupted politics in a systemic sense. Therefore, I think Senator LEVIN is absolutely right.

I will not speak very long. I have had a chance to speak many times during this debate. I believe, as a Senator, I should come here today and say this vote tomorrow morning is all about whether or not Senators who say they want this reform will maintain the commitment to it. It is quite one thing for those who are opposed to reform to filibuster this bill, but it is quite another thing for the rest of us to say: Well, you filibustered the bill; now we move on to other legislation.

If Senators want to continue to block this, then they will have to continue to block it. If, in fact, those of us who believe the most important single thing we can do right now is to at least get some of this big money out of politics in the case of soft money, the least accountable part of the giving and the taking, then I think we have to be willing to fight for it.

I hope the majority who voted for this legislation, who voted for what I think would be a historically significant reform, a step forward for our country in getting some of the big money out and bringing citizens back in, will be the same majority voting tomorrow. I think the vote tomorrow is really the critical vote. Either we essentially say to those who have filibustered and those who have blocked our

efforts, we will go away; it is over, or we will say, no, you don't move on to other legislation; we are going to continue to speak out and continue to debate and continue to work hard until we pass reform.

It is late in the day. The vote is tomorrow morning. But I am hoping that, through the media, citizens will understand what this vote is about tomorrow. I really believe people in the country want to see us make this change.

I have an amendment. I have a self-interest reason. I have an amendment I have introduced. I am not going to get a vote on this amendment if everybody goes away. Given how difficult it is to pass reform, given all the ways in which those vested interests who give the money, those who are the well connected, those who are the heavy hitters, those who are the well heeled seem to have too much influence here, and given the fact that those who have the power don't want the change, I think that is, in part, what we are up against.

The vast majority of the people in the country want the change. If we don't get this vote tomorrow and it is all over, I am absolutely convinced the energy is going to have to come from the grassroots level.

I have an amendment—and I will come back with it over and over again—that basically says, if we are not willing to pass the reform legislation here, then let the people in our States decide. We are a grassroots political culture. Sometimes it is the local level, sometimes it is the State level, which is willing to light a candle and show the way.

If Massachusetts and Vermont and Maine and Arizona have passed clean money/clean election legislation, which basically gets all of the interested private money out and says to candidates, if you run for office, and it is voluntary, but if you will agree to spending limits, you can draw from the funding in this clean money/clean election fund so it will be a clean election; it will be clean money: it won't be interested money; it will be disinterested money, the elections will belong to the people in the States and the Government will belong to the people in the States and this is what we really ought to do.

If they want to do that, then my amendment says they ought to be able to apply it to Federal office as well. They ought to be able to say that is the way we want to elect Senators or Representatives from Minnesota or Kansas or Michigan or whatever State we are talking about.

If tomorrow we don't get the vote, which essentially says we refuse to back down, we don't have 60 votes yet, you people will have to continue to filibuster this and we are going to keep having amendments, we are going to keep having votes, and we are going to keep having debate.

The majority leader said we had 5 days of debate. We haven't had 5 days of debate. I am still puzzled why we didn't come into session until 1 today. I am not saying that in the spirit of whining. I am saying that in the spirit of some indignation and anger. We should have been in here this morning. We should have been debating the vote we were taking this afternoon on the McCain-Feingold bill. Senators should have had the opportunity to come and talk about why they were for it or why they were against it. It is not as if this is a small issue.

It is not as if this is a small issue. When we talk about how we finance our elections, when we talk about who gets to run for office, who wins office, what kind of issues we look at, and whether or not people believe in the political process, we are talking about whether or not we have a representative democracy. That is what we are talking about.

I argue that not only have we moved far away from the principle that each person should count as one and no more than one, but we are also getting to the point where we have Government of, by, and for a few people; Government of, by, and for those who can make the big contributions; Government of, by, and for just a tiny slice of the population. That is hardly a healthy, functioning, representative democracy. That is really what this debate is all about.

The problem is, we haven't had much of a debate. It is 6:20, and I am out here, and this is the end of the day, I gather. Tomorrow morning, we will have the vote. This debate has just begun. It should not be over.

Really, what I hope is that tomorrow we will vote against moving on to other legislation and there will be a lot of Senators out here. I will have this amendment that says let the people at the grassroots level determine this, and if people in our States want to get the big money out, and they want to have clean elections, and they want to have clean money, and they want to do it this way, then let them apply it to Senate and House races because, I am telling you, I think that is actually the way it is going to go. We won't get a chance to have an up-or-down vote on that amendment or many others that Senators have. We won't have people out here spelling out why they are for McCain-Feingold, or for other changes, what ways they want to improve it, what do they think we should do. We haven't had that full debate.

This issue deserves that debate. This is supposed to be the world's greatest deliberative body. But we haven't done the deliberation. What we have had is an effort to block this, and I think those who block this legislation are just hoping it will go away. The way it goes away is if those of us who have been for the reform just literally fold our tents and go away. Some of us around here are making the appeal that that should not happen.

I want to make one final point. And I am speaking as one Senator from Minnesota. I think for me, ever since I came here in 1990, this has been the issue. There are many issues I care about, but this is such a core issue. I find it hard to believe that all of us will not focus on economic justice, on making sure we have equal opportunity for every child, and on making sure we have environmental protection on this land, making sure we do something about the conditions in the inner city, making sure people in rural America have a chance, making sure family farmers get a decent price, making sure there is a good education for every child, making sure we speak to the bread-and-butter economic issues that affect the vast majority of families, making sure we have the courage to take on the big insurance companies, big oil companies, pharmaceutical companies, and telecommunication companies.

I think the way in which we finance campaigns and the influence of big money diverts our efforts, frustrates our efforts, and determines that we won't be able to make this change. This is the core issue. This is all about—as Bill Moyers, a wonderful journalist, has said—the ''soul of democracy.'' That is what this debate is about.

If this debate is all about the soul of democracy, if whether or not we are going to pass some reform is all about the soul of democracy, if this is all about whether or not we are going to continue to have a real functioning representative democracy, that we are still going to have self-government, then I think we don't do this in 4 days; we don't go away.

Tomorrow morning, there is a critical vote. I am really hoping the majority who voted for the McCain-Feingold bill—a very modest effort, a stripped-down piece of legislation, with bare minimum reform, that is at least a step in the positive direction—those Senators who voted for that I hope will be the same Senators who will say: No, we are not going to let you take this off the agenda, this issue stays on the agenda of the Senate, and we want full-scale debate and an opportunity to introduce amendments, and we want everybody out here spelling out for the people in our States why we are for reform or why we think this current system is unacceptable.

The other point I will make is that, for those of you who are working around the country with public campaigns, for all of the locally elected leaders who have said, we are committed in our States to passing clean money/clean election legislation, I say go to it. What happened out here on the floor of the Senate serves notice that the way this change is going to take place is from the grassroots level.

What I want to do as a Senator is to support those efforts everywhere in the country. I want to meet with people doing the organizing. I want to continue to bring the amendment to the floor of the Senate which says, if

States want to go in that direction and apply the clean money/clean election initiatives to Federal races, they should be able to do so because I am convinced that you won't be stopped. It could be that the monied interests are going to be able to stop the forum here, but I don't think they are going to be able to stop it in Minnesota or in States all around our country.

We are going to have to do it at the grassroots level. We are going to have to bring more pressure from the grassroots level and have more of this legislation passed by the States. It will bubble up, and eventually—I certainly hope before I finish up my career in public service—we will finally pass sweeping legislation which not only will get a lot of the big money out of politics and a lot of people back into politics but will do something that is even more important, and that will be to renew democracy.

I look for the day when people in our country are engaged in public affairs, when we have a really good citizen politics. I look for the day when young people can't wait to run for public office and serve in public office. I just hope for the day, and dream for the day, when people have a really good feeling about public life, a really good feeling about politics, a really good feeling about political parties, a really good feeling about the debate on the issues. I long for that day. I hope for that day. I dream for that day.

One way or the another, I am hoping and dreaming that during my career in the Senate we will be able to pass this legislation. I hoped it would be now. Whether or not it will be now depends upon whether or not we will have a majority of Senators who will say tomorrow: We are not moving off this legislation, we are not going to let those who oppose reform take this question off the table; this will be the business of the Senate tomorrow, the next day, and the next day, and maybe the next day after that, until we pass reform.

I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, last night, surprisingly, our session adjourned early. This morning, even more surprisingly, we had no session at all. I am sad to say I am suspicious enough to think that the reason for the early adjournment yesterday and the absence of a session this morning was in order to reduce the opportunity for those such as myself who believe the issue we are debating is extremely fundamental, albeit also extremely sensitive to some, and therefore deserves a full discussion. By the shortening of the session yesterday and this morning's termination of the session, we lost several hours that would have otherwise been used to discuss this issue with our colleagues and with the American people. But there were some benefits of the fact that we were not in session last evening and we were not in session this morning. And that is that some of us—I hope many of us—had an opportunity to see a repeat of a lecture that was given in 1995 by the eminent American historian, David McCullough. The lecture was given at the LBJ school at the University of Texas in Austin, TX. It was on a general topic of ''Character Above All''—''Character Above All.'' The topic of David McCullough's lecture was Harry Truman, a man who served in this Chamber with great distinction, presided over this Chamber briefly as Vice President of the United States, and then for the better part of 8 years served as President of the United States.

In his lecture, Mr. McCullough outlined a number of the characteristics of Harry Truman that made him such a distinguished figure. Mr. McCullough said that he was a better American than he was a President; that he was the embodiment of the essential value of his country—a man who had been raised in rural circumstances in Missouri, was not particularly well educated but, in fact, by his own efforts became classically educated, and then rose to the highest position in the land at a time of extreme national urgency during those critical years immediately after World War II.

Mr. McCullough said one of the characteristics of Harry Truman that made him such an effective American, an effective President, and revered citizen of this land was the fact that he had a set of core values. He knew who he was; he knew what he stood for; he did not have to wake up in the morning and put his finger in the air to find out which direction the wind was blowing.

I suggest that this debate today is essentially about character—individual character, yes, but more importantly the character of our Nation, the character of our democracy at the end of the 20th century. This debate is also about fundamental values. In what do we believe? What do we consider to be worthy of asking our fellow citizens and ourselves to sacrifice for?

Mr. McCullough talked about the fact that some Presidents who do not rise to the highest ranks of history's estimation were Presidents who were reluctant to ask the American people to do great things; that the Presidents who have challenged us to our fullest potential as a people have been those Presidents whom we mark as being our most revered.

I believe those comments about character, about values, about who we are as Americans, are significant in this debate this evening because we are talking about an issue that goes to the heart of our society, to the heart of the relationship between our society of America and the formal institution of government, which is the embodiment of our society.

I regret to say that today the abuses, the pernicious effects of money in our political system, represent a cancer, a cancer that is eating away at the heart of our values, the heart of our compact as Americans, the heart of our democracy. There are symptoms of this cancer. They include the increased feeling of disaffection between citizens and their government, a feeling that government is not a part of the ''we'' of which we all belong, but it is the ''they'' who are in confrontation with our own personal desire; and the low level of participation—not only the low level of participation in the act of voting, but also the low level of participation in people's willingness to serve in civic activities.

There was a long essay recently by a Harvard professor called ''Bowling Alone,'' about the fact that some of the institutions such as civic clubs and even sports organizations that have previously been a source of our national coherence have been increasingly shredded—low participation in people's willingness to accept positions of appointed responsibility, whether it is to the local PTA or to a governmental position, low participation of people in basic citizens' responsibilities such as jury duty, the very difficulty of our voluntary military to get an adequate number of persons to fill the ranks of our Army, Navy, and Air Force.

I was struck over the weekend, which, frankly, was spent in part watching some football games, at how many ads were run by our services to try to entice people to join the military. Those ads are themselves an indication of the difficulty of securing the kind of citizen participation associated with our democracy—the difficulty of attracting people to run for public office. Unfortunately, many people today are running away from public office.

I have had some considerable personal experience trying to encourage people who I thought had talent and integrity and would bring the experience of their lives to enhance public decisionmaking. How difficult it is to get those people to be willing to expose themselves to the kind of requirements of which the necessity to raise enormous amounts of money in a way that many people believe is degrading and requires them to pander makes seeking public office unattractive and in the final analysis is an option which is rejected.

Another example of the symptoms of this disease of cancer eating away at the heart of our democracy is the fact that now leading business executives are declaring that they are going to opt out of this current fundraising system, that they no longer want to pick up the phone, as one of those executives said while interviewed on television, 1,000 times for people soliciting funds, and not just soliciting what might be considered a reasonable contribution but soliciting for thousands of dollars of contributions over and over and over. And so they have opted out of the system.

Our efforts today are a part of a larger effort to try to restore those values

of community, those values of common sharing of the excitement, the responsibilities, and the obligations of a democratic society.

I hope that our efforts this week will be the beginning of true reform—reform that puts our political system back in the hands of the people.

The current version of Senator MCCAIN's and Senator FEINGOLD's legislation focuses on soft money. That is the money which comes into a political party that is not subject to the normal regulations and is unlimited in amount; with only minor manipulation soft money now can be used for almost any political purpose. Other than soft money which we typically refer to as hard money, the money that is regulated, the money that is limited in amount, the money that is subject to full reporting, there is virtually no difference in what today's soft money can be used for and what hard money can be used for.

We will have other amendments to consider in other areas of needed reform in our campaign finance system. All of these are important and worthy of debate. I hope we will keep our focus on what I suggest is the single most important issue we face: How can we eliminate from our system the amount that is coming from the enormous faucet of soft money? How can we begin to restore the American public's trust and confidence in their government? The public should be confident their elected representatives are voting on the basis of honestly held convictions, not on the basis of who has contributed tens or even hundreds of thousands of dollars to a political party, which money then is used to advance that particular public official's political candidacy.

While we cannot legislate the trust of the American people, we can plant the seeds of confidence by enacting real campaign finance reform. We must change the path we are on to regain the public's trust. It is critical the American people have trust in their public institutions to assure the proper functioning of a democracy.

In 1774, Edmund Burke was a member of the British Parliament. He had cast a vote which was contrary to the will of his constituency in the community of Bristol. They berated him for not having voted the way they—those who had elected him to the Parliament—would have preferred. Edmund Burke accepted the responsibility as a representative of the people to also become an educator of the people. He said to the electors of Bristol on November 3 of 1774, your representative owes you not his industry only but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

The people of Bristol may have temporarily been disappointed that Edmund Burke did not do what they felt at the moment was their desire, but they were satisfied with the fact he was giving them more than just a weather vane of their opinion; rather, he was giving them the benefit of his informed judgment.

Today, unfortunately, many citizens believe their representatives follow neither their judgment nor popular opinion. Instead, they believe it is only the donors of huge amounts of soft money who hold the ear and the vote of their elected representatives.

We are not the first branch of government to recognize the connection between our actions and our appearances and the public's confidence and willingness to respect and legitimize our actions. For many years, the Judiciary has imposed upon itself strict rules governing the conduct of judges and lawyers. These rules do not exist because it is assumed judges will engage in unethical behavior; rather, it is to make certain they avoid even the appearance of impropriety. This self-regulation helps to maintain the public's confidence in the integrity of our judicial system. I suggest we in Congress have a similar obligation to maintain the public's confidence in the integrity of the legislative system.

Make no mistake, by any measure, the public's faith and confidence in the political process is eroding. Voter turnout is low, youth participation is low, institutional confidence is down. It is our obligation, as it is the obligation of the judicial branch, to take those steps that will restore the necessary public confidence.

It is no coincidence participation and trust in our governmental institutions are at a low point at the same time the pursuit of campaign money by parties and politicians is at an all-time high. The crass chase for soft money by candidates of both parties is demeaning to the contributor; it is demeaning to the political recipient. I hope we can convince Members of both parties to put an end to it. The ever-increasing focus on fundraising has fundamentally and negatively changed the nature and the purpose of a congressional campaign. Our attention has been diverted from activities which are most beneficial to voters while we chase money. This need to amass a huge campaign war chest has led to the privatization of our traditionally public campaign process.

Political campaigns should belong to the people, not to the few who can participate in the financing of those campaigns. Over the past two decades, we have watched as campaigns have been transformed. What used to be an effort to meet and to listen to voters has now become an exercise in raising money for carefully crafted, frequently negative television commercials. Candidates now move from the television studio to record sound bites to the telephone to solicit campaign contributions to pay to air those sound bites. This transformation has narrowed the range of issues debated to those few who can be broadcast in a 30-second commercial.

What is lost? Lost is the interaction with voters. Lost are real debates about important substantive issues. Most important, what could be lost is our rich political heritage of a genuine dialog between candidates and voters. What had been a publicly owned campaign system has become a privately managed and staged event. The essential purpose of a political campaign is being subverted. Campaigns should provide the opportunity for two-way growth. Campaigns should prepare the candidate to represent and govern. Meeting the public, managing a campaign, a candidate learns important lessons crucial to government. A candidate learns important insights about the people he or she hopes to represent.

I have suggested to newspaper editorial boards when they interview persons who are seeking their endorsement for a campaign that there are a set of questions that ought to be asked of all candidates. One of those questions is, What have you learned since you announced your intention to seek public office? What have you learned since that date that will make you a better person should you be elected to office? Has the candidate, in fact, used the campaign as a learning, growing process?

Similarly, a political campaign and its interaction is important to the public. The observation of a candidate allows the voter to exercise a thoughtful judgment about who should be entrusted with the responsibility to govern. The shift from hard money to soft money has obliterated much of this relationship, the relationship of the candidate learning from the citizens, and the citizens' ability to assess the qualities of that candidate for public service.

The shift from hard money to soft money brings many adverse effects which will move our campaigns away from this two-way growth. Soft money has no standards. It is unlimited, unregulated, unreported. It turns candidates away from seeking contributions from traditional fundraising sources. The public loses accountability.

In relying on soft money, the candidate loses control of his or her campaign. There are not very many things that happen in a political campaign which are real. Most of the things that occur in a campaign are contrived or manipulated. One of the things that is real is how well a candidate runs their campaign. That requires acts of judgment as to the people with whom you will associate yourself in the campaign, how well you allocate resources to pursue your campaign, the kinds of priorities and issues upon which you base your campaign. Those are all indicators of how the person, if elected to office, is likely to carry out his or her public responsibilities in exactly the same area. But the heavy reliance on soft money and the ability of the candidate to turn his campaign essentially over to those who will present him or her in the most favorable television light causes the candidate to lose that control of the campaign and the public

to lose the ability to use that campaign as an indicator of the individual's potential for public service.

It is not just the candidate who loses control. The public also loses control. It loses the opportunity to see the candidate exercise his or her personal judgment and thereby loses an important opportunity to evaluate the candidate as a potential public servant.

Finally, it is clear the distinction between the uses of hard and soft money have become pure sophistry. Experience has shown us that parties can advocate for a particular candidate with soft money every bit as effectively as they can with hard money.

Just a few hours ago, I saw a television commercial that was a commercial which was paid for by one of the campaign committees of the Congress. The commercial was an attack against a candidate alleging that candidate had broken the trust of the people by spending Social Security surpluses for other than intended Social Security purposes. The ad did not say: Vote against candidate and current Member of Congress X. But, rather, it ran that individual's name in the ad and said: Call him and tell him to stop raiding Social Security.

That is the kind of ad that is being bought and paid for and disseminated over the airways with this gush of soft money. It is an ad which is intended not to enlighten the public but to distort and manipulate the public. It is the type of negative ad which has contributed so substantially to the loss of public confidence in the political system.

The McCain-Feingold bill will not correct all the problems in our current system, but it will give us a good start towards that solution. Banning soft money, in my opinion, is the first step. Opponents of campaign reform argue that more money is good for democracy because it increases political speech. They also argue that even modest attempts at reform violate the first amendment's protection of free speech.

Now, presumably these opponents, who would argue any attempts at reform violate our protection of freedom of speech, do not favor any limits on campaign donations—no limits by non-U.S. persons, businesses, or even governments. We have had a lot of investigations, a lot of bemoaning the fact that non-U.S. persons, businesses, and possibly even non-U.S. governments have made contributions to American political campaigns and potentially were doing it in order to secure favor for their particular interest within the United States. The fact is, that is a very serious and, in my opinion, extremely noxious policy that allows non-U.S. persons, businesses, and even governments to involve themselves in U.S. political campaigns. But it is not illegal under the current law. The basis of the fact it is not illegal is this enormous loophole called soft money.

Citizens of another country, business interests of another country, governments, foreign governments, can all contribute to American political campaigns through the gaping loophole of soft money. Yet the opponents of this legislation that is before us tonight would argue that to close even those loopholes would constitute an undue infringement on freedom of speech. How absurd.

The arguments against reform confuse the quantity of speech with the quality of speech. We have a great deal of evidence that pouring more soft money into our campaigns has actually harmed our electoral process. Party soft money expenditures for the 1996 Presidential and congressional elections totaled $262 million. Let me repeat that. Soft money to American political parties in the 1996 Presidential and congressional elections totaled $262 million. That figure was three times the $86 million which was spent through soft money in the 1992 Presidential and congressional elections.

Despite this threefold increase in soft money between 1992 and 1996, were there evidences that it had a positive effect on American participation in government? Are there evidences, as is suggested by the concept that more money is better for the political process, that these expenditures were used to energize the spirit of democracy? Oh, no. Presidential election turnout in 1996 was the lowest in 72 years.

When you consider what a tripling of soft money that occurred between 1992 and 1996 did to voter turnout, you can shudder to think what will happen in next year's Presidential election when soft money expenditures are expected to double again, to over $500 million. Voters seem to recognize that, while money may buy an increase in the volume of speech, it does so at the price of the quality, the thoughtfulness of speech. And the volume finally drowns out the quality, and the voter turns off and retreats from participation.

Removing unlimited, uncontrolled soft money from the process would not infringe on anyone's right to free speech. Contributions to candidates and parties would still be not only permitted but encouraged. They would simply have to be made according to the rules, rules already in place, rules that have been sanctioned by our judiciary as being consistent with first amendment freedom of speech privileges.

For years we have regulated hard money and union and corporate contributions. Indeed, some of these regulations have existed since the time of Theodore Roosevelt. These regulations are consistent with the first amendment. So is the proposed ban on soft money. I believe the actual quality of political speech will be enhanced with a prohibition on soft money. It provides ample avenues for contributing to political candidates, for candidates communicating with and learning from voters, and for raising the credibility of the tattered system by which we elect public officials. We can have all of those benefits by using the system we thought we had, and that is the system that provides for controlled, limited, fully reported campaign contributions.

Reform will encourage more voters to participate because they will have renewed hope that their individual voices are being heard, that their individual voices will make a difference.

Our colleagues in the House of Representatives have acted. Many States have acted. The public is now rightfully waiting for us in this Chamber which has been described as the greatest deliberative body on Earth. Our people are waiting for us to act to put our campaign system back in order. The system is broken. We have the power, we have the obligation, to fix it. The McCain-Feingold bill is a significant step in that direction. I am proud to support it. I encourage my colleagues to do likewise.

Tomorrow will be the testing hour. We are asked to vote on what appears to be a procedural matter, to proceed to another piece of legislation, legislation that has considerable support, legislation that this Senate has considered on a number of occasions in recent years, legislation which this Senate will undoubtedly consider during this session of Congress.

Make no mistake about it, the effect of voting tomorrow morning to proceed to another piece of legislation is a vote to strike a stake in the heart of even the beginning of campaign finance reform in America because if we adopt this motion to leave this legislation and turn to another subject matter, I sadly suggest we will never return again to campaign finance reform. We will have done a disservice to the American people.

I hope that we will rise to the standard of character above all, that we will demonstrate we are worthy of our previous colleagues in this Senate, such as Senator and later President Harry S. Truman, that we know who we are, we know what our responsibilities are to the American people, and we are prepared to discharge those responsibilities. I thank the Chair.

Mr. CHAFEE. Mr. President, today the Senate took two very important votes with regard to the question of how to reform the manner in which elections for federal office are financed. These votes provided the Senate two very different paths in which to accomplish this goal.

As my colleagues are aware, a majority of Senators in this body clearly believe that the current system is in need of reform. Progress has been made in previous years in two important areas: in the substance of the issue and in gaining greater Congressional support for reform.

Nevertheless, I believe that the paramount goals of any true effort of reform must be to reduce the perception that special interest money exerts undue influence on elected officials, and to address the blatant electioneering disguised as issue advocacy.

These two components must be a part of any proposal forming the basis of Senate debate. The original McCain-Feingold legislation (S. 26) offered this base, and that is why I supported and cosponsored the bill.

In the past two years, the Senate has voted five different times to invoke cloture on the McCain-Feingold campaign finance reform proposal. I supported each of these motions because of my belief that the Senate needed to begin the process of debating the merits of the bill. I also voted for cloture on the paycheck protection proposal because I believed that it was an opportunity for the Senate to level the playing field on the pending debate.

Now, what is the playing field about which I speak? I believe that the Senate should keep its eye on the overall objective of limiting the explosion of unregulated spending which has diminished the role of the candidate and heightened the role of not only the political parties, but of outside groups who have a direct impact on federal elections without any accountability to the public.

Let me now take a moment to explain my reasons for supporting cloture on the Daschle amendment to S. 1593 and for opposing cloture on the Reid amendment to the Daschle amendment.

I voted for cloture on the Daschle substitute amendment to the scaled-down McCain-Feingold campaign finance reform bill because it would have provided the Senate with a better starting point than we have had in previous years. While it was not a perfect version of a campaign finance reform bill, it offered the Senate the opportunity to debate and to amend a comprehensive and level bill, similar to the version recently approved by the House of Representatives.

On the other hand, I voted against cloture on the Reid amendment because I believe this approach would restrict the political parties without acknowledging the skyrocketing impact of outside groups on the political process. The Reid amendment, which was almost identical to the scaled-down version of the McCain-Feingold bill (S. 1593), in my view, did not go far enough to address this important issue. I am troubled by the prospect that non-party activities would remain unregulated while the parties would be restrained. This could make a flawed system even more unbalanced.

I admire the work Senators MCCAIN and FEINGOLD have done in raising awareness of the problems of our campaign finance system. I fully intend to continue working with them, as well as the other supporters of campaign finance reform, to develop a comprehensive approach in this matter. The Senate had the opportunity to make this important change in the current fundraising system by invoking cloture on the Daschle amendment. I will continue to support campaign finance reform measures that follow this approach.

In addition, I intend not to support the Majority Leader's motion to proceed to S. 1692, the Partial Birth Abortion Ban bill at this time. My vote for cloture on the Daschle amendment was based on the belief that debate on this issue should move forward and the reform process should begin. The Daschle amendment provides the Senate with this opportunity for a meaningful debate on the bill.

Mr. DEWINE. Mr. President, I rise today to discuss an issue that is very important to our political system. I believe that our current campaign finance system needs serious reform. But, I cannot support the current version of the McCain-Feingold campaign finance reform bill. I believe the bill's total ban on so-called ''soft money'' is unconstitutional. It is a clear violation of the free speech clause of the First Amendment.

Soft money is used by political parties to advocate specific policies or issues, as well as other party-building activities, such as voter registration and get-out-the-vote efforts. The Supreme Court considers these issue advocacy activities to be free speech and has made it perfectly clear through previous rulings that any total prohibition of funds for issue advocacy would be a violation of the First Amendment.

That's why I have been working with several of my colleagues, including Senators HAGEL, ABRAHAM, GORTON, and THOMAS, to come up with a campaign finance reform proposal that makes much-needed changes in the system, while still preserving the free speech rights guaranteed under the First Amendment. I believe that by correcting the problems, we can achieve a fair and open system of campaign finance laws, which is a big step toward restoring the people's faith in our democratic government.

Our proposal would achieve a number of important goals.

First, it would improve our disclosure laws and increase accountability of political candidates and political parties. Our proposal would provide for more disclosure of contributions given to candidates and parties, institute immediate electronic disclosure by the Federal Election Commission (FEC), and require disclosure of the names of those who purchase political advertisements on radio and television.

Second, our proposal would impose overall limits on what individuals can provide to both candidates and parties. As I noted earlier, right now, a person can contribute any amount of ''soft'' money he or she wishes to a political party. Under our proposal, a person could give a maximum of $60,000 to national political parties. The proposal also would allow that same person to make individual contributions to candidates of up to $3,000—up from the current $1000 limit. This would bring the total amount that an individual could give to parties, candidates, and other political committees to $75,000. The limitation on contributions to political parties would not take effect until after the Supreme Court has a chance to review any constitutional challenges to these limits.

The goal here is to limit one person's or organization's ability to distort the political process through massive cash contributions to parties. In addition, we would like to see more of that limited contribution go toward the candidates, themselves, rather than the parties, because candidates currently face tougher disclosure requirements than the parties. In short, our plan would put a lid on overall contributions and increase accountability of these funds.

I know a number of my colleagues and I were looking forward to discussing our proposal and others and how it would bring reform to our political process. We should view today's vote as a demonstration for the need for our proposal—one that will not run counter to the First Amendment, and one that will ensure greater accountability and credibility of our political process.

Mr. KOHL. Mr. President, I rise to register my support for meaningful campaign finance reform. I will be voting today for cloture on the Daschle amendment which is the broader version of campaign finance reform passed by the House, including provisions to limit issue advocacy advertising during campaigns. Should we have a vote on the Reid amendment, I will also be voting for cloture on a ban on so-called soft money contributions to political parties. Although I was unavoidably absent from the Senate during yesterday's vote, I would have voted against the motion to table the Reid amendment banning soft money contributions.

Banning of soft money is the least we can do. This unlimited flow of money into party coffers creates the greatest opportunity for special interests to seek favor with politicians. The reality that businesses or organizations can be tapped for such vast sums has dramatically changed the atmosphere surrounding the work of our legislative and executive branches of government. Even responsible voices in business have said that they want out from this unseemly competition. The Committee for Economic Development, a group of 200 senior executives and college presidents, has put forward its own campaign finance proposal, mirroring many of the ideas we have discussed over the last few days, stating, ''As business leaders, we are troubled by the mounting pressure for businesses to contribute to the campaigns their competitors support, as well as the dangers that real or perceived political corruption pose for business and the economy.''

Whether the presence of unlimited political contributions is corrupting or whether it just creates the appearance of corruption, the damage is done. Americans are disaffected with politics and political campaigns and have voted

against the current system with their feet: U.S. voter turnout in elections is in serious decline. According to the Committee for the Study of the American Electorate, over the last 30 years we have witnessed a 26 percent decline in voter participation. Fifty-four percent of voting age adults reported voting in the last Presidential election in 1996, the lowest level since the Census Bureau began collecting these statistics in 1964. And these statistics may not even tell the whole story, with some citizens unwilling to admit they did not vote. The official statistics maintained by the Clerk of the House measured voter turnout in 1996 at 49.8 percent. For non-Presidential election years, the numbers are even more discouraging. During the 1998 elections, we witnessed the lowest voter turnout since 1942.

Our representative democracy is harmed by eroding participation. As elected officials we have a responsibility to try to address the sources of voter disaffection. According to the Census Bureau, 17 percent of non-voting registered individuals reported they did not vote because of apathy. That number was up from 11 percent in 1980. In response, we should be working to help reconnect the voters with their elected officials and to invest them in the political debates of the day. Campaign finance reform, in one form or another, is an important part of that process. However, there is more we can be doing to bring citizens back to the polls and to engage them in the issues facing our country. We must be clearly responsive to our constituents and not the special interests who often seem to have a stranglehold on the political process. Unfortunately, there are far too many bills which have the fingerprints of special interests all over them. We must take back the process from the special interests and craft bills beholden to no one but our constituents.

We should also be working to eliminate barriers to voting. Nearly 5 million registered voters said they did not make it to the polls in 1996 because they couldn't get time off from work or school to vote. In response, we need to explore ways to make it easier for Americans to cast their ballots, and we need to do so in a way that does not encourage voter fraud. One such approach which merits further consideration is longer voting hours at the polls.

In the past I have introduced legislation to study the possibility of extending voting hours across the weekend. If polls were open on Saturday and Sunday, people would have more than enough time to vote. Since the mid-19th century we have held election day on the first Tuesday in November, ironically because it was the most convenient day for voters. Tuesdays were traditionally ''court day'' and landowning voters were often coming to town that day anyway. We need to consider the national rhythms of today and determine what framework for voting makes the most sense for the American people.

While weekend voting may pose some challenges, others have recommended that we require the states to keep the polling stations open from early in the morning until late in the evening on election day. This more limited proposal would be less costly and more manageable for states and would also provide more opportunities for people to vote.

We should consider proposals to create a national voter leave, perhaps just two hours on election day to enable workers to make it to the polls. I am also intrigued by proposals to allow the disabled to vote by telephone, and we should be investigating how we can make use of the internet to make registration and voting easier.

The internet is already ushering in a new era in elections, bringing new meaning to the issue of transparency in the financing of political campaigns. Until now, disclosure has been one of the cornerstones of campaign finance reform. The disinfectant of sunshine has always been heralded as a means of keeping politics clean. However, in this era of instant posting of campaign contributions, we are seeing an interesting side effect. The very tool to limit the role of special interests in politics is also highlighting that role and adding to the disaffection of voters. While it is important for us to continue to shine a spotlight on campaign contributions, we must recognize that disclosure is not enough. Ultimately, meaningful campaign finance reform and other efforts to increase voter motivation are the keys to bringing citizens back into the polling booth. Elections are essential to maintaining a robust democracy. Looking at the fragile democracies around the world reminds us that the right to elect our own leaders is a precious right—most valuable if it is exercised.

Mr. President, whether we pass campaign finance reform today or at some point in the future, I want to acknowledge the hard work of my colleague from Wisconsin, Senator RUSS FEINGOLD in moving this issue forward. Senator FEINGOLD and Senator MCCAIN have persisted in raising campaign finance reform in the face of opposition from a minority determined to block reform. I will continue to support their efforts and look forward to the day when all Americans recognize that they have a stake in our society and are motivated to exercise their civic duty to vote.

Mrs. FEINSTEIN. Mr. President, I rise to express my extreme disappointment in the Senate's failure to invoke cloture on the campaign finance reform legislation. This is the third consecutive year we have held this debate and I am disturbed that each attempt to move this bill has failed.

Our campaigns are awash in money. Over the weekend, both the Washington Post and the New York Times ran stories detailing the rise of soft money contributions and the impact it is having on our electoral process.

We do not need newspapers to tell us what we already know. We have run the campaigns, we have raised the money, and we have felt the sting of negative attack ads.

I am now entering my fourth statewide campaign in California. In the 1990's, I have raised more than $40 million. In the 1990 race for Governor, I had to raise about $23 million. In the first race for the Senate, $8 million; in the second race, $14 million. This process has got to stop.

I want to speak for a few minutes about my last campaign. All of us in the Senate have all faced tough campaigns, but I think this election was a little different because of the record amounts of money that were spent.

In 1994, my opponent spent nearly $30 million in his effort to defeat me. It wasn't simply the amount of money spent that made this race unpleasant, however. It was how the Money was spent.

This race was not a discussion of issues. Instead, money was spent on negative ads that misrepresented votes I had taken and mislead voters about my positions. This campaign was primarily about bringing a candidate down, not promoting a view or even another candidate.

I wish I could say that this was a unique circumstance in which a wealthy individual used unlimited resources to mount this type of campaign. Unfortunately, it has become all too common. Instead of wealthy candidates using their own money, political parties and outside organizations are raising millions of dollars in soft money contributions. They are bankrolling attack ads designed solely to defeat candidates.

Studies have clearly shown that as election day gets closer, ads become more candidates oriented and more negative. Instead of promoting a position or an issue, these ads attempt to influence an election by painting a distorted view of a candidate.

The impact that this type of campaigning is having on the electorate as whole is of much greater consequence than the effect on any single race. Voter disenchantment with the political process is at an unprecedented level. Negative campaigning may be designed to drive candidates from office, but it is actually driving voters away from the polls.

Over the past several days, much has been said about the rise in soft money spending and its influence over our elections. The numbers are clear and unquestionably disturbing. Soft money spending doubled between 1992 and 1996 and it is projected to double again this cycle.

I believe the most distressing effect of soft money, however, has been the impact on the voters. Since the early 1990s, when soft money began to explode, voter turnout has significantly

declined. Between the presidential election years of 1992 and 1996, the percentage of eligible voters participating in elections fell 6 points from 55 to 49 percent.

Voting participation in midterm elections fell from 38.78 percent in 1994 to 36.4 percent in 1998. There may be a number of reasons for this decline, but I believe it is largely due to a growing distaste for the political process. The political dialogue has become dominated by personal attacks and unsubstantiated charges and voters have chosen to not participate.

I voted in favor of the Shays-Meehan legislation that the minority leader offered as an amendment. I believe it represents the most comprehensive reform of the current system. This bill has already passed the House by a decisive, bipartisan margin and the Senate should have followed suit.

I also supported the streamlined version of the McCain-Feingold bill. As we know, this bill contains only the ban on soft money and permits union members to prevent the use of their dues for political activities.

I supported this bill, but I did so with some misgivings. One of the key provisions that was dropped from the original legislation dealt with issue advocacy. This is a loophole in the current campaign finance system that allow unions, corporations, and wealthy individuals to influence elections without being subject to disclosure or expenditure restrictions.

I am very concerned that banning soft money without addressing issue advocacy will simply redirect the flow of undisclosed money in campaigns. Instead of giving soft money to political parties, individuals, and organizations that want to influence elections will create their own ''independent'' attack ads.

One study now estimates that between $275 million and $340 million will be spent on so-called issue advertisements during the last election cycle. This amount of spending becomes a third campaign where candidates can't respond because they don't know from where the attack is coming.

Despite the lack of issue advocacy, I voted in support of the soft money ban. While this may not entirely solve the problems in our campaign finance system, at least it would move the debate forward. Banning soft money is an important and necessary step in a larger effort to reform the system.

Unfortunately, the Senate did not invoke cloture on either amendment and it now appears the bill will be removed from the floor and the debate ended for the year.

This is the worst possible outcome. As a result of our actions today, the influence of soft money will continue to grow, attack ads will saturate the airwaves during each election, and voters will continue to lose interest in the process.

I urge my colleagues on the other side of the aisle not to take down this bill. Let us go forward with the amendment process and give us an opportunity to pass this legislation. We owe it to the American public.

Mr. GRAMS. Mr. President, I rise today to express my concerns about the proposed McCain-Feingold bill.

I have always maintained several guiding principles when considering proposals to change the way our campaigns are financed, the most important of which is the first amendment right of Americans to participate in the political process. I have heard from many constituents who agree that Congress should focus its attention on preserving the first amendment, which has been the basis for active citizen participation in our political process.

Recently, a constituent from Woodbury, Minnesota, wrote, ''The First Amendment to the Constitution must not be legislated into obscurity. Money is only one of the many voices people use to express their views. You must not remove the voice of the people in an attempt to remove avarice and greed from the political process.''

By guaranteeing to citizens the right to speak freely and openly, the first amendment ensures, among other things, average Americans can participate in our political process through publicly disclosed contributions to the campaigns of their choice. The first amendment also allows Americans to freely draft letters to the editor, join political parties, and participate in rallies and get-out-the-vote drives. I am proud of Minnesota's long history of active citizen participation in many of these activities during each election year.

Mr. President, before this debate concludes, the Senate will have considered many broad, sweeping proposals to amend the McCain-Feingold bill in an attempt to impose new restrictions upon our fundamental rights. However, rather than pass new campaign finance laws, we should encourage and protect citizen involvement in our political process through greater enforcement of our existing election laws, fair and frequent disclosure of candidate campaign contributions, and a long-overdue increase in Federal contribution limits. I remain concerned about any proposal that infringes upon the fundamental right of citizens, candidates, groups, and political parties to have their voices heard in the democratic process.

In my view, efforts to pass burdensome and restrictive campaign finance proposals overlook the fundamental reason why the American people have begun to lose faith in their government. The public's mistrust of their elected officials has not grown from a lack of laws, but from the activities of those who break our existing laws. Minnesotans have contacted me to express their outrage over blatant violations of our existing Federal election laws, and more specifically, illegal and improper campaign activity that occurred during the 1996 elections.

During the course of this debate, we should not forget that election laws enacted 25 years ago to curb corruption in the political process have been circumvented and repeatedly violated. This was made very clear to the American people throughout the extensive hearings conducted by the Senate Governmental Affairs Committee during the last Congress, despite the fact that more than 45 witnesses either fled the country or refused to cooperate with the committee investigation.

Importantly, the investigation conducted by the Senate Governmental Affairs Committee has contributed to the investigative and prosecutorial efforts of the Justice Department's Campaign Task Force. Above all else, the findings issued by the Senate Governmental Affairs Committee have proven that the current law works if we simply enforce the laws on the books.

For these reasons, I am pleased to be a cosponsor of the amendment offered by Senators THOMPSON and LIEBERMAN that would improve the enforcement of our existing election laws. Among its provisions, this proposal would authorize federal prosecutions of federal election laws if the offender commits the existing offense ''knowingly and willingly'' and the offense involved more than $25,000. As my colleagues know, current law only allows violations of election laws to be prosecuted as misdemeanors.

Mr. President, the Thompson-Lieberman amendment also extends the statute of limitations for criminal violations of the Federal Election Campaign Act from 3 years to 5 years—consistent with the statute of limitations for most other federal crimes. It would direct the United States Sentencing Commission to promulgate a sentencing guideline specifically directed at campaign finance violations and consider issuing longer sentences for those whose convictions involve foreign money or large illegal contributions.

Most importantly, this amendment would make it clear that all foreign money is illegal by prohibiting soft money donations to candidates or political parties by foreign nationals. I know that all Americans were outraged by the improper role of foreign money contributions during the 1996 presidential campaign. I commend Senators THOMPSON and LIEBERMAN for this meaningful proposal to improve our current enforcement structure and ensure that violations of federal election laws do not occur during the 2000 campaign.

In addition to more timely enforcement of our existing election laws, I believe reasonable disclosure requirements provide the electorate with more information, deter corruption or the appearance of corruption through increased exposure of contributions, and

help to determine violations of election laws. However, we should ensure that disclosure requirements do not infringe upon the individual rights and privacy of donors or discourage citizen involvement in the democratic process. In fact, it was a former Minnesotan, Chief Justice Warren Burger, who emphasized the need for carefully drafted disclosure provisions as part of his opinion in the case of Buckley versus Valeo.

In Buckley, Chief Justice Burger wrote,

> Disclosure is, in principle, the salutary and constitutional remedy for most of the ills Congress was seeking to alleviate. * * * Disclosure is, however, subject to First Amendment limitations which are to be defined by looking at the various public interests. No legislative public interest has been shown in forcing the disclosure of modest contributions that are the prime support of new, unpopular, or unfashionable political causes.

Mr. President, I commend Senators MCCAIN and FEINGOLD for their decision to modify their proposal and reduce the level by which this legislation would infringe upon the first amendment rights of Americans. Unfortunately, the revised McCain-Feingold bill continues to place new restrictions upon national political parties through a proposed ban on party soft money.

I do not believe that any limit or ban on party soft money would survive strict scrutiny by the Supreme Court. We should not pursue a suspect expansion of government control of national parties, but rather recognize that political parties enjoy the same rights as individuals to participate in the democratic process. This is a view consistent with the Supreme Court decision in Colorado Republican Federal Campaign Committee versus FEC, in which the Court found that Congress may not limit independent expenditures by political parties.

In striking down limits on the ability of political party independent expenditures, the Supreme Court wisely questioned any attempt to demonstrate a compelling reason for government regulation upon the ability of political parties to support state and local party participation in the political process when it declared:

''We also recognize that FECA permits unregulated 'soft money' contributions to a party for certain activities, such as electing candidates for state office * * * or for voter registration and 'get out the vote' drives. * * * But the opportunity for corruption posed by these greater opportunities for contributions, is, at best, attenuated.''

Mr. President, I believe we should strengthen, rather than diminish, the role of political parties. In my view, some of my colleagues favor a ban on party soft money because parties promote ''issue advocacy'' communications. These advocates fail to recognize that a political party's ability to engage in these communications is fully protected by the first amendment. In debating the merits of a proposed ban on party soft money, we should heed the Supreme Court's wisdom in Buckley when it held that communications which do not expressly advocate the election or defeat of a candidate using such words as ''vote for'' or ''defeat'' cannot be regulated.

Mr. President, I firmly believe there would be less reliance upon party soft money if Congress would increase the current contribution limits and encourage individuals and donors to become involved in entities that are already subject to regulations and disclosure, such as political action committees and national parties. In many ways, the prevalence of soft money in recent campaigns is a consequence of contribution limits established in 1974 and upheld in Buckley.

I am very encouraged that the Supreme Court for the first time since 1976 recently heard arguments regarding the constitutionality of contribution limits. I believe both contributions and expenditures are entitled to protection as core political speech and have concerns with the Supreme Court's decision in Buckley, which upheld limits on contributions while striking down limits on expenditures. In my view, to leave these limits in place without any adjustment would be unfair and continue to threaten the individual rights of donors and individuals. As Chief Justice Burger wrote in Buckley, ''Contributions and expenditures are the same side of the First Amendment coin.''

Mr. President, I am committed to protecting the rights of all Americans to participate in the political process. However, we should not use violations of existing law to restrict political speech and participation in the political process. Those who choose to offer their ideas and talents in a manner that will help to strengthen our nation for future generations must not be discouraged from doing so.

Mr. LIEBERMAN. Mr. President, in her most recent book, ''The Corruption of American Politics,'' the very skilled and veteran Washington reporter Elizabeth Drew writes that ''indisputably, the greatest change in Washington over the past 25 years—in its culture, in the way it does business and the ever-burgeoning amount of business transactions that go on here—has been in the preoccupation with money. It has transformed politics and its has subverted values . . .''

This evaluation once was nursed by a few public interest groups and then a group of congressional reformers. Now, it constitutes conventional wisdom. It is written in the books. It is fact. The political preoccupation with money has ''transformed us and subverted values.'' According to a Quinnipiac College poll published October 14, 68 percent of those surveyed believe large campaign contributions influence the policies supported by elected officials and a June survey by the National Academy of Public Administration reported the number one thing politicians could do to regain public trust is to curb large campaign contributions. Despite these assessments from the people we serve, Congress remains incapable of changing how U.S. federal campaigns are financed.

With the 2000 election cycle well underway, it is clear the worst habits of the past two decades have become the springboard from which new excesses will be launched. Candidates are awash in more money than ever before and party fund-raising records are being shattered again and again. At least two presidential primary candidates—George W. Bush and Steve Forbes—have decided to forego public matching funds in order to avoid the related limits on their campaign spending, while candidates and third party groups are seeking ever more inventive ways to raise undisclosed and unlimited funds to communicate with voters and influence elections.

As a member of the Senate Governmental Affairs Committee, I had hoped the system had reached its nadir in the 1996 federal election campaign, which the committee investigated for most of 1997. I was too optimistic. Because of Congress' failure to enact campaign finance reform, the system continues to fester and elections seem to be auctioned off to the highest bidders.

After it's over, the complete story of the 200 presidential race will be told. Until then, the investigation conducted by the Governmental Affairs Committee provides the best portrait there is of how corrupt our elections have become and how obviously current practices violate the clear intent of Congress in passing campaign finance laws. Our investigation revealed that in 1996, the major parties sabotaged some of the most fundamental values underpinning our American experiment in self-rule. They gave millions of Americans good reason to doubt whether they had a true and equal voice in their own government.

What emerged from that investigation was the picture of a campaign finance system gone haywire—a story replete with abuses ranging from institutionalized failures to two-bit hustlers—a story that should have made any elected federal official ashamed and disgusted by the taint that has diminished our representative democracy, that is to say, every citizen's right to an equal voice in his or her government. The investigation forces us to ask whether we are no longer a nation where one person's vote speaks louder than another person's money. Or have we reached a place where one person's money can drown out another person's vote?

For those who may have forgotten the unseemly details, let me remind you of what our year-long investigation uncovered, because it's important to remember these things. We learned about a brazen man named Roger Tamraz, who contributed $300,000 in soft money to the Democratic Party for access to the White House in order

to try to override the NSC's rejection of his plan for a Caspian Sea oil pipeline. Ultimately, he never gained the White House support he was looking for but he did get to talk to the President of the United States. Any lessons to be learned from his experience, we asked? Yes, he responded. Next time he would contribute $600,000. After this remarkable comment, Tamraz admitted he had never even bothered to register to vote because, in his words, his checkbook was worth ''a bit more than a vote.''

We also learned about Johnny Chung, a California entrepreneur, who visited the White House 49 times, had lots of pictures taken with the President, and once gave the First Lady's chief of staff a $50,000 check right there in the East Wing. He had a particularly jarring assessment of our government. ''I see the White House is like a subway,'' he told the committee. ''You have to put in coins to open the gates.''

For those of you who may think these are just marginal opportunists who slipped through the cracks of our system, let me remind you of the revolving cast of top-dollar contributors who slept in the Lincoln bedroom and of the chairman of the Republican Party who sought a $2.1 million loan for a Republican think tank from a Hong Kong industrialist, which was intentionally defaulted on 2 years later. The chairman said he had no idea this was a foreign contribution, even though the industrialist had renounced his U.S. citizenship and the chairman obtained the loan while cruising Hong Kong Harbor on the industrialist's luxury yacht.

These are colorful stories and among the most outrageous incidents uncovered by the committee. But the far more prevalent collection of big soft money donations came not from the carnival hawkers but from mainstream corporate and union interests and individuals. In total, the parties raised $262 million in soft money during the 1996 campaigns—12 times the amount they raised in 1984. And that's chicken feed compared to the amount of soft money being raised for the 2000 campaign. Based on the first 6 months of this year, both parties have doubled their take over the same period in 1995.

To my friends who say these contributions are an expression of free and protected speech, I respectfully disagree. Free speech is abut the inalienable right to express our views without government interference. It is about the vision the Framers of our Constitution enshrined—a vision that ensures that we will never compromise our American birthright to offer opinions, even when those opinions are unpopular or repugnant. But that is not at issue here, Mr. President. Absolutely nothing in this campaign finance bill will diminish or threaten any American's right to express his or her views about candidates running for office or about any other issue in American life.

What we would be threatening, is something entirely different, and that is the ever increasing and disproportionate power that those with money have over our political system. Let's not fool ourselves—because the American public isn't fooled. Much of the campaign money raised comes from people seeking to maintain their access to, and perhaps sway over, particular parties or candidates. That explains why so many big givers are so generous with both parties at the same time.

Everyone of us in this chamber knows intimately the cost of running for office. It requires us to spend so much more time raising money than we ever did in the past, so much more time that we find we have less time to do the things that led us to run for office in the first place. Barely a day seems to go by in this town in which there is not an event or a meeting with elected officials attended only by those who can afford sums of money that are beyond the capacity of the overwhelming majority of Americans to give. That, Mr. President, is threatening the principle that I—and all of us, I dare say—hold just as dearly as the principle of free speech. It is the genius of our Republic, the principle that promises one man, one vote, that every person—rich or poor, man or woman, white or black, Christian or Jew, Muslim or Hindu—has an equal right and an equal ability to influence the workings of their government.

I have always said the most serious transgressions of the 1996 presidential campaign were legal. Wealthy donors contributing hundreds of thousands of dollars in soft money blatantly skirted legal limits on individual contributions. Unions and corporations donate millions to both Republican and Democratic parties, despite decades-old prohibitions on union and corporate involvement in federal campaigns. And tax-exempt groups paid for millions of dollars worth of television ads that clearly endorsed or attacked particular candidates even though the groups were barred by law from engaging in such extensive partisan electoral activity. Each of these acts compromised the integrity of our elections and our government. Each of these acts violated the spirit of our laws.

To achieve significant reform of the Federal Election Campaign Act, the unrelenting pressure to raise vast sums of money simply must be reduced. A ban on soft money contributions is the necessary beginning to that process and the current McCain-Feingold proposal is the vehicle through which this goal can best be accomplished now. I believe the record created by the Governmental Affairs Committee's hearing in 1997 helped that bill obtain the votes of a majority of the Senate in the 105th Congress, but an anti-reform minority filibustered the bill and prevented it from passing. The House has twice approved the companion Shays-Meehan proposal. A majority of Congress supports this bill. A large majority of the American public supports this bill. One day, if not today, it will become law. By placing a limit on the amount of money raised for campaigns, we can restore a sense of integrity—and of sanity—to our campaign financing system and to our democracy.

If I could waive a magic wand, I would have Congress enact far broader reforms than what is in the bill before us today. I would make sure that advertisements for candidates could no longer masquerade as so-called issue ads, thereby evading the disclosure requirements of our campaign laws; I would make sure that no organization could claim the benefit of tax-exemption and then work to influence the election or defeat of particular candidates or parties. I would make sure that candidates for the Presidency who receive public funds live up to the original intent of the law, that they remain above the fund-raising fray and abstain from raising any more money once they have accepted public funds. I would like to see more exacting criminal law provisions become part of the campaign finance law. Indeed, I hope to offer and support amendments aimed at some of these problems as our debate on this bill continues.

The truth is that we can never fully write into law what every citizen has a right to expect from his or her representatives—that those who seek to write the rules for the nation will respect them, rather than search high and low for ways to evade their requirements and eviscerate their intent; and that those who have sworn to abide by the Constitution will honor the trust and responsibilities the Constitution places in their hands.

We can, however, reduce the feverish and incessant chase for money, the chase that has pushed candidates and their parties to duck, dodge and ultimately debase the laws we have now. The pressure to raise ever expanding sums of cash will continue to drive good people to do bad things, almost regardless of what the law calls for, if we do not recast the system to permanently defuse the fund-raising arms race and stem the corrosive influence of big money. That is the challenge ahead of us.

Mr. MCCONNELL. Mr. President, the first amendment does not permit regulation of contributions or expenditures for issue advocacy. The Supreme Court has allowed regulation of contributions and expenditures that are (1) coordinated with a candidate—and thus a contribution—as well as (2) those that can be used to expressly advocate the election or defeat of a candidate, including independent expenditures by corporations and unions—but not independent expenditures of political parties. The Supreme Court has never allowed regulation of contributions and expenditures for issue advocacy and other activities that are (1) not coordinated with a candidate and (2) do not include express advocacy of the election or defeat of a candidate.

Buckley and its progeny prohibit regulation of issue ads and contributions

and expenditures used to engage in issue advocacy. As originally drafted, the Federal Election Campaign Act FECA would have required disclosure of all contributions over $10 received by any organization which publicly referred to any candidate or any candidate's voting record, positions, or official acts of candidates who were federal officeholders.

The D.C. Court of Appeals struck down this ''issue advocacy'' provision in *Buckley* v. *Valeo,* 519 F.2d 821, 869–78 (D.C. Cir. 1975). The invalidation of the issue advocacy disclosure provision was the only part of the D.C. Circuit's decision that was not appealed to the Supreme Court. Back then supporters of regulation at least accepted the constitutional impossibility of regulating issue advocacy.

In *Buckley* v. *Valeo,* 424 U.S. 1, 43 (1976), the Supreme Court expanded upon the D.C. Circuit's view that issue advocacy could not be regulated and limited the scope of FECA's contribution limits and other regulations to cover only money used for ''communications that include explicit words of advocacy of election or defeat of a candidate.'' This includes money contributed to a candidate, his committee and the hard money account of his party.

The court stated that ''funds used to propagate * * * views on issues without expressly calling for a candidate's election or defeat are * * * not covered by FECA.''

And such funds cannot be covered by any bill Congress adopts because the Supreme Court said in *Buckley* that its narrow construction of the Federal Election Campaign Act (FECA), limiting its scope to money that can be used for ''express advocacy,'' was necessary to avoid ''constitutional deficiencies.''

In sum, the *Buckley* Court looked at Congress' effort to cover ''all spending'' intended to ''influence'' elections and said we cannot regulate beyond the realm of express advocacy. *Buckley* held that:

> So long as persons and groups eschew expenditures that in express term advocate the election or defeat of a clearly identified candidate, they are free to spend as much as they want to promote the candidate and his views.

As one former FEC chairman, Trevor Potter, has written, *Buckley*.

> Clearly meant that much political speech Congress had intended to be regulated and disclosed without instead be beyond the reach of campaign finance laws.

The outer bounds of constitutionally permissible regulation of political activity. The farthest the Supreme Court has ever gone in permitting constraints on political speech was its decision in *Austin* v. *Michigan Chamber of Commerce,* 494 U.S. 652 (1990).

In this case the Court upheld prohibitions on independent expenditures—non-coordinated ads that expressly advocate the election or defeat of a candidate—paid for directly from corporate treasuries.

There is no basis for construing this case as justifying restrictions or prohibitions on contributions or expenditures that are not express advocacy.

In fact, any argument that *Austin* provides a basis for contribution or expenditure limits on funds that do not go to a candidate and are not otherwise used for express advocacy is foreclosed by the Supreme Court's decision in *First National Bank of Boston* v. *Bellotti,* 435 U.S. 765 (1978).

In *Bellotti* the Court ruled that a Massachusetts statute prohibiting ''corporations from making contributions or expenditures for the purpose of . . . influencing or affecting the vote on any question submitted to the voters'' was unconstitutional because it infringed the first amendment right of the corporations to engage in issue advocacy and, more importantly, the wider first amendment right ''of public access to discussion, debate, and the dissemination of information and ideas.''

The case made clear the distinction between portions of the challenged law ''prohibiting or limiting corporate contributions to political candidates or committees, or other means of influencing candidate elections'' (which were not challenged) and provisions ''prohibiting contributions and expenditures for the purpose of influencing . . . issue advocacy.

The Court explained that the concern that justified former ''was the problem of corruption of elected representatives through creation of political debts'' and that the latter (issue ads) ''presents no comparable problem'' since it involved contributions and expenditures that would be used for issue advocacy rather than communications that expressly advocate the election or defeat of a candidate.

Bellotti conclusively rejected prohibitions on contributions and expenditures for issue advocacy, while expressly leaving open the possibility that the government ''might well be able to demonstrate the existence of a danger of real or apparent corruption in independent expenditures by corporations to influence candidate elections.''

And *Austin* merely confirmed that the state government could regulate or even prohibit independent expenditures by corporations, which are used to expressly advocate the election or defeat of a candidate. But *Austin* has nothing to do with contributions and expenditures for communications discussing issues.

The reformers are fond of the Supreme Court's statements in *Austin* concerning the corrupting influence of aggregated wealth. But this dicta does not support regulation of party soft money. And arguments predicated on it do not withstand scrutiny.

This clear from the fact that after *Austin* the Supreme Court stated in the 1996 Colorado Republican Committee case that ''where there is no risk of ''corruption'' of a candidate, the government may not limit even contributions.''

Moreoever, the Court has explained that the prohibitions on corporations and unions making contributions or independent expenditures that expressly advocate the election or defeat of a candidate are permissible to the extent that they ''prohibit the use of union or corporate funds for active electioneering on behalf of a candidate in a federal election'' the Court does not consider contributions and expenditures used for issue advocacy and purposes other than expressly advocating the election or defeat of a federal candidate to involve such risks because it has held that the government cannot prohibit ''corporations any more than individuals from making contributions or expenditures advocating views,'' that is a quote from Citizens Against Rent Control, 454 U.S. 290, 297–98 (1981).

Moreover, the Court has explained that ''Groups [such as political parties] . . . formed to disseminate political ideas, not to amass capital'' do not raise the specter of distortion of the political process necessitating regulations on the use of the treasury funds of unions and for profit corporations because the resources of groups such as political parties and other issue groups ''are not a function of [their] success in the economic marketplace but popularity in the political marketplace.''

Restrictions on issue advocacy, including contributions for it are always invalidated by the Supreme Court. Consistent with this narrow definition of the legislative power to intrude into this most protected area of free speech, the Supreme Court has declared unconstitutional the most rudimentary state and local restrictions on individuals, political committees and corporations when it involved regulation of issue advocacy and the funds that pay for it, as opposed to contributions or expenditures for express advocacy.

See *McIntyre* v. *Ohio Elections Comm'n,* 514 U.S. 334, 356 (1995), invalidating requirement that issue-oriented pamphlets identify the author;

Citizens Against Rent Control v. *City of Berkeley,* 454 U.S. 290, 197 (1981), invalidating city ordinance limiting contributions to committees formed to engage in issue advocacy.

First National Bank v. *Belotti,* 435 U.S. 765 (1978), invalidating law banning corporate contributions and expenditures for issue advocacy.

PROGRESS ON EAST TIMOR

Mr. KENNEDY. Mr President, the Indonesian Parliament acted wisely today in ratifying the overwhelming vote of the East Timorese people for independence and recognizing the right of self-determination for these people.

The militias that have terrorized the East Timorese people since the historic August 30 referendum should end their campaign of violence. From their bases in West Timor, the militias have continued to act with impunity against

East Timorese refugees in camps in West Timor. Through intimidation tactics, they have undermined the efforts of international humanitarian agencies to provide assistance and to facilitate repatriation.

Many of us have been alarmed by persistent reports that the Indonesian military has continued to aid and abet the militias. On October 11, the commander of the international peace keeping force in East Timor demanded a formal explanation from the Indonesian government as to whether any Indonesian soldiers or police officers were involved in a militia attack against the international peacekeepers on October 10. Officials from the peacekeeping force said that uniformed soldiers and police officers had escorted the militias and did nothing as militia members opened fire on the peacekeepers. I urge the Indonesian military and security forces to sever all links with the militias.

I welcome the establishment by the United Nations Human Rights Commission of a commission of inquiry to investigate the atrocities that occurred in East Timor following President Habibie's decision to hold the referendum on East Timor's status. The Indonesian government must end collaboration with the militias if this investigation of the atrocities is to be credible.

In the coming weeks, the United States should do all it can to see that the transition to independence is accomplished peacefully and that those responsible for atrocities are brought to justice.

HATE CRIMES PREVENTION ACT IN THE COMMERCE JUSTICE STATE APPROPRIATIONS BILL

Mr. HARKIN. Mr. President, I want to express to the conferees of Commerce Justice State Appropriations the importance of keeping the Hate Crimes Prevention Act in the spending bill.

I am a cosponsor of this legislation that expands the federal criminal civil rights statute on hate crime by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, sexual orientation or disability.

In particular, prejudice against people with disabilities takes many forms. Such bias often results in discriminatory actions in employment, housing, and public accommodations. Laws like the Fair Housing Amendments Act, the Americans with Disabilities Act, and the Rehabilitation Act are designed to protect people with disabilities from such prejudice

But disability bias also manifests itself in the form of violence—and it is imperative that the federal government send a message that these expressions of hatred are not acceptable in our society.

For example, a man with mental disabilities from New Jersey was kidnaped by a group of nine men and women and was tortured for three hours, then dumped somewhere with a pillowcase over his head. While captive, he was taped to a chair, his head was shaved, his clothing was cut to shreds, and he was punched, whipped with a string of beads, beaten with a toilet brush, and, possibly, sexually assaulted. Prosecutors believe the attack was motivated by disability bias.

In the state of Maine, a married couple both living openly with AIDS, struggling to raise their children. Their youngest daughter was also infected with HIV. The family had broken their silence to participate in HIV/AIDS education programs that would inform their community about the tragic reality of HIV infection in their family. As a result of the publicity, the windows of their home were shot out and the husband was forcibly removed from his car at a traffic light and severely beaten.

Twenty-one states and the District of Columbia have included people with disabilities as a protected class under their hate crimes statutes. However, state protection is neither uniform nor comprehensive. The federal government must send the message that hate crimes committed on the basis of disability are as intolerable as those committed because of a person's race, national origin, or religion. And, federal resources and comprehensive coverage would give this message meaning and substance. Thus, it is critical that people with disabilities share in the protection of the federal hate crimes statute.

Senator KENNEDY's Hate Crimes bill has the endorsement of the Administration and over 80 leading civil rights and law enforcement organizations. It is a constructive and sensible response to a serious problem that continues to plague our nation—violence motivated by prejudice. It deserves full support, and I am hopeful that it is included in the final version that the President signs.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

PORT MCKENZIE PROJECT

Mr. STEVENS. Mr. President, I would like to ask the chairman of the Subcommittee on Transportation to clarify a provision in the fiscal year 2000 transportation appropriations conference report. The conference report refers to the ''Anchorage Ship Creek intermodal facility.'' The Ship Creek area of Anchorage is undergoing an important redevelopment that will include intermodal access across Knik Arm to the Matanuska-Susitna Valley. This grant will help improve the Port McKenzie facility, a multi-use facility which will support transit between Anchorage and the Mat-Su area. The Matanuska-Sustina Borough is the sponsor of this project and the logical applicant for this funding. Do I understand correctly that is the intent of the committee?

Mr. SHELBY. The chairman of the full committee is correct. That is the intent of the conference committee.

REPORT ON THE CONTINUATION OF EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT—PM 66

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect for 1 year beyond October 21, 1999.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property subject to the jurisdiction of the United States and by depriving them of access to the United States market and financial system.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1999.*

MESSAGES FROM THE HOUSE

At 1:19 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed to the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 71. Joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

H.R. 462. An act to clarify that governmental pension plans of the possessions of

the United States shall be treated in the same manner as State pension plans for purposes of the limitation on the State income taxation of pension income.

H.R. 795. An act to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation, and for other purposes.

H.R. 2140. An act to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia.

H.R. 2821. An act to amend the North American Wetlands Conservation Act to provide for appointment of 2 additional members of the North American Wetlands Conservation Council.

H.R. 2886. An act to amend the Immigration and Nationality Act to provide that an adopted alien who is less than 18 years of age may be considered a child under such Act if adopted with or after a sibling who is a child under such Act.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 196. Concurrent resolution permitting the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to President and Mrs. Gerald R. Ford.

The message further announced that the House has agreed to the amendments of the Senate to the bill, H.R. 659, to authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to direct the National Park Service to conduct a special resource study of Paoli and Brandywine Battlefields, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historic Park, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. Joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

The enrolled joint resolution was signed subsequently by the President pro tempore (Mr. THURMOND).

At 6:21 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1180. An act to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

The message also announced that the Clerk of the House is directed to return to the Senate the bill (S. 331) to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes, in compliance with a request of the Senate for the return thereof.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 659. An act to authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to direct the National Park Service to conduct a special resource study of Paoli and Brandywine Battlefields, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 462. An act to clarify that governmental pension plans of the possessions of the United States shall be treated in the same manner as State pension plans for purposes of the limitation on the State income taxation of pension income; to the Committee on Finance.

H.R. 795. An act to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation, and for other purposes; to the Committee on Indian Affairs.

H.R. 2821. An act to amend the North American Wetlands Conservation Act to provide for appointment of 2 additional members of the North American Wetlands Conservation Council; to the Committee on Environment and Public Works.

H.R. 2886. An act to amend the Immigration and Nationality Act to provide that an adopted alien who is less than 18 years of age may be considered a child under such Act if adopted with or after a sibling who is a child under such Act; to the Committee on the Judiciary.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 196. Concurrent resolution permitting the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to President and Mrs. Gerald R. Ford; to the Committee on Rules and Administration.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–5679. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Series Airplanes; Docket No. 99–NM–277 (10–4/10–7)'' (RIN2120–AA64) (1999–0382), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5680. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Series Airplanes; Docket No. 98–NM–378 (10–4/10–7)'' (RIN2120–AA64) (1999–0383), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5681. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–301, and Model A340–211, –212, –311, and –312 Series Airplanes; Docket No. 99–NM–119 (10–1/10–4)'' (RIN2120–AA64) (1999–0377), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5682. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–145 Series Airplanes; Request for Comments; Docket No. 99–NM–198 (10–1/10–4)'' (RIN2120–AA64) (1999–0376), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5683. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Short Brothers SD3–30, SD3–60, SD3–SHERPA, and SD3–60 SHERPA Series Airplanes; Docket No. 99–NM–29 (1–1/10–4)'' (RIN2120–AA64) (1999–0375), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5684. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Series Airplanes; Docket No. 98–NM–346 (–28/10–4)'' (RIN2120–AA64) (1999–0373), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5685. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Allied Signal, Inc. TFE731 Series Turbofan Engines; Docket No. 97–ANE–51 (9–29/10–4)'' (RIN2120–AA64) (1999–0374), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5686. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model SA–360C, SA–365C, and C1, and C2 Helicopters; Request for Comments; Docket No. 99–SW–15 (10–4/10–7)'' (RIN2120–AA64) (1999–0380), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5687. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model EC120B Helicopters; Request for Comments; Docket No. 99–SW–53 (10–4/10–7)'' (RIN2120–AA64) (1999–0381), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5688. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc. Model 369D, 369E, 369FF, 500N and 600N Helicopters; Docket No. 98–SW–80 (9–30/10–4)'' (RIN2120–AA64) (1999–0378), received October

12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5689. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Burkhart Grob Luft-Und Raumfahrt GmbH and CO KG Models G103 TWIN II and G103A TWIN II ACRO Sailplanes; Request for Comments; Docket No. 99–CE–68 (9–29/10–4)'' (RIN2120–AA64) (1999–0379), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5690. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Class D Airspace; Bullhead City, AZ; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–AWP–8 (9–20/10–4)'' (RIN2120–AA66) (1999–0320), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5691. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Moundsville, WV: Docket No. 99–AEA–11 (9–29/10–4)'' (RIN2120–AA66) (1999–0319), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5692. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Kansas City, MO; Correction; Docket No. 99–ACE–34 (10–4/10–7)'' (RIN2120–AA66) (1999–0334), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5693. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Georgetown, TX; Direct Final Rule; Request for Comments; Docket No. 99–ASW–18 (10–5/10–7)'' (RIN2120–AA66) (1999–0326), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5694. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Mineral Wells, TX; Direct Final Rule; Request for Comments; Docket No. 99–ASW–20 (10–5/10–7)'' (RIN2120–AA66) (1999–0325), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5695. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Falfarrias, TX; Direct Final Rule; Request for Comments; Docket No. 99–ASW–21 (10–5/10–7)'' (RIN2120–AA660 (1999–0323), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5696. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Alice, TX; Direct Final Rule; Request for Comments; Docket No. 99–ASW–23 (10–5/10–7)'' (RIN2120–AA66) (1999–0324), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5697. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Corpus Christi, TX; Direct Final Rule; Request for Comments; Docket No. 99–ASW–22 (10–5/10–7)'' (RIN2120–AA66) (1999–0322), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5698. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Raton, NM; Direct Final Rule; Request for Comments; Docket No. 99–ASW–11 (9–23/9–30)'' (RIN2120–AA66) (1999–0317), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5699. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Perry, OK; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–15 (9–29/10–4)'' (2120–AA66) (1999–0321), received October 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5700. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Cable Union, WI; Docket No. 99–AGL–41 (10–5/10–7)'' (RIN2120–AA66) (1999–0332), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5701. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Hayward, WI; Docket No. 99–AGL–40 (10–5/10–7)'' (RIN2120–AA66) (1999–0331), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5702. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Belleville, IL; Docket No. 99–AGL–39 (10–5/10–7)'' (RIN2120–AA66) (1999–0333), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5703. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; St. Michael, AK; Docket No. 99–AAL–10 (10–5/10–7)'' (RIN2120–AA66) (1999–0330), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5704. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Kalskag, AK; Docket No. 99–AAL–14 (10–6/10–7)'' (RIN2120–AA66) (1999–0327), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5705. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Mountain Village, AK; Docket No. 99–AAL–9 (10–5/10–7)'' (RIN2120–AA66) (1999–0329), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5706. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Aniak, AK and St. Mary's, AK; Docket No. 99–AAL–7 (10–5/10–7)'' (RIN2120–AA66) (1999–0328), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 976. A bill to amend title V of the Public Health Service Act to focus the authority of the Substance Abuse and Mental Health Services Administration on community-based services children and adolescents, to enhance flexibility and accountability, to establish programs for youth treatment, and to respond to crises, especially those related to children and violence (Rept. No. 106–196).

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. CHAFEE, for the Committee on Environment and Public Works:

Gerald V. Poje, of Virginia, to be a member of the Chemical Safety and Hazard Investigation Board for a term of five years. (Reappointment)

Skila Harris, of Kentucky, to be a member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2008.

Glenn L. McCullough, Jr., of Mississippi, to be a member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring May 18, 2005.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BENNETT (for himself, Mr. BURNS, and Mr. MCCONNELL):

S. 1747. A bill to amend the Federal Election Campaign Act of 1971 to exclude certain Internet communications from the definition of expenditure; to the Committee on Rules and Administration.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. GRASSLEY, Mr. KOHL, Mr. TORRICELLI, and Mr. SCHUMER):

S. 1748. A bill to amend chapter 87 of title 28, United States Code, to authorize a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation

cases for trial; to the Committee on the Judiciary.

By Mr. CRAPO:

S. 1749. A bill to require the Commissioner of Food and Drugs to issue revised regulations relating to dietary supplement labeling, to amend the Federal Trade Commission Act to provide that certain types of advertisements for dietary supplements are proper, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE (for himself, Mr. LEAHY, and Mr. KOHL):

S. 1750. A bill to reduce the incidence of child abuse and neglect, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1751. A bill to amend the Federal Election Campaign Act of 1971 to modify reporting requirements and increase contribution limits, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. KOHL, Mr. TORRICELLI, and Mr. LUGAR):

S. Res. 205. A resolution designating the week of each November in which the holiday of Thanksgiving is observed as ''National Family Week''; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. LOTT, Mr. HELMS, Mr. INHOFE, Mr. ALLARD, Mr. KYL, Mr. THURMOND, and Mr. HUTCHINSON):

S. Con. Res. 61. A concurrent resolution expressing the sense of the Congress regarding a continued United States security presence in Panama and a review of the contract bidding process for the Balboa and Cristobal port facilities on each end of the Panama Canal; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT (for himself, Mr. BURNS, and Mr. MCCONNELL):

S. 1747. A bill to amend the Federal Election Campaign Act 0f 1971 to exclude certain Internet communications from the definition of expenditure; to the Committee on Rules and Administration.

INTERNET FREEDOM PROTECTION ACT

Mr. BENNETT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1747

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1 SHORT TITLE.

This Act may be cited as the ''Internet Freedom Protection Act''.

SEC. 2. EXCLUSION OF CERTAIN INTERNET COMMUNICATIONS FROM DEFINITION OF EXPENDITURE.

Section 301(9)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)) is amended—

(1) in clause (ix), by striking ''and'' at the end;

(2) in clause (x), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(xi) any communication or dissemination of material through the Internet (including electronic mail, chat rooms, and message boards) by any individual, if such material—

''(I) is not a paid advertisement;

''(II) does not solicit funds for, or on behalf of, a candidate or political committee;

''(III) is disseminated for the purpose of communicating or disseminating the opinion of such individual (including an endorsement) regarding a political issue or candidate; and

''(IV) is not communicated or disseminated by any individual that receives payment or any other form of compensation for such communication or dissemination.''.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. GRASSLEY, Mr. KOHL, Mr. TORRICELLI, and Mr. SCHUMER):

S. 1748. A bill to amend chapter 87 of title 28, United States Code, to authorize a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial; to the Committee on the Judiciary.

MULTIDISTRICT JURISDICTION ACT OF 1999

Mr. HATCH. Mr. President, I am introducing today a bill entitled the ''Multidistrict Jurisdiction Act of 1999.'' This bill would restore a 30-year-old practice under which a single court, to which several actions with common issues of fact were transferred for pretrial proceedings, could retain the multidistrict actions for trial.

This bill is necessary to correct a statutory deficiency pointed out by the Supreme Court in *Lexecon* v. *Milbert Weiss Bershad Hynes & Lerach*, 523 U.S. 26 (1997). It is an important bill for judicial efficiency and for encouraging settlements of multidistrict cases. And I am pleased that the Judicial Conference and the Multidistrict Litigation Panel support this bill. Moreover, I am pleased that this is a bipartisan bill with Senators LEAHY, GRASSLEY, TORRICELLI, KOHL, and SCHUMER as cosponsors.

Section 1407(a) of title 28, United States Code, authorizes the Multidistrict Litigation Panel to transfer civil actions with common questions of fact ''to any district for coordinated or consolidated pretrial proceedings.'' It also requires the Panel, on or before the conclusion of such pretrial proceedings, to remand any such actions to the district courts in which they were filed. However, for the 30 years prior to the Lexecon decision, federal courts followed the practice of allowing the single transferee court, upon the conclusion of pretrial proceedings, to transfer all of the actions to itself under the general venue provisions contained in 28 U.S.C. §1404. This had the practical advantage of allowing the single transferee court to retain for trial the multiple actions for which it had conducted pretrial proceedings. This greatly enhanced judicial efficiency and encouraged settlements.

In Lexecon, however, the Supreme Court held that the literal terms of 28 U.S.C. §1407 did not allow the single transferee court to retain the multidistrict actions after concluding pretrial proceedings. Instead, the Court held, the plain terms of §1407 required the Panel to remand the actions back to the multiple federal district courts in which the actions originated. The Court noted that to keep the practice of allowing the single transferee court to retain the actions after conducting the pretrial proceedings, Congress would have to change the statute.

The bill would amend 28 U.S.C. §1407 to restore the traditional practice of allowing the single transferee court to retain the multiple actions for trial after conducting pretrial proceedings. The bill also includes a provision under which the single transferee court would transfer the multiple actions back to the federal district courts from which they came for a determination of compensatory damages if the interests of justice and the convenience of the parties so require.

Mr. President, this bill is very similar to the first portion of a H.R. 2112 that passed the House of Representatives under the effective leadership of Congressman SENSENBRENNER. H.R. 2112 includes both the ''Lexecon fix'' and a provision to streamline catastrophe litigation. I believe that both provisions would make good law. However, the Lexecon matter constitutes an emergency for the Multidistrict Litigation Panel, which has a large number of these cases poised for remand if the retention practice is not restored. The catastrophe legislation would constitute an important improvement, but is not an emergency matter. Given this situation, I propose that we pass only the ''Lexecon fix'' during this session by unanimous consent and work to pass the catastrophe legislation during the second session.

Senators LEAHY, GRASSLEY, TORRICELLI, KOHL, SCHUMER, and I look forward to passing the Multidistrict Jurisdiction Act of 1999 very quickly. The Judiciary awaits our prompt action.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 1748

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Multidistrict Jurisdiction Act of 1999''.

SEC. 2. MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended—

(1) in the third sentence of subsection (a), by inserting ''or ordered transferred to the transferee or other district under subsection (i)'' after ''terminated''; and

(2) by adding at the end the following new subsection:

''(i)(1) Subject to paragraph (2), any action transferred under this section by the panel may be transferred, for trial purposes, by the

judge or judges of the transferee district to whom the action was assigned to the transferee or other district in the interest of justice and for the convenience of the parties and witnesses.

''(2) Any action transferred for trial purposes under paragraph (1) shall be remanded by the panel for the determination of compensatory damages to the district court from which it was transferred, unless the court to which the action has been transferred for trial purposes also finds, for the convenience of the parties and witnesses and in the interests of justice, that the action should be retained for the determination of compensatory damages.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action pending on or brought on or after the date of the enactment of this Act.

Mr. LEAHY. Mr. President, I am pleased to join the distinguished Chairman of the Senate Judiciary Committee, Senator GRASSLEY, Senator TORRICELLI, Senator KOHL, and Senator SCHUMER in introducing the Multi-District Jurisdiction Act of 1999. Our bipartisan legislation is needed by Federal judges across the country to restore their power to promote the fair and efficient administration of justice in multi-district litigation.

Current law authorizes the Judicial Panel on Multi-District Litigation to transfer related cases, pending in multiple Federal judicial districts, to a single district for coordinated or consolidated pretrial proceedings. This makes good sense because transfers by the Judicial Panel on Multi-District Litigation are based on centralizing those cases to serve the convenience of the parties and witnesses and to promote efficient judicial management.

For nearly 30 years, many transferee judges, following circuit and district court case law, retained these multi-district cases for trial because the transferee judge and the parties were already familiar with each other and the facts of the case through the pretrial proceedings. The Supreme Court in Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach, 523 U.S. 26 (1998), however, found that this well-established practice was not authorized by the general venue provisions in the United States Code. Following the Lexecon ruling, the Judicial Panel on Multi-District Litigation must now remand each transferred case to its original district at the conclusion of the pretrial proceedings, unless the case is already settled or otherwise terminated. This new process is costly, inefficient and time consuming.

The Multi-District Jurisdiction Act of 1999 seeks to restore the power of transferee judges to resolve multi-district cases as expeditiously and fairly as possible. Our bipartisan bill amends section 1407 of title 28 of the United States Code to allow a transferee judge to retain cases for trial or transfer those cases to another judicial district for trial in the interests of justice and for the convenience of parties and witnesses. The legislation provides transferee judges the flexibility they need to administer justice quickly and efficiently. Indeed, our legislation is supported by the Administrative Office of the U.S. Courts, the Judicial Conference of the United States and the Department of Justice.

In addition, we have included a section in our bill to ensure fairness during the determination of compensatory damages by adding the presumption that the case will be remanded to the transferor court for this phase of the trial. Specifically, this provision provides that to the extent a case is tried outside of the transferor forum, it would be solely for the purpose of a consolidated trial on liability, and if appropriate, punitive damages, and that the case must be remanded to the transferor court for the purposes of trial on compensatory damages, unless the court to which the action has been transferred for trial purposes also finds, for the convenience of the parties and witnesses and in the interests of justice, that the action should be retained for the determination of compensatory damages. This section is identical to a bipartisan amendment proposed by Representative BERMAN and accepted by the House Judiciary Committee during its consideration of similar legislation earlier this year.

Multi-district litigation generally involves some of the most complex fact-specific cases, which affect the lives of citizens across the nation. For example, multi-district litigation entails such national legal matters as asbestos, silicone gel breast implants, diet drugs like fen-phen, hemophiliac blood products, Norplant contraceptives and all major airplane crashes. In fact, as of February 1999, approximately 140 transferee judges were supervising about 160 groups of multi-district cases, with each group composed of hundreds, or even thousands, of cases in various stages of trial development.

But the efficient case management of these multi-district cases is a risk after the Lexecon ruling. Judge John F. Nangle, Chairman of the Judicial Panel on Multi-District Litigation, recently testified before Congress that: ''Since Lexecon, significant problems have arisen that have hindered the sensible conduct of multi-district litigation. Transferee judges throughout the United States have voiced their concern to me about the urgent need to enact this legislation.''

Mr. President, Congress should listen to the concerned voices of our Federal Judiciary and swiftly approve the Multi-District Jurisdiction Act of 1999 to improve judicial efficiency in our Federal courts.

Mr. GRASSLEY. Mr. President, I am pleased to join my colleagues in introducing the Multidistrict Jurisdiction Act of 1999. This legislation would make a technical fix to section 1407 of Title 28, the multidistrict litigation statute, in response to the recent Supreme Court decision in Lexecon v. Milberg Weiss.

Section 1407(a) of Title 28 authorizes the Judicial Panel on Multi-District Litigation to transfer civil actions with common issues of fact to any district for coordinated or consolidated pretrial proceedings, but requires the Panel to remand any such action to the original district at or before the conclusion of such pretrial proceedings. Until the Lexecon decision, the federal courts followed the practice of allowing a transferee court to invoke the venue transfer provision and transfer a case to itself for trial purposes. However, the U.S. Supreme Court reversed this practice, holding that the literal terms of section 1407 do not give a district court conducting pretrial proceedings the authority to assign a transferred case to itself for trial.

This legislation would amend section 1407 of Title 28 to permit a judge with a transferred case to retain jurisdiction over multidistrict litigation cases for trial. This change was approved by the Judicial Conference and is supported by the Judicial Panel on Multi-District Litigation. The legislation also includes a provision under which a transferee court would transfer actions back to the federal district courts from which they came for a determination of compensatory damages if the interests of justice and the convenience of the parties so require.

The Multidistrict Jurisdiction Act of 1999 will promote the efficient administration of justice by allowing the federal courts to continue an effective practice they have been using for almost thirty years. It makes sense to allow the transferee judge who has conducted the pretrial proceedings and is familiar with the facts and parties of the transferred case to retain that case for trial. This significantly benefits the parties to a case, and reduces wasteful use of judicial and litigants' resources. I am glad to support this legislation, and I urge my colleagues to support it as well.

Mr. KOHL. Mr. President, I am pleased to join Senators HATCH, LEAHY, GRASSLEY, TORRICELLI, and SCHUMER in introducing the Multidistrict Jurisdiction Act of 1999. Our bipartisan measure will help give back to Federal judges the authority they need to handle multiple, overlapping cases as efficiently and effectively as possible.

This legislation essentially overturns the Supreme Court's decision in *Lexecon Inc.* v. *Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26 (1998). In that case, the Supreme Court rejected 30 years of practice during which trial courts overseeing related cases for consolidated pretrial proceedings had been permitted to retain jurisdiction of those cases for trial. That long-standing routine made plain common sense, because oversight by one court (instead of dozens of courts) is often the best use of resources, regardless of whether the parties are still in discovery or already at trial. Indeed, a consolidated trial may not only be more convenient for the parties and the witnesses, but it also promotes justice by keeping the case before a judge who is already familiar with the underlying facts.

Let me just point out that I do not mean to criticize the Supreme Court's decision as a matter of law. It may well be that the original Multidistrict Litigation statute was too narrowly drafted, and ultimately it is the responsibility of Congress to write—or, in this case, rewrite—the law to make sure it says what Congress intends.

While this measure is an important step forward, we must recognize that it is just that—a step. There is much more we can do to promote efficiency and fairness in litigation for both victims and defendants. In fact, the proposal to overturn Lexecon was first raised publicly at a hearing on class action reform in the House early last year, as just one of several proposals that would help ensure the fair administration of justice. Ironically, while this measure appears to be on the fast track, we continue to delay consideration of the other more pressing class action measures that were the focus of that hearing. And, while consolidation could be particularly valuable in the class action context, without class action reforms this bill actually won't affect most class actions. The reason is simple: while this bill only applies to cases filed in Federal court, most class actions—even ones that are nationwide in scope and shape nationwide policies—end up in State court.

Indeed, increased consolidation would help eliminate one of the most significant class action abuses—that is, the dangerous ''race to settlement'' among competing cases. Currently, overlapping class actions involving the same parties and the same claims put rival class lawyers in competition to get the first—and only—settlement available. The result is all too common: one lawyer lines his pockets with huge fees by taking a quickie settlement, while the class gets the short end of the stick. For example, in one instance involving overlapping Federal and State actions, the class lawyers who brought the State case negotiated a small settlement precluding all other suits, and even agreed to settle federal claims that were not at issue in State court. Meanwhile, the Federal court was outraged, finding that the Federal claims could have been worth more than $1 billion, while accusing the State class lawyers of ''hostile representation'' that ''surpassed inadequacy and sank to the level of subversion'' and of having ''more in line with the interests of [defendants] than those of their clients.''

This danger was recently underscored by the Judicial Conference's Advisory Committee on Civil Rules Report on Mass Tort Litigation, which found that ''[T]he risk is considerable that speedy justice may be converted into speedy injustice . . . if two or more courts enter a race to be first to achieve a disposition binding on all courts.'' The report added that, ''This risk is aggravated by the 'reverse auction' scenario . . . , in which a defendant may play would-be class representatives off against each other, bidding down the terms of settlement to the lowest level that can win approval by the most complaisant available court.'' This race to settlement, or ''reverse auction,'' shortchanges legitimate victims, while allowing blameworthy defendants to get off easy.

Mr. President, we can prevent abuses like this—and encourage efficiency—simply by permitting more overlapping nationwide class actions to be brought into Federal court, the only place where the consolidation procedure is available. Once the cases are consolidated, lead counsel will be appointed, making it impossible to shop around low-priced settlements and to pit competing class lawyers against each other. However, as long as these class actions can be kept in various State courts, this bill won't succeed in bringing consolidation to the complex cases that need it most.

That's one of the principal reasons why Senator GRASSLEY and I introduced the Class Action Fairness Act of 1999 (S. 353) earlier this year. Our proposal, which among other provisions allows more nationwide class actions to be removed to Federal court, would—in conjunction with the bill we are introducing today—help eliminate the race to settlement in most class actions, save court resources and promote efficiency by placing related class actions before one court. A similar measure has already passed the House, and we look forward to moving this measure ahead in the Senate.

Mr. President, I am proud to join my colleagues today in offering our proposal to return to Federal courts the authority they need to consider multiple, overlapping cases in a fair, expeditious and just manner. This is a necessary step in the direction of real reform, and I hope it will build momentum for more comprehensive reform, like the Grassley/Kohl Class Action Fairness Act.

By Mr. CRAPO:

S. 1749. A bill to require the Commissioner of Food and Drugs to issue revised regulations relating to dietary supplement labeling, to amend the Federal Trade Commission Act to provide that certain types of advertisements for dietary supplements are proper, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

DIETARY SUPPLEMENT FAIRNESS IN LABELING AND ADVERTISING ACT

● Mr. CRAPO. Mr. President. I rise today to introduce the Dietary Supplement Fairness in Labeling and Advertising Act. The purpose of the legislation is to reaffirm Congress' intent in enacting the Dietary Supplement Health Education Act (DSHEA). In enacting DSHEA, Congress intended to insure that all Americans had access to factual information about vitamins and other dietary supplements so that they can make informed decisions about their health and well-being.

In recent years, the prevalence of scientific data demonstrating the benefits of proper nutrition, education, and appropriate use of dietary supplements to promote long-term health has increased tremendously. Additionally, preventative practices, including the safe consumption of dietary supplements, has been shown to significantly reduce the health-care expenditures in this country. That is why I continue to support research efforts that focus on preventative care. The role government funding can have in achieving scientific and medical gains in crucial. Past successes have frequently led to rapid technological advancements in medicine, biotechnology, and other important areas that shape our lives.

Over 100 million people use dietary supplements daily throughout the United States. This bill that I am introducing would allow access by the public to solid scientific research about the safe and proper use of dietary supplements. It prevents the Food and Drug Administration (FDA) from promulgating rules that change the intent of congressional regulations regarding structure and function claims and would amend the Federal Trade Commission Act to provide that certain types of advertisements for dietary supplements are proper.

DSHEA required the FDA to promulgate reasonable guidelines to regulate the content of dietary supplements labels. The goal of this requirement is to insure that the labels give consumers information necessary for them to decide whether they want to take a particular supplement, without making claims regarding medical or disease benefits (which are reserved for FDA-approved drugs).

The Federal Trade Commission (FTC) currently enforces a standard for advertising that conflicts with the intent of DSHEA. The FTC does not always allow the same information in advertising of dietary supplements that is allowed in labeling of the same products. For instance, the FTC has made it difficult to advertise the benefits of calcium, vitamin C, and other common and heavily studied supplements.

The information that the FDA allows as part of the labeling of a dietary supplement should also be allowed in advertising that same supplement, yet the FTC is seeking to regulate the advertising of dietary supplements by denying to consumers some of the very information that DSHEA required the FDA to let them use. This forces manufacturers to work under two sets of contradictory regulations and undermines the intent of Congress.

Additionally, this bill would instruct the FDA to withdraw the notice of proposed rulemaking published in the Federal Register of April 29, 1998, which attempts to regulate the types of statements made concerning the effects of dietary supplements on the structure or function of the body. The FDA is asserting responsibilities beyond congressional intent. Specifically, it is

seeking to change the definition of ''disease'' by deeming improper any claim that refers to the ''prevention or treatment of abnormal functions.'' In these cases, the product would be subject to regulation as a drug, rather than a dietary supplement. Furthermore, it was never Congress' intent to disallow the use of citations from credible scientific publications in providing accurate information in labeling of dietary supplements. Numerous, common sense examples can be made to demonstrate the irresponsible nature of this rule. Aging and pregnancy would now be considered diseases under the policy.

In passing this legislation, my hope is to continue to open up communication and provide access to fair and adequate reviews of all claims. This bill prescribes a method by which the Commission must act prior to filing a complaint that initiates any administrative or judicial proceeding alleging noncompliance by an advertiser. Simply, the FTC would be required to provide a full and fair opportunity for advertisers to consult with the Commission's scientific experts. Decisions about the use of dietary supplements should not be made by bureaucrats. Instead, meetings with scientific experts would provide for an open exchange of ideas and information, and ensure that decisions are based on concrete, substantial scientific evidence. This is good government practice, and during a time where our society has become far too litigious, I support strengthening the review process, prior to filing any claims or complaints.

I urge my colleagues to cosponsor the Dietary Supplement Fairness in Labeling and Advertising Act. It would insure that all Americans have access to factual information about vitamins and other dietary supplements so they can make informed decisions about their health and well-being, while continuing to provide adequate safeguards to protect the public good.●

By Mr. DEWINE (for himself, Mr. LEAHY, and Mr. KOHL):

S. 1750. A bill to reduce the incidence of child abuse and neglect, and for other purposes; to the Committee on the Judiciary.

CHILD ABUSE PREVENTION AND ENFORCEMENT ACT

● Mr. DEWINE. Mr. President, I rise today to introduce the Child Abuse Prevention and Enforcement Act (CAPE). This legislation would provide a much-needed increase in funding for the investigation of child abuse crimes, as well as prevention programs designed to prevent child abuse. This bill is similar to the legislation introduced by my Ohio colleague in the House of Representatives, DEBORAH PRYCE, which recently passed overwhelmingly in the House.

As a former Greene County, Ohio, prosecutor, and—more importantly—as a parent, nothing disturbs me more than reports of child abuse and neglect. As a prosecutor, I saw—- first-hand—too many examples of child victimization and abuse. These days, it seems like you can't turn on the local news without hearing about another unforgivable act of violence against a child. Some of these stories have become infamous. Yet, sadly, most stories of child abuse are quickly forgotten. Such stories have become so common, it seems that our collective conscience is seldom even affected any more.

The sheer numbers of abusive acts committed against our children are astounding. In my State of Ohio, one incident of child abuse or neglect is reported to authorities every three minutes! What's worse is that these reports of abuse are on the rise. In a study of child abuse, the Federal government found that the number of abused and neglected children in this country nearly doubled between 1986 and 1993. As a result, child protective service agencies across the country are facing more than a million cases of abused and neglected children each year.

The Federal government can take meaningful steps—starting now—to help fight child abuse. The Child Abuse Prevention and Enforcement Act would be one meaningful step. Through the use of advanced technology, this legislation would enhance the ability of law enforcement systems to exchange timely and accurate criminal history information with agencies involved in child welfare, child abuse, and adoption services.

Every day, State and local child welfare services attempt to ensure that children are cared for properly and living with loving families. It is their job to prevent at-risk children from being left under the same roof with domestic or child abusers. Often, when child welfare agencies conduct child safety assessments, criminal histories and civil protection order information are not always readily available. These agencies may not be getting the full story. The result, in some cases, is that an abused or neglected child is removed from one harmful environment only to be placed in another. To improve access to critical law enforcement information, the bill I am introducing today would amend the Crime Identification and Technology Act (CITA), which I sponsored last year, to allow State and local governments to use CITA grant dollars to enable the criminal justice system to provide criminal history information to child protection and welfare agencies.

Our bill also would allow the use of funds from the $550 million Byrne grant program for activities aimed at cracking down on and preventing child abuse and neglect. Since 1986, Byrne grant dollars have been used successfully to provide financial assistance to State and local governments to coordinate government efforts to fight crime and drug abuse. With our bill, State and local agencies could use Byrne grant dollars to train child welfare investigators and child protection workers. The funding also could help build and develop child advocacy centers and hospitals for the abused. These are just a few of many possible uses.

Mr. President, our bill would go even one step further to direct resources to fight against child abuse. It would double the amount of funds available to States and localities to assist the victims of crimes against children. Currently, $10 million of the Federal Crime Victims $383 million fund are earmarked for child abuse and domestic assistance programs. This fund is financed not by taxpayer dollars, but through criminal fines, penalties and forfeitures. While the fund has grown since its beginning in 1984, the amount reserved for assistance to victims of abuse has remained stagnant. Our bill would earmark $20 million to help public and nonprofit agencies provide necessary services like rescue shelters, 24-hour abuse hotlines, and counseling to victims of child abuse.

Mr. President, this is one piece of legislation that can and should pass the Senate quickly. As I noted earlier, a similar bill was overwhelmingly approved by the House by a vote of 425–2. More than 50 child protection organizations have endorsed this legislation, including the National Child Abuse Coalition; the National Center for Missing and Exploited Children; Fight Crime: Invest in Kids; the Family Research Council and the Christian Coalition; the American Professional Society of the Abuse of Children; and Prevent Child Abuse America.

I urge my colleagues here in the Senate to demonstrate their commitment to America's abused and neglected children by supporting this legislation. Let's show some compassion and support our States and local communities in the fight against child abuse.●

● Mr. LEAHY. Mr. President, I am pleased to join the senior Senator from Ohio in introducing the Child Abuse Prevention and Enforcement Act. Our bipartisan legislation builds on the successful passage into law of the Crime Identification Technology Act of 1998, which Senator DEWINE and I sponsored in the last Congress. Our bill also complements S. 249, the Missing, Exploited and Runaway Children Protection Act, which Senator HATCH and I worked together to steer to final passage just last month.

Unfortunately, the number of abused or neglected children in this country nearly doubled between 1986 and 1993. Each day there are 9,000 reports of child abuse in America and more than three million cases annually of abused or neglected children. In my home state of Vermont, 2,309 children were reported to child protective services for child abuse or neglect investigations in 1997, the last year data is available. After investigation, 1,041 of these reports found substantiated cases of child maltreatment in Vermont.

Each child behind these statistics is an American tragedy.

But we can help. The Child Abuse Prevention and Enforcement Act provides these abused or neglected children with the Federal assistance that they deserve. And our legislation can make a real difference in the lives of our nation's children without any additional cost to taxpayers.

Our bipartisan legislation will make a difference by giving State and local officials the flexibility to use existing Department of Justice grant programs to prevent child abuse and neglect, investigate child abuse and neglect crimes and protect children who have suffered from abuse and neglect. The bill does this by making three changes to current law.

First, the Child Abuse Prevention and Enforcement Act amends the Crime Identification Technology Act of 1998 to make grant dollars available specifically to enhance the capability of criminal history information to agencies and workers for child welfare, child abuse and adoption purposes. Congress has authorized $250 million annually for grants under the Crime Identification Technology Act.

Second, the Child Abuse Prevention and Enforcement Act amends the Byrne Grant Program to permit funds to be used for enforcing child abuse and neglect laws, including laws protecting against child sexual abuse, and promoting programs designed to prevent child abuse and neglect. Congress has traditionally funded the Byrne Grant Program at about $500 million a year.

Third, the Child Abuse Prevention and Enforcement Act doubles the available funds, from $10 million to $20 million, for grants to each State for child abuse treatment and prevention from the Crime Victims Fund. This fund is financed through the collection of criminal fines, penalties and other assessments against persons convicted of crimes against the United States. In the 1998 fiscal year, the Crime Victims Fund held $363 million. To ensure that other crime victim programs support by the Fund are not reduced, the expansion of the child abuse treatment and prevention earmark applies only when the Fund exceeds $363 million in a fiscal year. This year, the Crime Victims Fund is expected to collect more than $1 billion due in part to large anti-trust penalties.

Despite the tireless efforts of concerned Vermonters, including the many dedicated workers and volunteers at Prevent Child Abuse in Vermont and the Vermont Department of Social and Rehabilitative Services, Vermont is below the national average for its ability to provide services to abused or neglected children. In 1997, 411 children found to be abused or neglected received no services, about 40 percent of investigated cases. Nationally, about 25 percent of all abused or neglected children received no services. Our legislation provides more resources to help Vermonters and other Americans provide services to all abused or neglected children.

I thank the many advocates who support our bill and the companion legislation introduced by Representatives PRYCE and STEPHANIE TUBBS JONES, H.R. 764, which passed the House of Representatives by a vote of 425–2 on October 5, 1999. These advocates include the diverse National Child Abuse Coalition: ACTION for Child Protection; Alliance for Children and Families; American Academy of Pediatrics; American Bar Association; American Dental Association; American Professional Society on the Abuse of Children; American Prosecutors Research Institute; American Psychological Association; Association of Junior Leagues International; Boy Scouts of America; Child Welfare League of America; Childhelp USA; Children's Defense Fund; General Federation of Women's Club; National Alliance of Children's Trust and Prevention Funds; National Association of Child Advocates; National Association of Counsel for Children; National Association of Social Workers; National Children's Alliance; National Committee to Prevent Child Abuse; National Council of Jewish Women; National Court Appointed Special Advocates Association; National Education Association; National Exchange Club Foundation for Prevention of Child Abuse; National Network for Youth; National PTA; Parents Anonymous; and Parents United. In addition, the National Center for Missing and Exploited Children and Prevent Child Abuse America have endorsed our bill and its House counterpart.

Mr. President, I urge my colleagues to support the Child Abuse Prevention and Enforcement Act for the sake of our nation's children.●

By Mr. HATCH:

S. 1751. A bill to amend the Federal Election Campaign Act of 1971 to modify reporting requirements and increase contribution limits, and for other purposes; to the Committee on Finance.

CITIZENS' RIGHT TO KNOW ACT OF 1999

Mr. HATCH. Mr. President, last week, the minority put the Senate in a take-it-or-leave, it position with respect to campaign finance reform. Using a parliamentary tactic that foreclosed other amendments from being offered, and then objecting to requests to take up other proposals, the proponents of S. 1593, the McCain-Feingold campaign finance reform bill, got what they wanted—a vote on an unamended, and therefore unimproved, version of their bill.

Mr. President, there are many of us who agree that we should make changes in our campaign finance laws; but, we disagree that we should compromise the First Amendment to do it.

Today, I am introducing the ''Citizens' Right to Know Act,'' a bill that represents my thinking on campaign finance reform.

Many pundits and many colleagues here in Congress perceive that the American people think that our government has become too fraught with special interest influence, bought with special interest campaign contributions. We have all heard voters voice their frustrations about government. Given some of the games we play up here that affect necessary legislation—such as the bankruptcy bill to name just one example—this attitude is not surprising or unwarranted.

Yet, it may be a mistake to interpret these frustrations as widespread cynicism about the influence of special interests rather than about the government's inability to enact tax relief, inertia on long-term Social Security and Medicare reforms, and the tug-of-war on budget and appropriations.

Nevertheless, it goes without saying that maintaining the integrity of our election system and citizens' confidence in it has to be among our highest priorities. The question is: what is the right reform?

There are a number of flaws in the McCain-Feingold bill. The principal one is that the McCain-Feingold attempts, unconstitutionally, I believe, to gag political parties. What Senators MCCAIN and FEINGOLD forgot is that political parties are organizational instruments for promoting a political philosophy and ideas. To ban the ability of parties to get their messages out to the people is an infringement on free speech.

The proposal I am introducing today has two main goals: (1) to open up our campaign finances to the light of day, thus allowing citizens to make their own judgments about how much influence is too much; and (2) to expand opportunities for individuals to participate financially in elections, thus decreasing the reliance on special interest money in campaigns.

The legislation I am introducing today, the ''Citizens' Right to Know Act,'' would require all candidates and political committees to disclose every contribution they receive and every expenditure they make over $200 within 14 days on a publicly accessible website. This means people will not have to wade through FEC bureaucracy to get this information, and the information will be continuously updated.

People should be able to compare the source of contributions with votes cast by the candidate. They can decide for themselves which donations are rewards for faithfulness to a principle of representation of constituents and which contributions might be a quid pro quo for special favors.

Further, my proposal would encourage—not require—non-party organizations to disclose expenditures in a constitutionally acceptable manner the funds that they devote to political activity. Organizations that chose to file voluntary reports with the FEC would make individual donors to their PACs eligible for a tax deduction of up to $100.

This provision is designed to encourage voluntary disclosure of expenditures of organizational soft money.

Those organizations that did so would be shedding light on campaign finance not because they have to, but because it furthers the cause of an informed democracy.

An article in the Investor's Business Daily quoted John Ferejohn of Stanford University as writing that ''nothing strikes the student of public opinion and democracy more forcefully than the paucity of information most people possess about politics.''

The article goes on to suggest that ''But many reforms, far from helping, would cut the flow of political information to an already ill-informed public.'' Citing a study by Stephen Ansolabehere of MIT and Shanto Iyengar of UCLA, which demonstrates that political advertising ''enlightens voters,'' the IBD concludes that ''well-informed voters are the key to a well-functioning democracy.'' [Investor's Business Daily; 9/20/99]

Morton Kondracke editorializes in the July 30, 1999, Washington Times, ''Full disclosure would be valuable on its merits—letting voters know exactly who is paying for what in election campaigns. Right now, campaign money is going increasingly underground.''

This is precisely the issue my amendment addresses. My amendment, rather than prohibit the American people from having certain information produced by political parties, it would open up information about campaign finance. Knowledge is power. My proposal is predicted on giving the people more power.

Additionally, my legislation will raise the limits on individual participation in elections. Special interest PACs sprung up as a response to the limitations on individual participation in elections. The contribution limit for individuals is $1000 and it has not been adjusted since it was enacted in 1974.

Why are these limits problematic? The answer is that if a candidate can raise $5000 in one phone call to a PAC, why make 5 phone calls hoping to raise the same amount from individuals? My legislation proposes to make individuals at least as important as PACs.

My bill also raises the 25-year-old limits on donations to parties and PACs. It raises the current limits on what both individuals and PACs can give to political parties. As the League of Women Voters has correctly pointed out, the activities of political parties are already regulated, whereas the political activities of other organizations are not. If we are concerned about the influence of ''soft'' money—that is, money in campaigns that is not regulated and not disclosed—and cannot be regulated or subject to disclosure under our Constitution—then we ought to encourage—not punish—greater political participation through our party structures.

We need to put individuals back as equal players in the campaign finance arena. Special interests—both PACs and soft money—have become important in large part because current law limits are not only a quarter century old, but are also higher for special interests than individuals.

Some people have argued that raising the limits on donations to political candidates and parties exacerbates the problem. Their concern is that there is too much money in politics, not that there is too little.

I will respond by saying that, first, all individual donations would have to be disclosed. The philosophy of the ''Citizens' Right to Know Act'' is that people have a right to make their own determinations about whether a contribution is tainted or not.

Second, the higher contribution limits for hard money donations make individual citizens more important relative to special interests in campaign finance. If one goal of campaign finance reform is to reduce the influence of special interests, then raising the limits on individual contributions is a way to do it.

Third, most of the increases in the bill are merely an adjustment for 25 years of inflation. While the contribution limits have remained unchanged, the costs of running a campaign have increased. The higher levels reflect reality.

Most importantly, while money is an essential ingredient in a campaign, and is necessary to get one's message to the voters, the real influence in campaigns is the public. Even if wealthy John Smith gives thousands of dollars to a party or candidate, the fact is that he only gets one vote on election day. Candidates and parties have to persuade people to their way of thinking. All the money in the world cannot compensate for a dearth of principles or unpopular ideas.

The McCain-Feingold approach represents a constitutionally specious barrier on free speech. It would, by law, prohibit political parties from using soft money to communicate with voters. Prohibitions are restrictions on freedom.

My bill, in contrast, does not prohibit anything. It does not restrict the flow of information to citizens. On the contrary, my proposal recognizes that citizens are the ultimate arbiters in elections. They should have access to as much information as possible about the candidates and the positions they represent.

Thus far, the information that is available to voters about campaign finance has been difficult to obtain and untimely. My bill, by empowering voters with this information, will put the role of special interests where it rightfully belongs—in the eye of the beholder, not the federal government.

ADDITIONAL COSPONSORS

S. 58

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 58, a bill to amend the Communications Act of 1934 to improve protections against telephone service ''slamming'' and provide protections against telephone billing ''cramming'', to provide the Federal Trade Commission jurisdiction over unfair and deceptive trade practices of telecommunications carriers, and for other purposes.

S. 484

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

At the request of Mr. CAMPBELL, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 484, supra.

S. 655

At the request of Mr. LOTT, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 655, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1139

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1139, a bill to amend title 49, United States Code, relating to civil penalties for unruly passengers of air carriers and to provide for the protection of employees providing air safety information, and for other purposes.

S. 1155

At the request of Mr. ROBERTS, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1187

At the request of Mr. DORGAN, the names of the Senator from California (Mrs. BOXER), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. TORRICELLI), the Senator from Virginia (Mr. ROBB), the Senator from Maryland (Ms. MIKULSKI), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 1187, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes.

S. 1196

At the request of Mr. COVERDELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1263

At the request of Mr. JEFFORDS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1269

At the request of Mr. MCCONNELL, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1269, a bill to provide that the Federal Government and States shall be subject to the same procedures and substantive laws that would apply to persons on whose behalf certain civil actions may be brought, and for other purposes.

S. 1277

At the request of Mr. GRASSLEY, the names of the Senator from Washington (Mrs. MURRAY) the Senator from Georgia (Mr. CLELAND), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1277, a bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

At the request of Mr. BAUCUS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1277, supra.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from Florida (Mr. GRAHAM), the Senator from South Dakota (Mr. DASCHLE), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month.''

S. 1500

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1500, a bill to amend title XVIII of the Social Security Act to provide for an additional payment for services provided to certain high-cost individuals under the prospective payment system for skilled nursing facility services, and for other purposes.

S. 1580

At the request of Mr. ROBERTS, the names of the Senator from Florida (Mr. GRAHAM) and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 1580, a bill to amend the Federal Crop Insurance Act to assist agricultural producers in managing risk, and for other purposes.

S. 1619

At the request of Mr. DEWINE, the names of the Senator from Missouri (Mr. BOND) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1619, a bill to amend the Trade Act of 1974 to provide for periodic revision of retaliation lists or other remedial action implemented under section 306 of such Act.

S. 1652

At the request of Mr. CHAFEE, the names of the Senator from Mississippi (Mr. LOTT), the Senator from South Dakota (Mr. DASCHLE), the Senator from Nebraska (Mr. HAGEL), the Senator from Louisiana (Mr. BREAUX), the Senator from Colorado (Mr. ALLARD), the Senator from Massachusetts (Mr. KERRY), the Senator from Minnesota (Mr. GRAMS), the Senator from Nevada (Mr. BRYAN), and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1652, a bill to designate the Old Executive Office Building located at 17th Street and Pennsylvania Avenue, NW, in Washington, District of Columbia, as the Dwight D. Eisenhower Executive Office Building.

At the request of Mr. INOUYE, his name was added as a cosponsor of S. 1652, supra.

S. 1673

At the request of Mr. DEWINE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1673, a bill to amend titles 10 and 18, United States Code, to protect unborn victims of violence.

S. 1674

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1674, a bill to promote small schools and smaller learning communities.

S. 1704

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1704, a bill to provide for college affordability and high standards.

S. 1723

At the request of Mr. WYDEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1723, a bill to establish a program to authorize the Secretary of the Interior to plan, design, and construct facilities to mitigate impacts associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho.

S. 1727

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 1727, a bill to authorize for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest and for other purposes.

S. 1732

At the request of Mr. BREAUX, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1732, a bill to amend the Internal Revenue Code of 1986 to prohibit certain allocations of S corporation stock held by an employee stock ownership plan.

S. 1738

At the request of Mr. JOHNSON, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 1738, a bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

SENATE RESOLUTION 118

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Iowa (Mr. GRASSLEY), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Resolution 118, a resolution designating December 12, 1999, as ''National Children's Memorial Day.''

SENATE RESOLUTION 199

At the request of Mr. REED, the names of the Senator from Indiana (Mr. BAYH) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of Senate Resolution 199, a resolution designating the week 24, 1999, through October 30, 1999, and the week of October 22, 2000, through October 28, 2000, as ''National Childhood Lead Poisoning Prevention Week.''

SENATE RESOLUTION 204

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of Senate Resolution 204, a resolution designating the week beginning November 21, 1999, and the week beginning on November 19, 2000, as ''National Family Week,'' and for other purposes.

SENATE CONCURRENT RESOLUTION 61—EXPRESSING THE SENSE OF THE CONGRESS REGARDING A CONTINUED UNITED STATES SECURITY PRESENCE IN PANAMA AND A REVIEW OF THE CONTRACT BIDDING PROCESS FOR THE BALBOA AND CRISTOBAL PORT FACILITIES ON EACH END OF THE PANAMA CANAL

Mr. SESSIONS (for himself, Mr. LOTT, Mr. HELMS, Mr. INHOFE, Mr. ALLARD, Mr. KYL, Mr. THURMOND, and Mr. HUTCHINSON): submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 61

Whereas the 50-mile-long Panama Canal, connecting the Atlantic and Pacific Oceans, is a key strategic choke point in the Western Hemisphere, is vital to United States and international economies, and remains a strategic passage for naval vessels;

Whereas the 1977 Carter-Torrijos Treaty transfers ownership of the Panama Canal to the government of Panama and requires all United States military forces to leave by December 31, 1999;

Whereas under the companion Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal the United States

retains the right, and has a responsiblity, to protect and defend the Canal beyond the year 2000;

Whereas narcotics-funded terrorist forces in Colombia have spread their bases and logistical operations into southern Panama;

Whereas Panama does not have an army, navy, or air force, and the country's national police units lack adequate training, manpower, and equipment to deter heavily-armed hostile narcotics terrorist forces or to adequately defend the Canal against sabotage or terrorism from internal or external threats;

Whereas the Russian Mafia, Chinese Triad criminal organizations, Cuban government entities, and certain groups from the Middle East, all of whom have been hostile to the United States, are active in Panama, conducting weapons smuggling, money laundering, and massive counterfeiting and piracy of United States products and intellectual property;

Whereas systematic smuggling of illegal aliens from the People's Republic of China has been conducted with the involvement of high-level Panamanian officials;

Whereas the communist People's Republic of China is making major political, economic, and intelligence inroads in Panama, posing a long-term threat to American security interests;

Whereas the Hong Kong-based Hutchison Whampoa company, which has close ties to the People's Republic of China and has served as a conduit for funding and acquiring technology for the Chinese People's Liberation Army, has been granted a 25- to 50-year lease to control the only port facility on the Pacific end of the Panama Canal and another port facility on the Atlantic end; and

Whereas Hutchison Whampoa was awarded control of the Canal ports, despite better offers made by consortia that included United States companies, through a contract bidding process that was widely regarded as secretive, corrupt, and unfair: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is a sense of the Congress that—

(1) the United States Government should request that the new government of Panama, under the leadership of President Mireya Moscoso, investigate charges of corruption related to the granting of the Panama Canal port leases by the previous Balladares administration;

(2) based on any finding of corruption related to the granting of those leases, the United States Government should request that the new government of Panama nullify the lease agreements for the Balboa and the Cristobal port facilities on each end of the Panama Canal and initiate a new bidding process that is both transparent and fair; and

(3) the United States Government should negotiate security arrangements with the government of Panama that will protect the Canal and ensure the territorial integrity of the Republic of Panama.

SENATE RESOLUTION 205—DESIGNATING THE WEEK OF EACH NOVEMBER IN WHICH THE HOLIDAY OF THANKSGIVING IS OBSERVED AS ''NATIONAL FAMILY WEEK''

Mr. GRASSLEY (for himself, Mr. KOHL, Mr. TORRICELLI, and Mr. LUGAR) submitted the following resolution; which wa referred to the Committee on the Judiciary:

S. RES. 205

Whereas the family is the basic strength of any free and orderly society;

Whereas it is appropriate to honor the family unit as essential to the continued well-being of the United States; and

Whereas it is fitting that official recognition be given to the importance of family loyalties and ties: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of each November in which the holiday of Thanksgiving is observed as ''National Family Week''; and

(2) requests that the President issue each year a proclamation—

(A) designating the week of each November in which the holiday of Thanksgiving is observed as ''National Family Week''; and

(B) calling on the people of the United States to observe ''National Family Week'' with appropriate ceremonies and activities.

● Mr. GRASSLEY. Mr. President, I come before you today to submit a resolution which would designate the week of each November in which the holiday of Thanksgiving is observed as ''National Family Week.'' Each Congress since 1976 has passed legislation which established Family Week on a bi-annual basis, and I have been a frequent cosponsor of it. In fact, last Congress, I was the sponsor of the legislation, and am pleased to be able to further contribute to this longstanding tradition of recognizing the importance of family.

This Congress, however, I would like to pay special tribute to the hard work of the man who founded the idea of Family Week, Mr. Sam Wiley. Ever since 1971, Mr. Wiley worked hard to see that Family Week was recognized on every Thanksgiving in every state, and by every president. Unfortunately, however, Mr. Wiley passed away in December after a long battle with cancer. Remarkably, even during this fight with the painful and deadly disease, Mr. Wiley was more concerned with making sure Family Week continue, as it was his constant vigilance that kept the idea and spirit of Family Week alive year after year.

A friend, Mr. Noel Duerden, has said that Mr. Wiley's greatest desire was to make sure that after he died Family Week would still live on. As a tribute to Mr. Wiley, my legislation will guarantee that Family Week continues by making it permanent. The resolution I am submitting today will ensure that every year the President will issue a proclamation dedicating the week of the Thanksgiving holiday as Family Week.

As we all know, the family is the most basic element of our society, and the tie that binds us to one another. It is the strength of any free and orderly society and it is appropriate to honor this unit as being essential to the well-being of the United States.

Since Family Week will be observed during the weeks on which Thanksgiving falls, we will be paying homage to what we as a nation already know—the strength of the family provides the support through which we as individuals and a nation thrive. Therefore it is particularly suitable to pause during this special week in recognition of the celebrations and activities of the family which bring us closer together.

I hope my colleagues will join me in this effort and ask that an article from the Indianapolis Star about Mr. Wiley and Family Week be placed in the RECORD.

The article follows:

FOUNDER WANTS TO MAKE SURE FAMILY WEEK CONTINUES

(By John Strauss)

He founded National Family Week, but on a day when so many families were together for the holiday, Sam Wiley found it hard to say much.

''I've seen better days,'' he said Friday from a bed at St. Vincent Hospice.

Wiley, 72, is in the terminal stages of pancreatic and liver cancer, but he is less concerned about his personal situation than making sure the National Family Week movement continues.

Ever since he started it in 1971, the week has been recognized each Thanksgiving by every president and in every state through proclamations, seminars and other activities designed to recognize the importance of strong families.

Wiley's movement has a Web page, www.familyweek.org. The former Whiteland High School administrator, teacher and basketball coach, who retired in 1988, has worked tirelessly to promote the week as a way to strengthen the regard and support for families.

Along the way, he made 25 trips to Washington. His room at the hospice has photos on the wall of Wiley with presidents Ronald Reagan and George Bush, and with former Vice President Dan Quayle as the proclamations for National Family Week were signed over the years.

Wiley never married, but he came to believe in the importance of families through his work with students, said Rush Isenhour, a childhood friend from their days in Boone County.

Isenhour was at Wiley's bedside on Friday, as her friend, who is heavily medicated for pain, drifted in and out of consciousness. Wiley's friends said he does not have long to live.

''He was a schoolteacher and he had so many children from underprivileged families,'' Isenhour said. ''He heard them talking about their family life, and that got him to thinking about it, and it got him started.''

Noel Duerden, a friend who helped Wiley over the years, said he and others are trying to find other groups to carry on the organizational work. One of the biggest tasks is writing and calling governors across the country to get them to issue proclamations which are only good for a year.

''Everybody's interested in National Family Week, but nobody's taking the lead except Sam at this point,'' Duerden said.

''His greatest desire before he dies is to make sure this continues,'' he said. ''Not just the proclamations, which are a heavy amount of work, but to promote it with the organizations and get right down to families.''

Duerden said he has been talking with the National Urban League, the American Legion, Girl Scouts and other groups to find support for continuing the annual observance.

Judy Lifferth is coordinator of National Family Week activities in Columbus, where ''Families of the Year'' are recognized for sticking together and supporting each other in the face of difficulties.

This year's program also included training in Active Parenting, a six-session video and discussion course that focuses on communication and other parenting skills.

''We live a fast-lane life, and National Family Week gives people a chance in the

middle of their busy lives and realize how important their families are,'' Lifferth said.

The Columbus mother of five has worked on National Family Week activities for 10 years but didn't realize until recently that the founder lived just up I–65 from her.

''I wish there was a way I could meet him,'' she said.

''I would like to tell him thank you from the bottom of my heart.''●

AMENDMENTS SUBMITTED

BIPARTISAN CAMPAIGN REFORM ACT OF 1999

CLELAND AMENDMENTS NOS. 2308–2316

(Ordered to lie on the table)

Mr. CLELAND submitted nine amendments intended to be proposed by him to the bill (S. 1593) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

AMENDMENT NO. 2308

At the end of the bill, add the following:

SEC. ___. REQUIRED CONTRIBUTOR CERTIFICATION.

Section 301(13) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(13)) is amended—

(1) in subparagraph (A)—

(A) by striking ''and'' the first place it appears; and

(B) by inserting '', and an affirmation that the individual is an individual who is not prohibited by sections 319 and 320 from making the contribution'' after ''employer''; and

(2) in subparagraph (B) by inserting ''and an affirmation that the person is a person that is not prohibited by sections 319 and 320 from making a contribution'' after ''such person''.

AMENDMENT NO. 2309

At the end of the bill, add the following:

SEC. ___. RESTRUCTURING OF THE FEDERAL ELECTION COMMISSION.

(a) IN GENERAL.—So much of section 306(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(a)) as precedes paragraph (2) is amended to read as follows:

''(a) COMPOSITION OF COMMISSION.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—There is established a commission to be known as the Federal Election Commission.

''(B) APPOINTMENT OF MEMBERS.—The Commission shall be composed of 7 members appointed by the President, by and with the advice and consent of the Senate, of which 1 member shall be appointed by the President from nominees recommended under subparagraph (C).

''(C) NOMINATIONS.—

''(i) IN GENERAL.—The Supreme Court shall recommend 10 nominees from which the President shall appoint a member of the Commission.

''(ii) QUALIFICATIONS.—The nominees recommended under clause (i) shall be individuals who have not, during the time period beginning on the date that is 5 years prior to the date of the nomination and ending on the date of the nomination—

''(I) held elective office as a member of the Democratic or Republican political party;

''(II) received any wages from the Democratic or Republican political party; or

''(III) provided substantial volunteer services or made any substantial contribution to the Democratic or Republican political party or to a public officeholder or candidate for public office who is associated with the Democratic or Republican political party.

''(D) LIMIT ON PARTY AFFILIATION.—Of the 6 members not appointed pursuant to subparagraph (C), no more than 3 members may be affiliated with the same political party.''.

(b) CHAIR OF COMMISSION.—Section 306(a)(5) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(a)(5)) is amended by striking paragraph (5) and inserting the following:

''(5) CHAIR; VICE CHAIR.—

''(A) IN GENERAL.—A member appointed under paragraph (1)(C) shall serve as chair of the Commission and the Commission shall elect a vice chair from among the Commission's members.

''(B) AFFILIATION.—The chair and the vice chair shall not be affiliated with the same political party.

''(C) VACANCY.—The vice chair shall act as chair in the absence or disability of the chair or in the event of a vacancy of the chair.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The term of the seventh member of the Federal Election Commission appointed under section 306(a)(1)(C) of the Federal Election Campaign Act of 1971, as added by subsection (a) of this section, shall begin on May 1, 2000.

(2) CURRENT MEMBERS.—Any member of the Federal Election Commission serving a term on the date of enactment of this Act (or any successor of such term) shall continue to serve until the expiration of the term.

AMENDMENT NO. 2310

At the end of the bill, add the following:

SEC. ___. FILING FEES.

(a) SCHEDULE.—The Federal Election Commission shall establish by regulation a schedule of filing fees that apply to persons required to file a report under the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

(b) REQUIREMENTS.—A filing fee schedule established under subsection (a) shall—

(1) be printed in the Federal Register not less than 30 days before a fiscal year begins;

(2) contain sufficient fees to meet the estimated operating costs of the Federal Election Commission for the next fiscal year; and

(3) provide a waiver of fees for persons required to file a report with the Federal Election Commission if such fee would be a substantial hardship to such person.

(c) APPROPRIATIONS.—Any fees collected pursuant to this section are hereby appropriated for use by the Federal Election Commission in carrying out its duties under the Federal Election Campaign Act of 1971 and shall remain available without fiscal year limitation.

(d) EFFECTIVE DATE.—This section shall apply to fiscal years beginning after the date that is 2 years after the date of enactment of this Act.

AMENDMENT NO. 2311

At the end of the bill, add the following:

SEC. ___. INDEPENDENT LITIGATION AUTHORITY.

Section 306(f) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(f)) is amended by striking paragraph (4) and inserting the following:

''(4) INDEPENDENT LITIGATING AUTHORITY.—

''(A) IN GENERAL.—Notwithstanding paragraph (2) or any other provision of law, the Commission is authorized to appear on the Commission's behalf in any action related to the exercise of the Commission's statutory duties or powers in any court as either a party or as amicus curiae, either—

''(i) by attorneys employed in its office, or

''(ii) by counsel whom the Commission may appoint, on a temporary basis as may be necessary for such purpose, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, and whose compensation shall be paid out of any funds otherwise available to pay the compensation of employees of the Commission.

''(B) SUPREME COURT.—The authority granted under subparagraph (A) includes the power to appeal from, and petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which the Commission appears under the authority provided in this section.''.

AMENDMENT NO. 2312

At the end of the bill, add the following:

SEC. ___. LIMIT ON TIME TO ACCEPT CONTRIBUTIONS.

(a) TIME TO ACCEPT CONTRIBUTIONS.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following:

''(i) TIME TO ACCEPT CONTRIBUTIONS.—

''(1) IN GENERAL.—A candidate for nomination to, or election to, the Senate or House of Representatives shall not accept a contribution from any person during an election cycle in connection with the candidate's campaign except during a contribution period.

''(2) CONTRIBUTION PERIOD.—In this subsection, the term 'contribution period' means, with respect to a candidate, the period of time that—

''(A) begins on the date that is the earlier of—

''(i) January 1 of the year in which an election for the seat that the candidate is seeking occurs; or

''(ii) 90 days before the date on which the candidate will qualify under State law to be placed on the ballot for the primary election for the seat that the candidate is seeking; and

''(B) ends on the date that is 5 days after the date of the general election for the seat that the candidate is seeking.

''(3) EXCEPTIONS.—

''(A) DEBTS INCURRED DURING ELECTION CYCLE.—A candidate may accept a contribution after the end of a contribution period to make an expenditure in connection with a debt or obligation incurred in connection with the election during the election cycle.

''(B) ACCEPTANCE OF CONTRIBUTIONS IN RESPONSE TO OPPONENT'S CARRYOVER FUNDS.—

''(i) IN GENERAL.—A candidate may accept an aggregate amount of contributions before the contribution period begins in an amount equal to 125 percent of the amount of carryover funds of an opponent in the same election.

''(ii) CARRYOVER FUNDS OF OPPONENT.—In clause (i), the term 'carryover funds of an opponent' means the aggregate amount of contributions that an opposing candidate and the candidate's authorized committees transfers from a previous election cycle to the current election cycle.''.

(b) DEFINITION OF ELECTION CYCLE.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) ELECTION CYCLE.—The term 'election cycle' means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending on the date of the next general election for that office or seat.''.

AMENDMENT NO. 2313

At the end of the bill, add the following:

SEC. ___. MANDATORY ELECTRONIC FILING.

Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

''(11) ELECTRONIC FILING.—

''(A) IN GENERAL.—The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act, in addition to the current filing requirements—

''(i) is required to maintain and file each designation, statement, or report in electronic form accessible by computer if the person has, or expects to have, aggregate contributions or aggregate expenditures in excess of a threshold amount determined by the Commission; and

''(ii) may maintain and file a designation, statement, or report in electronic form accessible by computer if not required to do so under the regulation promulgated under clause (i).

''(B) VERIFICATION OF FILINGS.—

''(i) REGULATION.—The Commission shall promulgate a regulation to provide a method for verifying a designation, statement, report, or notification required to be filed under this paragraph (other than requiring a signature on the document being filed).

''(ii) TREATMENT OF VERIFICATION.—A document verified by the method promulgated under clause (i) shall be treated for all purposes in the same manner as a document verified by a signature.''.

AMENDMENT NO. 2314

At the end of the bill, add the following:

SEC. ___. CIVIL ACTION.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended by adding at the end the following:

''(e) CIVIL ACTION.—

''(1) AUTHORITY TO BRING CIVIL ACTION.—If the Commission does not act to investigate or dismiss a complaint within 120 days after the complaint is filed, the person who filed the complaint may commence a civil action against the Commission in United States district court for injunctive relief.

''(2) ATTORNEY'S FEES.—The court may award the costs of the litigation (including reasonable attorney's fees) to a plaintiff who substantially prevails in the civil action.''.

AMENDMENT NO. 2315

At the end of the bill, add the following:

SEC. ___. AUDITS.

(a) RANDOM AUDITS.—Section 311(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(b)) is amended—

(1) by inserting ''(1)'' before ''The Commission''; and

(2) by adding at the end the following:

''(2) RANDOM AUDITS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Commission may conduct random audits and investigations to ensure voluntary compliance with this Act.

''(B) LIMITATION.—The Commission shall not conduct an audit or investigation of a candidate's authorized committee under paragraph (1) until the candidate is no longer a candidate for the office sought by the candidate in an election cycle.

''(C) APPLICABILITY.—This paragraph does not apply to an authorized committee of a candidate for President or Vice President subject to audit under section 9007 or 9038 of the Internal Revenue Code of 1986.''.

(b) EXTENSION OF PERIOD DURING WHICH CAMPAIGN AUDITS MAY BE BEGUN.—Section 311(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(b)) is amended by striking ''6 months'' and inserting ''12 months''.

AMENDMENT NO. 2316

At the end of the bill, add the following:

SEC. ___. REPORTING REQUIREMENTS.

(a) FILING DATE FOR REPORTS.—Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended—

(1) in paragraph (2)(A)(i), by striking ''(or posted by registered or certified mail no later than the 15th day before)'';

(2) in paragraph (4)(A)(ii), by striking ''(or posted by registered or certified mail no later than the 15th day before)''; and

(3) by striking paragraph (5) and inserting ''(5) [Repealed.]''.

(b) CAMPAIGN-CYCLE REPORTING.—

(1) IN GENERAL.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(A) in paragraph (2), by inserting ''(or, in the case of an authorized committee, the reporting period and the election cycle)'' after ''calendar year'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''(or, in the case of an authorized committee, within the election cycle)'' after ''calendar year'';

(ii) in subparagraph (F), by inserting ''(or, in the case of an authorized committee, within the election cycle)'' after ''calendar year''; and

(iii) in subparagraph (G), by inserting ''(or, in the case of an authorized committee, within the election cycle)'' after ''calendar year'';

(C) in paragraph (4), by inserting ''(or, in the case of an authorized committee, the reporting period and the election cycle)'' after ''calendar year'';

(D) in paragraph (5)(A), by inserting ''(or, in the case of an authorized committee, within the election cycle)'' after ''calendar year''; and

(E) in paragraph (6)(A), by striking ''calendar year'' and inserting ''election cycle''.

(2) DEFINITION OF ELECTION CYCLE.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) ELECTION CYCLE.—The term 'election cycle' means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending on the date of the next general election for that office or seat.''.

(c) MONTHLY REPORTING BY MULTICANDIDATE POLITICAL COMMITTEES.—Section 304(a)(4)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(4)(B)) is amended by adding at the end the following: ''In the case of a multicandidate political committee that has received contributions aggregating $100,000 or more or made expenditures aggregating $100,000 or more, by January 1 of the calendar year, or anticipates receiving contributions aggregating $100,000 or more or making expenditures aggregating $100,000 or more during such year, the committee shall file monthly reports under this subparagraph.''.

(d) FILING OF REPORT OF INDEPENDENT EXPENDITURES.—The second sentence of section 304(c)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(c)(2)) is amended by inserting ''and filed'' after ''shall be reported''.

(e) REPORTING OF CERTAIN EXPENDITURES.—Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by adding at the end the following:

''(12)(A)(i) A political committee, other than an authorized committee of a candidate, that has received contributions aggregating $100,000 or more or made expenditures aggregating $100,000 or more during the calendar year or anticipates receiving contributions aggregating $100,000 or more or making expenditures aggregating $100,000 or more during such year, shall notify the Commission in writing of any contribution in an aggregate amount equal to $1,000 or more received by the committee after the 20th day, but more than 48 hours, before any election.

''(ii) Notification shall be made within 48 hours after the receipt of such contribution and shall include the name of the political committee, the identification of the contributor, and the date of receipt of the contribution.

''(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act.''.

DISTRICT OF COLUMBIA COLLEGE ACCESS ACT

THOMPSON (AND OTHERS) AMENDMENT NO. 2317

Mr. SPECTER (for Mr. THOMPSON (for himself, Mr. VOINOVICH, Mrs. HUTCHISON, Mr. DURBIN, and Mr. WARNER)) proposed an amendment to the bill (H.R. 974) to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes; as follows:

On page 13, between lines 16 and 17, insert the following:

(3) FURTHER ADJUSTMENTS.—Notwithstanding paragraphs (1) and (2), the Mayor may prioritize the making or amount of tuition and fee payments under this subsection based on the income and need of eligible students.

On page 15, line 22, strike ''1999'' and insert ''1998''.

On page 23, between lines 10 and 11, insert the following:

(3) FURTHER ADJUSTMENTS.—Notwithstanding paragraphs (1) and (2), the Mayor may prioritize the making or amount of tuition and fee payments under this subsection based on the income and need of eligible students.

On page 23, line 14, strike ''(A)'' and insert ''(A)(i)''.

On page 23, line 19, strike ''(i)'' and insert ''(I)''.

On page 23, line 20, strike ''(ii)'' and insert ''(II)''.

On page 24, line 1, strike ''(iii)'' and insert ''(III)''.

On page 24, line 5, strike ''(B)'' and insert ''(ii)''.

On page 24, line 9, strike ''(C)'' and insert ''(iii)''.

On page 24, line 15, strike the period and insert ''; or''.

On page 24, between lines 15 and 16, insert the following:

(B) is a private historically Black college or university (for purposes of this subparagraph such term shall have the meaning given the term ''part B institution'' in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) the main campus of which is located in the State of Maryland or the Commonwealth of Virginia.

DESIGNATING NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK

REED AMENDMENT NO. 2318

Mr. SPECTER (for Mr. REED) proposed an amendment to the resolution (S. Res. 199) designating the week of

October 24, 1999, through October 30, 1999, and the week of October 22, 2000, through October 28, 2000, as ''National Childhood Lead Poisoning Prevention Week''; as follows:

On page 2 line 8, strike ''day'' and insert ''week''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Tuesday, October 19, 1999, in open session, to receive testimony on future naval operations at the Atlantic Fleet Weapons Training Facility.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, October 19, for purposes of conducting a joint committee hearing with the Committee on Governmental Affairs, which is scheduled to begin at 2:00 p.m. The purpose of this oversight hearing is to receive testimony on the Department of Energy's implementation of provisions of the Department of Defense Authorization Act which create the National Nuclear Security Administration.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a business meeting Tuesday, October 19, immediately following the first vote, S–216, The Capitol, to consider the nominations of (1) Skila Harris, nominated by the President to be a Member of the Tennessee Valley Authority; (2) Glenn L. McCullough, Jr., nominated by the President to be a Member of the Tennessee Valley Authority; and (3) Gerald V. Poje, nominated by the President to be a Member of the Chemical Safety and Hazard Investigation Board.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the senate on Tuesday, October 19, 1999 at 2:30 PM to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be permitted to meet on Tuesday, October 19, at 10:30 a.m. for a hearing regarding H.R. 391 and S. 1378, the Small Business Paperwork Reduction Act Amendments of 1999.

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

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, the Committee on the Judiciary requests unanimous consent to conduct a markup on Tuesday, October 19, 1999 beginning at 10:00 a.m. in Dirksen Room 226.

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

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on October 19, 1999 at 10:00 a.m. for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND DRINKING WATER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and Drinking Water be granted permission to conduct a hearing Tuesday, October 19, 10:00 a.m., Hearing Room (SD–406), to examine the benefits and policy concerns related to Habitat Conservation Plans.

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

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, October 19, for purposes of conducting a Subcommittee on Forests and Public Land Management hearing which is scheduled to begin at 10:00 a.m. The purpose of this hearing is to receive testimony on S. 1608, a bill to provide annual payments to the States and counties from National Forest System land management by the Forest Service, and the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands managed predominately by the Bureau of Land Management, for use by the counties in which the lands are situated for the benefit of the public schools, roads, emergency and other public purposes; to encourage and provide a new mechanism for cooperation between counties and the Forest Service and the Bureau of Land Management to make necessary investments in federal lands, and reaffirm the positive connection between Federal Lands counties and Federal Lands; and for other purposes.

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

SUBCOMMITTEE ON LONG-TERM GROWTH AND DEBT REDUCTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance, Subcommittee on Long-Term Growth and Debt Reduction be permitted to meet on Tuesday, October 19, 1999 at 9:30 a.m. to hear testimony on Federal Income Tax Issues Relating to Restructuring of the Electric Power Industry.

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

ADDITIONAL STATEMENTS

THE DISTRICT OF COLUMBIA COLLEGE ACCESS ACT

● Mr. WARNER. Mr. President, I am pleased to join in supporting this legislation and, also, as a cosponsor of the amendment offered by Chairman THOMPSON and Senator VOINOVICH.

This important legislation will provide high school students from the District of Columbia significant financial relief to assist them in attending a public or private university in Virginia or Maryland.

I am grateful to Chairman THOMPSON, Ranking Member LIEBERMAN and particularly Subcommittee Chairman VOINOVICH for taking on this effort and moving swiftly to bring this bill before the full Senate.

I have had a particular interest in expanding the educational opportunities available to District students by ensuring that they are eligible to receive the reduced tuition rate or grants to attend any of the exceptional Historically Black Colleges and Universities in Virginia or Maryland. Many students from the District of Columbia currently attend an Historically Black College or University in Virginia or Maryland and there is a great tradition among these schools and District students.

In Virginia, we are privileged to have five exceptional Historically Black Colleges and Universities—Hampton University, Virginia State University, Virginia Union University, Norfolk State University and St. Paul's College. I am pleased that the amendment offered today with this legislation incorporates a provision I requested to make each of these institutions eligible under this legislation. With the passage of this amendment to the bill, students from the District of Columbia will now be able to receive either in-state tuition rates or grants to attend any public institution or Historically Black College or University in Virginia.

Mr. President, I applaud the efforts of my colleagues, Senator VOINOVICH and Chairman THOMPSON, and appreciate their attention to the matters involving Historically Black Colleges.●

CHESHIRE LIONS CLUB

● Mr. LIEBERMAN. Mr. President, I rise today to honor the Cheshire Lions Club of Cheshire, CT which is celebrating its 50th anniversary of service to the community.

With the support of area residents, the Cheshire Lions Club has reached out to assist many members of the community. The Lions Club has developed a national reputation for advancing such worthwhile local causes as the D.A.R.E. Program for schools, academic scholarships for local students, and area food banks, and the Cheshire club has been an important part of that legacy. Over the years, members of the Cheshire Lions Club have actively involved themselves in countless civic activities and made a real difference in Connecticut. Their hard work has reached far beyond the Town of Cheshire and the Lions Club stands tall as an example of the principles upon which our nation was built.

As the Cheshire Lions Club has grown, its numerous good works have touched many lives and demonstrated the true value of community spirit. I ask that my colleagues join me in thanking the club and all its members for their service, dedication, and contributions to our state.●

THE 25TH ANNIVERSARY OF ''WOMEN HELPING BATTERED WOMEN''

● Mr. JEFFORDS. Mr. President, it gives me great pleasure to stand before the Senate today and speak of an organization that has, for the past 25 years, been committed to ending violence toward women and children. The organization is called Women Helping Battered Women (WHBW) and their goal is simple: create a living environment for women and children that is free from fear of battering—sexual, physical, emotional or financial. On the occasion of their 25th anniversary, WHBW, through their direct service, their advocacy and their educational and outreach programs stands as an example for us all and, unfortunately, are as crucial today as they were 25 years ago.

We must not shy away from the impacts of domestic violence. In the United States, a woman is battered by a partner every seven seconds and thirty percent of Americans know a woman who has been physically abused by their husband or boyfriend in the last year. In my home state of Vermont, I shudder when I hear that domestic violence touches over 16,000 Vermonters each year. In Chittenden County alone, an overwhelming 59% of all reported crimes since January 1998 have been domestic-related disturbances. We often perceive Vermont as one of the safest states in the nation, however, the incidence of domestic violence in Vermont continues to rise.

As a result of WHBW's work, over 3,500 Vermonters' lives were positively touched during difficult and dangerous times in their lives. I'd like to highlight their PARADIGM project, a joint educational partnership with the Woman's Rape Crisis Center. The PARADIGM project serves to educate students, churches and professional and community groups, in the hope of breaking the cycle of violence in the home and in our communities.

Mr. President, you may see me and others wearing a purple ribbon, to symbolize our commitment to ending violence against women and children in our state, and across the nation. Yet it is the day to day work of Women Helping Battered Women—it is their strength and advocacy—that continues to make a difference and helps Congress focus on this issue. Congress made a commitment to the women behind the statistics when we passed the bipartisan Violence Against Women Act (VAWA). I will continue to work to fulfill this pledge to millions of women and families who have suffered, by fully funding this important Act which supports shelters, counseling, training, and law enforcement. In fact, my work helped to double the fiscal year 1997 allocations for community level demonstration projects and to increase the domestic violence hotline funds. Congress also included funding targeted exclusively to combat domestic violence in rural areas—especially important in my home state of Vermont. We must continue the work we began with the passage of VAWA and pass a reauthorization of these vital programs. I am proud to be a cosponsor of S. 51, the Violence Against Women Act II. I pledge to work with my colleagues to get this needed legislation passed in the near future.

I applaud WHBW's leadership and the creative initiatives they have undertaken to build and maintain a multicultural organization which empowers staff, volunteers, and the women and families they serve. I commend Woman Helping Battered Women for their crucial work in breaking the silence for victims, supporting women and children in meeting their most basic needs in times of great difficulty, educating our communities, and working to heighten public awareness of this growing epidemic.

Mr. President, thank you for the opportunity to provide my colleagues with a shining example of a group of dedicated individuals actively engaged in the war against domestic violence. I join other Vermonters in offering my heartfelt congratulations and gratitude to Women Helping Battered Women for their many years of good work.●

COMMEMORATING THE AGREEMENT FOR THE ESTABLISHMENT OF SISTER RELATIONS BETWEEN THE STATE OF MONTANA, UNITED STATES OF AMERICA AND GUANGXI ZHUANG AUTONOMOUS REGION, PEOPLE'S REPUBLIC OF CHINA

● Mr. BAUCUS. Mr. President, I rise today to commemorate the establishment of the sister-state relationship between my home state of Montana and Guangxi Zhuang Autonomous Region of the People's Republic of China.

The establishment of this sisterhood marks a successful conclusion to many years of building mutual cooperation, trust and friendship, as well as a bright beginning of a continued strong relationship between our countries.

I would like to commend Governor Marc Racicot of the State of Montana for his continued efforts to bring new opportunities to the state through education, business relations and cultural exchanges. I would also like to thank the People's Republic of China and Governor Li Zhaozhuo for linking Guangxi Province to Montana. The richness of culture, citizens, history, and boundless environmental beauty make our state and your province a perfect match.

Montana and Guangxi have worked a long time in building this relationship. In fact, a high level delegation from Guangxi Province joined the first Mansfield Pacific Retreat on ''Trade and Agriculture,'' held in Bigfork, Montana, in May 1996.

The idea of establishing friendly exchange relationships between American states and cities and Chinese provinces and cities goes back to the late 1970s when China, as a country, began to ''open up to the outside.'' These sister relationships have proved to be very helpful in establishing cultural and grassroots relations. A good example is the product relationship between the city of Seattle and Chongqing in Sichuan Province.

The establishment of Montana's sister ties with Guangxi Province in South China fits within this tradition of promoting people to people communication. Such a relationship is especially relevant to Montana because of the life, work, and legacy of Mike Mansfield. He is Montana's ''favorite son'' who has also made a name known for himself in China. His promotion of sister relationships with Asia began during his tenure as American Ambassador to Japan. He proposed and helped to establish Montana's sister relationship with Kumamoto Prefecture. He also established the University of Montana's sister relations with Toyo University in Tokyo and Kumamoto University in Kumamoto City.

Although Senator Mansfield is better known for his promotion of mutual understanding with Japan, his impact on American Chinese relations is also significant. His interest in East Asia began when he served in the U.S. Marines soon after World War I and visited the American Garrison then in the city of Tianjin.

Senator Mansfield continued his work in the Far East as a Congressman from Montana. He visited China at the request of President Roosevelt to report back with advice on American policy following the defeat of Japan in the Pacific War. He is also credited with opening relations with China in the early 1970s and he was the first American Senator to visit China, soon after President Nixon's historic visit in 1972. The current ties between Montana and Guangxi are a fitting expression of the value of people to people communication between America and China. They

are also a fitting tribute to the legacy of Senator Mansfield.

Finally, I was pleased to have the opportunity to visit Guangxi's beautiful city of Guilin last summer during President Clinton's visit to China. I was impressed by the great efforts the Guangxi's citizens have taken to ensure that their children and generations to come will continue to enjoy the natural wonders and beauty of their province. We in Montana also take such pride in our state's natural treasures—our mountains, our lakes and our wildlife.

I am very proud of the establishment of Montana and Guangxi's sisterhood. This is just the beginning. As we enter the new Millennium, let us strive to build and strengthen our sisterhood relationship as a model for cooperation and understanding.●

TRIBUTE TO ATTORNEY AT LAW JIMMY E. ALEXANDER

● Mr. SHELBY. Mr. President, I rise today to pay tribute to Jimmy E. Alexander, a prominent and respected lawyer from Athens, Limestone County, in northern Alabama. Mr. Alexander passed away last month after a long and distinguished career in law practice. His deep passion for his work took him on a journey from the smallest courtrooms in Alabama, to the great and hallowed halls of the U.S. Supreme Court. His dedication and heartfelt concern for the ''little guy'' was an inspiration. Jimmy will be missed by the many people whose lives he touched and affected.

Jimmy was born in Bear Creek, in Marion County, in 1939. After graduation from Russellville High School in 1957, Jimmy went on to continue his education at the University of Alabama, receiving his undergraduate degree in 1960, and his law degree in 1963. Jimmy's innate industriousness and work ethic were tailor-made for his chosen profession. Jimmy quickly developed a reputation as an outstanding criminal defense attorney and successful domestic relations lawyer. Joining the firm of Malone, Malone and Steel directly out of law school, he soon was made partner and ultimately became senior partner of the firm Alexander, Corder, Plunk, Baker, Shelly, and Shipman P.C., in Athens, AL. Jimmy was the city attorney for Athens and Ardmore for 17 years. He served on the city Board of Education for 5 years and was the Alabama Bar Association Commissioner for the 39th judicial circuit for 4 years.

It was through these professional forums that Jimmy was able to thrive in his work and gain a statewide reputation as a standout trial attorney. In private practice for 36 years, Jimmy has counseled businesses, commercial clients, and recently, had taken a strong interest in championing the cause of the ''little guy.'' Particularly for the last 15 years, he focused on representing the poor, under represented, physically injured, and financially cheated, many of whom had no where else to turn than Jimmy Alexander. Jimmy developed a particular fondness for taking on big business, insurance companies, and large industry. He represented many high profile cases, and in 1989, won the largest monetary judgment at the time in Limestone County and in another case, setting a precedent for the largest monetary judgement in the entire State of Alabama. His gifted ability even took him before the U.S. Supreme Court, where he argued a case against an insurance company.

Jimmy Alexander will be remembered as a dedicated attorney, who brought human compassion to his work. Many of his colleagues have expressed their respect and admiration for his approach to both his work and his life, and I join them in their prayers for him and his family. My thoughts and wishes extend to his wife Rose, and two children, Tonya and Eric, during this difficult time. Mr. President, I yield the floor.●

CENTRAL CONNECTICUT STATE UNIVERSITY

● Mr. LIEBERMAN. Mr. President, I rise today to pay tribute to Central Connecticut State University as it celebrates its 150th anniversary. Under the dynamic leadership of President Richard Judd, this fine institution has continued to achieve the vision of academic excellence upon which it was founded.

Originally the New Britain Normal School, CCSU was established by the State General Assembly in 1849 and stands as the oldest public institution of higher education in Connecticut. Whether under the name Normal School, Teachers College of Connecticut, or Central Connecticut State University, its students have never received less than a first-rate education. CCSU has cultivated a rich academic environment in which both graduates and undergraduates have the opportunity to better understand themselves as well as the world around them.

Academically, athletically, and culturally, CCSU and its more than 11,000 students have much to celebrate throughout this special year. What makes CCSU so unique is that it has never isolated itself from the surrounding community. Instead, the university embraces its position within the larger civic arena and, in doing so, offers its students the valuable opportunity to make a real difference in the city of New Britain and beyond. CCSU students, faculty, and facilities have played a significant role in the city's development and will continue to weave themselves into the city's social fabric for many years to come.

Mr. President, I ask that my colleagues join me in celebrating the sesquicentennial anniversary of Central Connecticut State University, one of the Nation's great academic institutions.●

ON THE DEDICATION OF THE LAKE CHAMPLAIN/SAINT ALBANS HISTORICAL DIORAMA

● Mr. JEFFORDS. Mr. President, I rise today to recognize the completion of the Lake Champlain/Saint Albans Historical Diorama.

This interactive educational exhibit at the Saint Albans Historical Museum is ambitious in its geographic and historic scope. It spans the entire Champlain Valley, from Fort Ticonderoga to the Richelieu River and also spans time, from pre-history to the present.

The people of Saint Albans have a tremendous understanding and respect for their history, as seen by the fact that this exhibit was funded entirely through local contributions and completed in just over a year, with most of the work done by residents of Saint Albans and neighboring towns. It is a beautiful addition to one of Vermont's finest historical museums.

The Champlain Valley is the birthplace of the United States and Canada. For two hundred years the Champlain Valley was the stage for conflicts between the French and the English, and then for the most critical campaign of the Revolutionary War. In times of peace, the Champlain Valley has been an important corridor of commerce. Important sites from this history are displayed and interpreted in the Diorama, including wonderful scale models of the region's lighthouses.

The Diorama also depicts the local history of Saint Albans, displaying her historic structures, rail yards and neighborhoods in great detail. These events and places are brought to life in three dimensions, engaging and educating the viewer as is possible with no other medium.

Mr. President, it is with great pleasure that I recognize the Saint Albans Historical Society and all of the others who have helped to create the diorama. This is a significant contribution to the heritage of Vermont.●

HONORING ST. PAUL BAPTIST CHURCH

● Mr. TORRICELLI. Mr. President, I rise today in recognition of the St. Paul Baptist Church on the occasion of its centennial celebration. Over the past year, the church has been celebrating its more than one hundred years of service. I am honored to have the opportunity to join with them in their celebration of this tremendous milestone. For over one hundred years, the St. Paul Baptist Church has provided the African-American community with a strong sense of unity as the only black Baptist church in Atlantic Highlands, New Jersey.

The church has experienced tremendous growth since it was founded by the Reverend M.R. Rosco in 1899. Today, it can boast not only of being a house of faith and worship, but also of its daily contributions to the community of Atlantic Highlands through its

Educational Center and the Vassie L. Peek, Sr. Educational Annex.

I would also like to acknowledge the contributions of St. Paul's pastor, the Reverend Doctor Henry P. Davis, Jr., to New Jersey's Baptist community. Over the years, Reverend Davis has been a shining example of devotion to his church. In addition to his commitment to his parish, the Reverend has served as Treasurer of the General Baptist State Convention of New Jersey, Moderator of the Seacoast Missionary Baptists Association of New Jersey, an Executive Board member of the New Jersey Council of Churches, and Secretary of the Moderator's Auxiliary of the National Baptist Convention, USA.

Once again, I would like to extend my congratulations and warmest wishes to Reverend Davis and his congregation on the occasion of the centennial celebration of St. Paul Baptist Church. The church's contributions to the residents of Atlantic Highlands is unmatched. I can only hope that the next one hundred years will be as rewarding as the first.●

TRIBUTE TO WILLIE AND VERONICA ARTIS

● Mr. ABRAHAM. Mr. President, I rise today to pay tribute to Willie and Veronica Artis of Flint, Michigan. On October 19, 1999, they will be honored by Mott Community College for their many contributions to the greater Flint community.

In 1979, Willie Artis co-founded Genesee Packaging, Inc., a maker of corrugated packaging with a focus on the automotive industry. Mr. Artis and Mr. Buel Jones began this company by utilizing the opportunities that were available to them through General Motors' minority business development programs. Using their extensive background in automotive contract packaging and corrugated manufacturing, Mr. Artis and Mr. Jones were able to penetrate the existing automotive market and build a relationship with a General Motors buyer.

Upon co-founder Buel Jones' retirement, Willie Artis took control of the day-to-day operations of the company and implemented a restructuring of the organization. Presently, Genesee Packaging employs a total of 230 people in three different plants and has just completed thirty-three consecutive months of profitability.

Willie Artis has over twenty-eight years of experience in sales, corrugated manufacturing and automotive contract packaging. He obtained his education at Wilson College in Chicago, Illinois, and continued his education through executive seminars for business owners at Dartmouth College. He is currently President and Chief Executive Officer of Genesee Packaging, Inc. in Flint, Michigan.

Willie Artis' wife, Veronica Artis, is also an instrumental force at Genesee Packaging, Inc. Veronica obtained her higher education at the University of Wisconsin, Dartmouth College, Wharton School of Business, and Harvard University. Before joining Genesee Packaging, Inc, Veronica held various positions at Wisconsin Bell and Ameritech. Veronica joined Genesee Packaging, Inc. in 1989 as the Vice President of Administration and she is a member of the Executive Staff.

The event at Mott Community College on October 19, 1999, is a salute to Mr. and Mrs. Artis' success, their commitment to the greater Flint community, and their contributions as fine corporate citizens. A scholarship will be established in their names that will be held at the Foundation for Mott Community College.

I join Mott Community College and the entire Flint community in this celebration of two distinguished citizens, Willie and Veronica Artis.●

REMARKS BY PRESIDENT MERI OF ESTONIA

● Mr. BIDEN. Mr. President, on October 13, the Broadcasting Board of Governors—which supervises all U.S. Government-sponsored international broadcasting—held a ceremony celebrating its new status as an independent agency.

Among the speakers was the President of Estonia, Lennart Meri, who delivered a very thoughtful and eloquent speech on the importance of international broadcasting to the mission of promoting democracy and freedom around the world.

I commend it to all of my colleagues. I ask to have printed in the RECORD, the text of President Meri's speech.

The speech follows:

THE UNFINISHED TASKS OF INTERNATIONAL BROADCASTING

(By Lennart Meri, President of the Republic of Estonia, Washington, D.C., 13 October 1999)

No one talking in this city about the importance of the media could fail to recall Thomas Jefferson's observation that if he were forced to choose between a free press and a free parliament, he would always choose the former because with a free press and a free parliament, he would end with a free parliament, but with a free parliament, he could not be sure if he would end with a free press.

I certainly won't become the exception to that practice. But if these words of your third president and the author of the American Declaration of Independence continue to resonate around the world, one of his other observations about the press may be more relevant for our thinking about the current and future tasks of international broadcasting. Responding in June 1807 to a Virginia resident who was thinking about starting a newspaper, Jefferson argued that ''to be most useful,'' a newspaper should contain ''true facts and sound principles only.''

Unfortunately, he told his correspondent, ''I fear such a paper would find few subscribers'' because ''it is a melancholy truth that a suppression of the press could not more completely deprive the nation of its benefits than is done by its abandoned prostitution to falsehood.'' And one of the greatest advocates of the power of the media to support democracy concluded sadly, ''nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle.''

Jefferson's optimistic comment about the role of a free press came as he was helping to make the revolution that transformed the world; his more critical ones came after his own, often less than happy years as president of the United States. Given my own experiences over the past half century, I can fully understand his shift in perspective and can thus testify that were Thomas Jefferson to be with us today, he would be among the most committed advocates of international broadcasting precisely because of his experiences in the earlier years of the American republic.

For most of my adult life, I lived in an occupied country, one where the communist regime suppressed virtually all possibilities for free expression in public forums. As a result, we turned to international broadcasting like Radio Free Europe, Radio Liberty, the Voice of America, and the BBC to try to find out what was going on.

Let me go back in memory for a moment. Estonia was already under Soviet occupation when the ''Battle of Britain''—solitary England's solitary battle against the totalitarian world—began. This is how I saw it, at the age of twelve, before our family was deported to Siberia. Nazi Germany bombastically boasted of its victories, London spoke of losses. And yet each broadcast from London, day after day, ended with the English newscaster's dry announcement: ''Das waren die Nachrichten am 5. Juni, am hundert sechs und fünfzigsten Tage des Jahres, wo Hitler versprach, den Krieg zu gewinnen.''—''These were the news of June 15, 156th day of the year when Hitler promised to win the war''. There was no irony in these words. Rather, there was the pedantic knowledge of a pharmacist—how many drops of truth morning, day and night were necessary to keep the ability of doubt alive. The end of World War II found me in exile, buried deep into the heart of Russia, a couple of hundred kilometers from the nearest railway station. You had your Victory Day celebrations, and so had I. I bought a crystal of selenium to build a radio receiver. During the time of war, all radio equipment had been confiscated in Russia. Now, suddenly, I was holding in my hands a thumb's length of a glass tube containing a crystal and a short wire—my pass to freedom. The third receiver, built already in Estonia, finally worked, and I have been with you ever since. I doubt whether it is in my powers to give you a convincing picture of our spiritual confinement. Imagine being blind, unable to see colours, to perceive light or shadows; being surrounded by the void space without a single point of reference, without gravity that would feel like motherly love in this spiritual vacuum. And then, for a quarter of an hour, or half an hour, or even—a royal luxury—for a whole hour—the void would suddenly be filled with colours, fragrances, voices, the warmth of the sun and the fresh hope of spring. How many of you remember the Moscow Conference of 1946, to which so many Estonians for some unknown reason looked forward with hope? I remember Mr. Peter Peterson from the BBC covering the conference, I remember, the intonation of Winston Churchill, when he said of the winners of this very ''Battle of Britain'': ''That was their finest hour''. I remember the lectures of astronomer Fred Hoyle, to which I listened taking notes from week to week. Under Soviet rule, his discovery was banned as ''idealistic''.

Some years ago, when I received Javier Solana, the Secretary-General of NATO, in Tallinn, I compared the inevitability of the expansion of the island of democracy and

NATO security structures with Fred Hoyle's expanding universe, and noticed when I was still speaking that Mr. Salona was deeply and personally moved by my speech. ''You could not have known,'' he said afterwards, ''that Fred Hoyle was during my university studies my research subject.'' This is how the radiation from an antenna materialises into attitudes, actions, and landscapes. Allow me two more comments. It is my duty to thank from this chair your predecessors for the decision to start broadcasts in Estonian on Radio Liberty, and even more for the decision to transfer the broadcasts in Estonian to the responsibility area of Radio Free Europe—in full concord with the non-recognition policy of the United States. I do not know how this decision was taken. During the Korean War, I heard from the Russian broadcasts, that the next day, the first Estonian broadcast would be on the air at 1800 hours. I was still a student and lived in Tartu, in a dormitory, which housed more than 500 students. I mentioned the forthcoming Estonian broadcast to one single friend. Stalin's terror was rampant in Estonia. For the time when the broadcast begun, my room was full of people, and more were coming. I will never forget that day, those solemn thirty minutes, and least of all the atmosphere in my room. Those people were the friends of my friend's friends. I knew a few, most were strangers to me. Every listener stood apart, in different directions, motionless, no glance met another, no word was spoken, we parted in silence. Such gatherings were punished with twenty-five years of hard labour. Not a single one of these twenty or thirty people got into trouble, which bespeaks of a high morale.

And my last point. I have myself worked at the radio, and know and knew the most distressing doubt—or ignorance, to be more accurate—whether your message did find your listeners. The broadcaster's work is like a dialogue with the stars: he can hear his own voice, but never gets any answer. The listener's temptation to respond is overwhelming. In spring 1976 Radio Free Europe informed that the Estonian polar explorer. August Massik had died in Canada. I picked up the phone and dictated a message for the writers' newspaper, and it appeared two days later, on June 18. In the circumstances of totalitarian seclusion, this was quite an accomplishment, which, I hoped, would morally support Radio Free Europe's Estonian staff. I must confess, I also wrote to your countryman Alistair Cooke the following lines, and I am quoting: ''Your word has always penetrated the Iron Curtain. Every week you have been a member of our family. I don't remember if you have ever spoken about Estonia, but you have always spoken as a European about the democratic world, which is the same''. I was deeply moved to get Alistair Cooke's reply, which I would very much like to read to this audience: ''It will be plain to you'', Alistair Cooke wrote, ''why I particularly cherish letters from people who listened, sometimes at their peril, from behind the Iron Curtain. Of all such, your letter is at once the most touching and the most gratifying. I am deeply grateful to you and wish you all good things as you approach what (to me) is early middle age! Most sincerely, etc. Alistar Cooke''. That was the role you have played, and I doubt whether you yourself are aware of how much an antenna can outweight the world's biggest army.

Frequently, these sources provided the only reliable news we could get about what was going on not only in the outside world but also in our own country. These broadcasts were our universities: They provided us with the materials we needed to understand our world and ultimately to build a movement capable of reclaiming our rightful place in world.

Indeed, one of the key moments in the recovery of the independence of my country is directly tied to international broadcasting. On January 13, 1991, Russian leader Brois Yeltsin flew to Tallinn in the aftermath of the Soviet killings in Lithuania. While there, he not only signed agreements acknowledging the right of the Baltic states to seek independence from the Soviet Union but he issued a statement calling on Russian officers and men not to obey illegal Soviet orders to fire on freely elected governments or unarmed civilians.

Through a series of FM and telephone connections from Tallinn via Helsinki to Stockholm to Munich, Yeltin's words reached REF/RL's Estonian Service and then were broadcast throughout the Soviet Union on all of that station's language services. I am convinced that that broadcasting by itself prevented Moscow from taking even more radical steps against our national movement and thus set the stage for the recovery of our independence as well as for the dissolution of the Evil Empire as a whole.

Just one indication of how important that action was to us is the fact that the head of RFL/FL's Estonian Service at that time, Toomas Hendrik Ilves, is now Estonian foreign minister.

I can't stress too highly what these broadcasts meant to me and to my fellow Estonians in another sense as well. During the long years of occupation, these broadcasts in our own languages demonstrated that the world, and that there was no basis for pessimism about our future. And these broadcasts, especially those which were about our country, reminded not only us but the Soviet Authorities that they would never be able to prevent us from regaining our freedom.

When we finally did so in 1991, I like many other Estonians and, I suspect, like many of you, looked to the future with enormous self-confidence. and also like many of you, I was sure that the chief contribution of international broadcasting to my country lay in the past. Indeed, it was in that spirit that I nominated Radio Free Europe/Radio Liberty for the Novel Peace Prize, an honor I still believe it should ultimately receive.

Surely, we thought, with communism overthrown and with our own independence reaffirmed, we could quickly establish our own free press, one that would provide our citizens with the information they would need not only to recover from the past but to allow us to re-enter Europe and the West.

But the experience of the past eight years has shown that such optimism was misplaced. First of all, the privatisation of the media did not make it free. Because of economic difficulties, privatisation both reduced the number of media outlets, thus paradoxically stifling freedom, and encouraged those remaining to seek readers and listeners by appealing to the lowest common denominator among our citizens. Instead of elevating the understanding of their audiences, all too many of our media outlets played to the worst in them, filling their pages or their broadcasts with sex, violence, and charges of corruption.

That is why I have complained so often that the path from a controlled press to a free press all too often lies through the worst kind of yellow press.

There is a second reason why our optimism about our own domestic media was misplaced; the experiences and values of the editors and journalists who now work in the domestic media. Not surprisingly, almost all of them are products of the Soviet system. Their understanding of what the media is for and what they do is thus very different from that of journalists who have grown up in a free media environment. They see media outlets as a form of propaganda, something the new owners frequently even encourage, and they see individual news stories as a chance to push their own agendas rather than to report accurately on what is going on.

And there is yet a third reason why we expected too much too soon in this area after the collapse of communism. A free press needs a free audience be it readers or listeners, and such an audience is not something that has been created overnight in any country.

It did not happen overnight even in the United States which never faced the same kind of tyranny that we did. Indeed, Jefferson complained about this as well when he said that for the citizens of his day, ''defamation is becoming a necessity of life; in so much that a dish of tea in the morning or evening cannot be digested without this stimulant.''

But the impact of the Soviet system in my country was far deeper and more insidious than that and far deeper and more insidious than many people either in Estonia or in the West want to acknowledge. It involved more than the mass executions and deportations, more than the destruction of much of the landscape, and more than 50 years of the stifling of our lives. It involved in the very first and most important sense the deformation of our minds and souls, a deformation that means that even today many of us cannot confront reality except through the filters provided by that past. Estonian is not an easy language to learn, but any of you who can listen to Estonian broadcasts or who read Estonian newspapers or journals will immediately feel what you are listening to or reading is something very different from the media you are used to in this long-established democracy. And if you listen or read while you visit my country—and I invite all of you to do so—you will be shocked by the difference between what you hear and see in the media and what you hear and see all around you.

Jefferson again understood this problem when he wrote: ''The real extent of this misinformation is known only to those who are in situations to confront facts within their knowledge with the lies of the day.'' And he added that ''I really look with commiseration over the great body of my fellow citizens, who, reading newspapers, live and die in the belief, that they have known something of what has been passing in the world in their time.''

I share that feeling almost every time I pick up an Estonian paper or listen to a broadcast by a domestic Estonian outlet.

Now, lest you accuse me of being overly pessimistic, let me hasten to add that there are notable exceptions among owners, among journalists and especially among readers and listeners. There are owners of media outlets in my country who do believe in the principles of a genuinely free press. There are journalists who understand that news is not the same as propaganda and that checking facts is important. And there are many readers and listeners who know what genuine news is and increasingly expect to get that and not the poor substitute they are often given.

One of the reasons that I have some optimism about the future of the free media is that our very oldest citizens remember the media from before the Soviet occupation and our very youngest are growing up without the constraints of the communist system. These two groups have been responsible for most of the positive changes in our country since 1991 not only in the media but in all fields of endeavor. Indeed, I think it is symbolic that I am a representative of those who remember Estonia before the Soviets came

and our prime minister Mart Laar, perhaps the youngest national leader in the world, came of age as they were leaving.

Another reason I am somewhat more optimistic than you may think is that international broadcasting has already done some important work. Those of us who listened to what the Soviets called the ''foreign voices'' not only heard the news but learned what news is—and importantly what it isn't. Many of our best journalists have been regular listeners to RFE/RL, to VOA, to the BBC and to all the others for their entire lives. That gave them the courage to think differently and a model for their profession. Without it, we would have been much further behind.

But there is a final reason for my optimism: the continuing impact of international broadcasting to my country and to its neighbors. Estonians and many other people around the world fudge their own media on the basis of what international broadcasting tells them. That operates as an important constraint on the tendency of domestic media operations to go off the rails, but it also means that these audiences are learning what news is and thus will demand it from their domestic outlets. And when they do, then there will be genuinely free press and the possibility of genuinely free society.

Consequently, I am now convinced that the greatest challenges for international broadcasting lie ahead and not in the past, for overcoming the problems Jefferson identified two centuries ago is not going to be easy or quick. Estonia as many of you know has done remarkably well compared to many of the other post-communist countries, but our problems are still so great in the media areas as elsewhere that we will continue to need your help and your broadcasts long into the future.

On behalf of the Estonian people, I want to thank you in the United States for all you have done in the past and are doing now through your broadcasts to my country and to other countries around the world. I believe that international broadcasting is and will remain one of the most important means for the spread of democracy and freedom. And consequently, I am very proud to greet you today on the occasion of the formation of the Broadcasting Board of Governors as an independent agency—even though I want all of you who are celebrating that fact to know that your greatest challenges lie ahead and that those of us who are your chief beneficiaries will never let you forget it.

Thank you.●

A THANK YOU TO WILLIAM ANDREW WHISENHUNT

● Mr. HUTCHINSON. Mr. President, one of the highest compliments a person can receive is to be called a ''servant,'' someone who gives of himself for others. A man I've known for many years, a man of outstanding reputation, a man who has given a large part of his life in service to his neighbors, a man respected by his peers, is about to make a major change in his life. The people of the Fair State of Arkansas would be remiss if we did not acknowledge that change.

Andrew Whisenhunt of Bradley, in Lafayette County in southwest Arkansas, was born in the town of Hallsville, TX. However, his family moved to the Natural State while Andrew was still a baby. So, technically he is not a native. However, Andrew is an Arkansas through and through.

He has long been in the public eye. Yet, soon, Andrew will step down from the presidency of Arkansas Farm Bureau Federation after 13 years. A modern-day tiller of the soil, he has been a farmer for as long as he can remember—and his father before him. With loving support form his wife, Polly, and with help from his five children—Warren, Terri, Tim, Julie, and Bryan—Andrew has built the farm where he's lived almost all his life into what has been called a model of modern agriculture. And testimony to that has been the Whisenhunts' selection as ''Arkansas Farm Family of the Year'' in 1970, and Andrew's choice as ''Progressive Farmer Magazine's Man of the Year in Arkansas Agriculture'' in 1984.

His love for his chosen profession has carried him far beyond the fence rows of his 2,000-acre cotton, rice, soybean, and wheat-and-feed grain operation. The journey began when he joined Lafayette County Farm Bureau in 1955. By the time Andrew was elected to the Board of Directors of Arkansas Farm Bureau in 1968, he had served in almost every office in his county organization, including president. In his early years on the Farm Bureau State board, he worked on several key board panels, including the Executive and Building committees. (The latter's work resulted in construction of Farm Bureau Center in Little Rock in 1978.)

His fellow board members thought enough of his personal industry and leadership abilities that they elected him their secretary-treasurer in 1976, an office he filled for 10 years. During that time, Andrew also was active outside the Farm Bureau arena as, among other things, a charter member of Arkansas Soybean Promotion Board, and as a former president of both the American Soybean Development Foundation and the Arkansas Association of Soil Conservation Districts. Then he was elected president of Arkansas Farm Bureau in 1986.

During his tenure, the organization has enjoyed unprecedented growth in membership, influence and prestige. When Andrew accepted the mantle of top leadership, Farm Bureau represented some 121,000 farm and rural families in the State. Today, that figure stands at almost 215,000—and Arkansas has become the 8th largest Farm Bureau of the 50 States and Puerto Rico.

As Arkansas Farm Bureau has grown, Andrew's leadership has done likewise. As an influential member of American Farm Bureau Federation's Executive Committee, he has traveled far and wide as an advocate not just for Arkansas farmers, but to advance American interests in international trade and relations. He was a member of the Farm Bureau delegation that visited Russia after the Iron Curtain shredded, to experience that nation's agriculture firsthand and to offer help to farmers there. Andrew also was a key player in delegations to China, Japan, and the Far East, and to South America. He was among U.S. farm leaders who traveled to Cuba recently to see how trade with that nation might be re-established. He even led a group of Arkansas farm leaders first to pre-NAFTA Mexico; then to deliver rice the Farm Bureau had donated to a Central American village devastated by Hurricane Mitch.

Andrew's influence and tireless work ethic embrace the nonfarm sector as well. His service to his local community includes county and city school boards, his local hospital board, the Bradley Chamber of Commerce and his church. He also is a board member of Florida College in Tampa.

When Andrew steps down as president of Arkansas Farm Bureau Federation in December, the members of that great organization will miss him greatly. But he has never been one to sit still, and chances are, that won't change. As the new century unfolds, Farm Bureau's loss undoubtedly will be a gain somewhere else for all Arkansans.●

REGIONAL MARCHEGIANA SOCIETY

● Mr. LIEBERMAN. Mr. President, I rise today to pay tribute to the Societa Regionale Marchegiana of New Haven, CT, as they celebrate their 90th anniversary of service to the Greater New Haven community. Founded in 1909 on the principles of brotherhood and community involvement, the Marchegiana Society has enjoyed 90 years of success as one of the State's largest fraternal organizations.

A number of important events have marked the history of the Regional Marchegiana Society, including the construction of the Marchegian Center and the merging with its sister group, the Ladies Marchegiana Society. In times of war and in times of peace, this proud organization has always served as a model of patriotism, dedication, and community spirit. Over the years, its members have actively involved themselves in countless civic activities and made a real difference to the city of New Haven. In our society, which draws its strength from its diversity, the Marchegiana Society stands tall as an example of the principles upon which our nation was built.

Mr. President, I ask that you join me in honoring the fine men and women of the Regional Marchegiana Society. They have met and exceeded the expectations of their 36 founders and will undoubtedly continue their unblemished record of service far into the future.●

TRIBUTE TO THE WASHBURN FAMILY FOR ITS PUBLIC SERVICE AND OTHER OUTSTANDING ACCOMPLISHMENTS

● Ms. COLLINS. Mr. President, I rise today to pay tribute to an extraordinary Maine family, distinguished both by its record of public service and the accomplishments it has achieved in many other walks of life. The Washburn family included three sisters

and seven brothers who helped guide this country through the Civil War and prepare our Nation for the 20th century. I am proud, as all Mainers are, that the Washburns hailed from Livermore, Maine, where the Norlands Living History Center still honors their memory and provides people of all ages with a chance to experience rural life in the late 1800's.

Israel and Martha Washburn raised 10 children in Livermore, Maine, during the early years of the 19th century. Included among the children were seven brothers who made substantial contributions to our Nation. The Washburns hold the distinction of being the only family in the history of our Nation to have three brothers serve in Congress simultaneously. In the 1850's Cadwallader Washburn representing Wisconsin, Elihu Washburn representing Illinois, and Israel Washburn, Jr., representing Maine were all Members of Congress in the tumultuous era leading up to the Civil War. Years later, William Washburn followed his brothers to Congress, representing Minnesota for three terms. William concluded his time in Washington with a term in the United States Senate.

The Washburns served the public outside of Washington as well. Cadwallader Washburn was elected Governor of Minnesota in 1872. His brother, Israel, was Governor of Maine from 1861 to 1863 and is ranked as one of the great ''war governors'' of the Civil War era for his skill and dedication in raising and equipping volunteer regiments for the Union cause. Israel was also an early member of the Republican Party and is given credit by some for naming the party.

The Washburns also served their country abroad. Charles Washburn served as a Minister to Paraguay in the 1860's. During the War of the Triple Alliance, he was forced to flee the country when the dictator of Paraguay, General Francisco Solano Lopez, accused Washburn and other embassy staffers of conspiring with Paraguay's enemies.

Elihu Washburne, who added the English ''e'' to his last name, was also a diplomat. After 16 years in the House of Representatives, where he was known as the ''watchdog of the Treasury'' for his unyielding oversight of the ''peoples money,'' he was appointed to a 2-week term as President Grant's Secretary of State. Following the courtesy appointment, he was selected as our Nation's Ambassador to France. Elihu rose to diplomatic greatness during the Franco-Prussian War of 1870–1871, which resulted in the fall of Napoleon III and the French Empire. Throughout the Siege of Paris and the upheaval of the Commune, he alone among foreign ambassadors remained at his post and gave refuge to hundreds of foreign citizens trapped in the city. His memoirs, ''Recollections of a Minister to France, 1869–1877,'' provide an important historical accounting of the end of France's Empire and his service is a model of exemplary diplomatic performance during a crisis.

The Washburn brothers also served our Nation in the military. Samual Washburn spent his life on the sea and served in the U.S. Navy during the Civil War as the captain of the gunboat *Galena*. Cadwallader recruited and commanded the Second Wisconsin Volunteer Cavalry, which served with distinction in the Civil War's southwestern theater. He rose to the rank of major-general, serving with Grant at Vicksburg and later as military commander of the Memphis District of the Army of the Tennessee.

As remarkable as they were, the achievements of the Washburn Brothers were not limited to military and governmental pursuits. Four of the brothers, Israel, Elihu, William, and Cadwallader, were lawyers. Charles was a writer and journalist who invented a typewriting machine that was sold to the Remington Company. Algernon Sydney Washburn was a successful banker in Hallowell, Maine. ''Sid,'' as he was known, provided loans to his brothers that financed many of their ventures. Cadwallader was also a successful businessman and founded a large milling operation in Minneapolis that produced Gold Medal flour, which can still be found on the shelves of America's grocery stores. Today, his company is known as General Mills. William also engaged in milling, and his company later merged with the Pillsbury Corporation.

Though the adventures of the seven brothers Washburn took them all over the globe, the Norlands in Livermore, Maine, was always their home. In 1973, their descendants donated the property, which included the family mansion, surrounding historic buildings, and hundreds of acres of land, to the non-profit Washburn-Norlands Foundation. Today, the property that was once home to this remarkable family is a living history center. Each year, approximately 25,000 visitors have the opportunity to sample life in the 1800's through Norland's hands-on educational programs. Moreover, the museum and property honors the many accomplishments of a family that is nearly without peer in the history of public service to this great nation. The Norlands Living History Center is significant for both the history it preserves and the innovative education it provides, and I commend those associated with the center for the important work that they do.

Mr. President, the legacy of the Washburn family is yet another example of why Maine and its people are so special. I am grateful for having had this opportunity to share with you the story of this remarkable family and to acknowledge the important work being done by the dedicated staff and friends of the Norlands Living History Center to protect and share this important piece of our heritage.●

REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 2841 and the Senate now proceed to its immediate consideration.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2841) to amend the Revised Organic Act of the Virgin Islands to provide for greater autonomy consistent with other United States jurisdictions, and for other purposes.

The Senate proceeded to consider the bill.

Mr. SPECTER. Mr. President, I further ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 2481) was read the third time and passed.

DISTRICT OF COLUMBIA COLLEGE ACCESS ACT

Mr. SPECTER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 275, H.R. 974.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 974) to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Governmental Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''District of Columbia College Access Act of 1999''.

SEC. 2. PURPOSE.

It is the purpose of this Act to establish a program that enables college-bound residents of the District of Columbia to have greater choices among institutions of higher education.

SEC. 3. PUBLIC SCHOOL PROGRAM.

(a) GRANTS.—

(1) IN GENERAL.—From amounts appropriated under subsection (i) the Mayor shall award grants to eligible institutions that enroll eligible students to pay the difference between the tuition and fees charged for in-State students and the tuition and fees charged for out-of-State students on behalf of each eligible student enrolled in the eligible institution.

(2) MAXIMUM STUDENT AMOUNTS.—An eligible student shall have paid on the student's behalf under this section—

(A) not more than $10,000 for any 1 award year (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)); and

(B) a total of not more than $50,000.

(3) PRORATION.—The Mayor shall prorate payments under this section for students who

attend an eligible institution on less than a full-time basis.

(b) REDUCTION FOR INSUFFICIENT APPROPRIATIONS.—

(1) IN GENERAL.—If the funds appropriated pursuant to subsection (i) for any fiscal year are insufficient to award a grant in the amount determined under subsection (a) on behalf of each eligible student enrolled in an eligible institution, then the Mayor shall—

(A) first, ratably reduce the amount of the tuition and fee payment made on behalf of each eligible student who has not received funds under this section for a preceding year; and

(B) after making reductions under subparagraph (A), ratably reduce the amount of the tuition and fee payments made on behalf of all other eligible students.

(2) ADJUSTMENTS.—The Mayor may adjust the amount of tuition and fee payments made under paragraph (1) based on—

(A) the financial need of the eligible students to avoid undue hardship to the eligible students; or

(B) undue administrative burdens on the Mayor.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE INSTITUTION.—The term ''eligible institution'' means an institution that—

(A) is a public institution of higher education located—

(i) in the State of Maryland or the Commonwealth of Virginia; or

(ii) outside the State of Maryland or the Commonwealth of Virginia, but only if the Mayor—

(I) determines that a significant number of eligible students are experiencing difficulty in gaining admission to any public institution of higher education located in the State of Maryland or the Commonwealth of Virginia because of any preference afforded in-State residents by the institution;

(II) consults with the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Secretary regarding expanding the program under this section to include such institutions located outside of the State of Maryland or the Commonwealth of Virginia; and

(III) takes into consideration the projected cost of the expansion and the potential effect of the expansion on the amount of individual tuition and fee payments made under this section in succeeding years;

(B) is eligible to participate in the student financial assistance programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(C) enters into an agreement with the Mayor containing such conditions as the Mayor may specify, including a requirement that the institution use the funds made available under this section to supplement and not supplant assistance that otherwise would be provided to eligible students from the District of Columbia.

(2) ELIGIBLE STUDENT.—The term ''eligible student'' means an individual who—

(A) was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education;

(B) graduated from a secondary school or received the recognized equivalent of a secondary school diploma on or after January 1, 1999;

(C) begins the individual's undergraduate course of study within the 3 calendar years (excluding any period of service on active duty in the Armed Forces, or service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.)) of graduation from a secondary school, or obtaining the recognized equivalent of a secondary school diploma;

(D) is enrolled or accepted for enrollment, on at least a half-time basis, in a degree, certificate, or other program (including a program of study abroad approved for credit by the institution at which such student is enrolled) leading to a recognized educational credential at an eligible institution;

(E) if enrolled in an eligible institution, is maintaining satisfactory progress in the course of study the student is pursuing in accordance with section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)); and

(F) has not completed the individual's first undergraduate baccalaureate course of study.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(4) MAYOR.—The term ''Mayor'' means the Mayor of the District of Columbia.

(5) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given that term under section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(d) CONSTRUCTION.—Nothing in this Act shall be construed to require an institution of higher education to alter the institution's admissions policies or standards in any manner to enable an eligible student to enroll in the institution.

(e) APPLICATIONS.—Each student desiring a tuition payment under this section shall submit an application to the eligible institution at such time, in such manner, and accompanied by such information as the eligible institution may require.

(f) ADMINISTRATION OF PROGRAM.—

(1) IN GENERAL.—The Mayor shall carry out the program under this section in consultation with the Secretary. The Mayor may enter into a grant, contract, or cooperative agreement with another public or private entity to administer the program under this section if the Mayor determines that doing so is a more efficient way of carrying out the program.

(2) POLICIES AND PROCEDURES.—The Mayor, in consultation with institutions of higher education eligible for participation in the program authorized under this section, shall develop policies and procedures for the administration of the program.

(3) MEMORANDUM OF AGREEMENT.—The Mayor and the Secretary shall enter into a Memorandum of Agreement that describes—

(A) the manner in which the Mayor shall consult with the Secretary with respect to administering the program under this section; and

(B) any technical or other assistance to be provided to the Mayor by the Secretary for purposes of administering the program under this section (which may include access to the information in the common financial reporting form developed under section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090)).

(g) MAYOR'S REPORT.—The Mayor shall report to Congress annually regarding—

(1) the number of eligible students attending each eligible institution and the amount of the grant awards paid to those institutions on behalf of the eligible students;

(2) the extent, if any, to which a ratable reduction was made in the amount of tuition and fee payments made on behalf of eligible students; and

(3) the progress in obtaining recognized academic credentials of the cohort of eligible students for each year.

(h) GAO REPORT.—Beginning on the date of enactment of this Act, the Comptroller General of the United States shall monitor the effect of the program assisted under this section on educational opportunities for eligible students. The Comptroller General shall analyze whether eligible students had difficulty gaining admission to eligible institutions because of any preference afforded in-State residents by eligible institutions, and shall expeditiously report any findings regarding such difficulty to Congress and the Mayor. In addition the Comptroller General shall—

(1) analyze the extent to which there are an insufficient number of eligible institutions to which District of Columbia students can gain admission, including admission aided by assistance provided under this Act, due to—

(A) caps on the number of out-of-State students the institution will enroll;

(B) significant barriers imposed by academic entrance requirements (such as grade point average and standardized scholastic admissions tests); and

(C) absence of admission programs benefiting minority students;

(2) assess the impact of the program assisted under this Act on enrollment at the University of the District of Columbia; and

(3) report the findings of the analysis described in paragraph (1) and the assessment described in paragraph (2) to Congress and the Mayor.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the District of Columbia to carry out this section $12,000,000 for fiscal year 2000 and such sums as may be necessary for each of the 5 succeeding fiscal years. Such funds shall remain available until expended.

(j) EFFECTIVE DATE.—This section shall take effect with respect to payments for periods of instruction that begin on or after January 1, 2000.

SEC. 4. ASSISTANCE TO THE UNIVERSITY OF THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Subject to subsection (c), the Secretary may provide financial assistance to the University of the District of Columbia for the fiscal year to enable the university to carry out activities authorized under part B of title III of the Higher Education Act of 1965 (20 U.S.C. 1060 et seq.).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the District of Columbia to carry out this section $1,500,000 for fiscal year 2000 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(c) SPECIAL RULE.—For any fiscal year, the University of the District of Columbia may receive financial assistance pursuant to this section, or pursuant to part B of title III of the Higher Education Act of 1965, but not pursuant to both this section and such part B.

SEC. 5. PRIVATE SCHOOL PROGRAM.

(a) GRANTS.—

(1) IN GENERAL.—From amounts appropriated under subsection (f) the Mayor shall award grants to eligible institutions that enroll eligible students to pay the cost of tuition and fees at the eligible institutions on behalf of each eligible student enrolled in an eligible institution. The Mayor may prescribe such regulations as may be necessary to carry out this section.

(2) MAXIMUM STUDENT AMOUNTS.—An eligible student shall have paid on the student's behalf under this section—

(A) not more than $2,500 for any 1 award year (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)); and

(B) a total of not more than $12,500.

(3) PRORATION.—The Mayor shall prorate payments under this section for students who attend an eligible institution on less than a full-time basis.

(b) REDUCTION FOR INSUFFICIENT APPROPRIATIONS.—

(1) IN GENERAL.—If the funds appropriated pursuant to subsection (f) for any fiscal year are insufficient to award a grant in the amount determined under subsection (a) on behalf of each eligible student enrolled in an eligible institution, then the Mayor shall—

(A) first, ratably reduce the amount of the tuition and fee payment made on behalf of each eligible student who has not received funds under this section for a preceding year; and

(B) after making reductions under subparagraph (A), ratably reduce the amount of the tuition and fee payments made on behalf of all other eligible students.

(2) ADJUSTMENTS.—The Mayor may adjust the amount of tuition and fee payments made under paragraph (1) based on—

(A) the financial need of the eligible students to avoid undue hardship to the eligible students; or

(B) undue administrative burdens on the Mayor.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE INSTITUTION.—The term ''eligible institution'' means an institution that—

(A) is a private, nonprofit, associate or baccalaureate degree-granting, institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), the main campus of which is located—

(i) in the District of Columbia;

(ii) in the city of Alexandria, Falls Church, or Fairfax, or the county of Arlington or Fairfax, in the Commonwealth of Virginia, or a political subdivision of the Commonwealth of Virginia located within any such county; or

(iii) in the county of Montgomery or Prince George's in the State of Maryland, or a political subdivision of the State of Maryland located within any such county;

(B) is eligible to participate in the student financial assistance programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(C) enters into an agreement with the Mayor containing such conditions as the Mayor may specify, including a requirement that the institution use the funds made available under this section to supplement and not supplant assistance that otherwise would be provided to eligible students from the District of Columbia.

(2) ELIGIBLE STUDENT.—The term ''eligible student'' means an individual who meets the requirements of subparagraphs (A) through (F) of section 3(c)(2).

(3) MAYOR.—The term ''Mayor'' means the Mayor of the District of Columbia.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(d) APPLICATION.—Each eligible student desiring a tuition and fee payment under this section shall submit an application to the eligible institution at such time, in such manner, and accompanied by such information as the eligible institution may require.

(e) ADMINISTRATION OF PROGRAM.—

(1) IN GENERAL.—The Mayor shall carry out the program under this section in consultation with the Secretary. The Mayor may enter into a grant, contract, or cooperative agreement with another public or private entity to administer the program under this section if the Mayor determines that doing so is a more efficient way of carrying out the program.

(2) POLICIES AND PROCEDURES.—The Mayor, in consultation with institutions of higher education eligible for participation in the program authorized under this section, shall develop policies and procedures for the administration of the program.

(3) MEMORANDUM OF AGREEMENT.—The Mayor and the Secretary shall enter into a Memorandum of Agreement that describes—

(A) the manner in which the Mayor shall consult with the Secretary with respect to administering the program under this section; and

(B) any technical or other assistance to be provided to the Mayor by the Secretary for purposes of administering the program under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the District of Columbia to carry out this section $5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the 5 succeeding fiscal years. Such funds shall remain available until expended.

(g) EFFECTIVE DATE.—This section shall take effect with respect to payments for periods of instruction that begin on or after January 1, 2000.

SEC. 6. GENERAL REQUIREMENTS.

(a) PERSONNEL.—The Secretary of Education shall arrange for the assignment of an individual, pursuant to subchapter VI of chapter 33 of title 5, United States Code, to serve as an adviser to the Mayor of the District of Columbia with respect to the programs assisted under this Act.

(b) ADMINISTRATIVE EXPENSES.—The Mayor of the District of Columbia may use not more than 7 percent of the funds made available for a program under section 3 or 5 for a fiscal year to pay the administrative expenses of a program under section 3 or 5 for the fiscal year.

(c) INSPECTOR GENERAL REVIEW.—Each of the programs assisted under this Act shall be subject to audit and other review by the Inspector General of the Department of Education in the same manner as programs are audited and reviewed under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) GIFTS.—The Mayor of the District of Columbia may accept, use, and dispose of donations of services or property for purposes of carrying out this Act.

(e) FUNDING RULE.—Notwithstanding sections 3 and 5, the Mayor may use funds made available—

(1) under section 3 to award grants under section 5 if the amount of funds made available under section 3 exceeds the amount of funds awarded under section 3 during a time period determined by the Mayor; and

(2) under section 5 to award grants under section 3 if the amount of funds made available under section 5 exceeds the amount of funds awarded under section 5 during a time period determined by the Mayor.

(f) MAXIMUM STUDENT AMOUNT ADJUSTMENTS.—The Mayor shall establish rules to adjust the maximum student amounts described in sections 3(a)(2)(B) and 5(a)(2)(B) for eligible students described in section 3(c)(2) or 5(c)(2) who transfer between the eligible institutions described in section 3(c)(1) or 5(c)(1).

AMENDMENT NO. 2317

(Purpose: To permit the Mayor to prioritize the making or amount of tuition and fee payments based on the income and need of eligible students, to include historically Black colleges and universities in the definition of schools eligible to participate in the program, and for other purposes)

Mr. SPECTER. There is a managers' amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for Mr. THOMPSON, for himself, Mr. VOINOVICH, Mrs. HUTCHISON, Mr. DURBIN, and Mr. WARNER, proposes an amendment numbered 2317.

The amendment is as follows:

On page 13, between lines 16 and 17, insert the following:

(3) FURTHER ADJUSTMENTS.—Notwithstanding paragraphs (1) and (2), the Mayor may prioritize the making or amount of tuition and fee payments under this subsection based on the income and need of eligible students.

On page 15, line 22, strike ''1999'' and insert ''1998''.

On page 23, between lines 10 and 11, insert the following:

(3) FURTHER ADJUSTMENTS.—Notwithstanding paragraphs (1) and (2), the Mayor may prioritize the making or amount of tuition and fee payments under this subsection based on the income and need of eligible students.

On page 23, line 14, strike ''(A)'' and insert ''(A)(i)''.

On page 23, line 19, strike ''(i)'' and insert ''(I)''.

On page 23, line 20, strike ''(ii)'' and insert ''(II)''.

On page 24, line 1, strike ''(iii)'' and insert ''(III)''.

On page 24, line 5, strike ''(B)'' and insert ''(ii)''.

On page 24, line 9, strike ''(C)'' and insert ''(iii)''.

On page 24, line 15, strike the period and insert ''; or''.

On page 24, between lines 15 and 16, insert the following:

(B) is a private historically Black college or university (for purposes of this subparagraph such term shall have the meaning given the term ''part B institution'' in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) the main campus of which is located in the State of Maryland or the Commonwealth of Virginia.

Mr. SPECTER. Mr. President, I ask unanimous consent that the amendment be agreed to, the committee substitute be agreed to, as amended, the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The amendment No. (2317) was agreed to.

The committee amendment, as amended, was agreed to.

The bill (H.R. 974), as amended, was read the third time and passed.

DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING

Mr. SPECTER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 293, S. 1652.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 1652) to designate the Old Executive Office Building located at 17th Street and Pennsylvania Avenue, NW, in Washington, District of Columbia, as the Dwight D. Eisenhower Executive Office Building.

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAFEE. Mr. President, I am pleased that today the Senate is considering S. 1652, legislation I have introduced with Senator BAUCUS and others that would name the Old Executive Office Building, OEOB, after Dwight D. Eisenhower. This bipartisan bill would honor both an architectural landmark and a great American leader.

The OEOB, located at the corner of 17th Street and Pennsylvania Avenue, is a familiar sight to my colleagues. Yet its history and architectural importance may not be as well-known. Its existence grew out of the dire need for executive office space near the White House during the 19th century. After the British burned the first pair of office buildings in 1814, the State, War, and Navy Departments had to make do in cramped quarters for several years. Finally, in the late 1860s, the Grant administration proposed a new building to house those agencies, and Congress appointed a commission to select a site and an architect.

The architect selected by the Commission was Alfred Mullett, the Architect of the Treasury. To the surprise of

some, his winning design was not Greek Revival (like the Treasury Building), but instead French Second Empire—a style that was perhaps more flamboyant and exuberant than Washington had seen until that point, but that reflected the optimism of the post-Civil War period. Ground was broken in 1871, and seventeen years later the building was completed. Today, the building is listed on the National Register of Historic Places, and ranks first among historic buildings in the inventory of the General Services Administration's Public Buildings Service.

As planned, the building first was occupied by the State, War, and Navy Departments. For years, these Departments carried out their work there. Indeed, the building has housed 16 Secretaries of the Navy, 21 Secretaries of War, and 24 Secretaries of State. But many other prominent national leaders have carried out their work there as well: Both Presidents Roosevelt (Theodore and Franklin), as well as Presidents Taft, Eisenhower, Johnson, Ford, and Bush, had offices in the OEOB before becoming President. And Vice Presidents since Lyndon Johnson have maintained offices there.

Some little-known historic trivia about the building: Apparently the building once had wooden swinging doors at its doorways, but it is said they were removed after an eager staffer cannoning through the doors ran into Winston Churchill, knocking the famed cigar from his mouth. And it is said that after a slip on the stairs, Secretary of War Taft had installed the extra brass stair railings. By the way, once Taft became President, his family cow, Pauline, grazed on what is the OEOB's South Lawn.

Eventually, however, the building's original tenants left, with the State Department the last to vacate in 1947. Once State moved out, and the President's staff began moving in, the OEOB lost its moniker as the ''State, War & Navy Building,'' and instead was known simply as the Executive Office Building. When a new office building was built across the street, the OEOB became the ''Old'' Executive Office Building, and that undistinguished name has remained to this day.

Among those who worked in the building was a young Dwight Eisenhower. My colleagues certainly are well aware of the career of our 34th President. Born in Denison, TX, and raised in Abilene, KS, Dwight Eisenhower spent a life in public service to this country. A graduate of West Point, he had the privilege of being assigned to some of our best-known military figures: Generals Pershing, MacArthur, and Marshall. Later, at the height of his military career, he was appointed Supreme Commander of the Allied Forces during WWII. He commanded the Normandy invasion, which led to the end of WWII. In peacetime, he served as president of Columbia University, and also as the head of the NATO forces in Europe. In 1952, America again called him to national service, and ''Ike'' became our 34th President. For all that he did to secure democracy and peace in this century, Dwight Eisenhower stands as one of this country's great leaders.

What my colleagues may not have known is that Dwight Eisenhower had a special personal connection to the Old Executive Office Building. As chief military aide to General MacArthur (then Army Chief of Staff), a young Dwight Eisenhower worked in the OEOB from 1933–35. Later on, when he himself became Army Chief of Staff, Eisenhower again was based in the OEOB. And on January 19, 1955, the first televised presidential press conference was held by President Eisenhower on the fourth floor of the OEOB. Indeed, Susan Eisenhower tells us that her grandfather often spoke fondly of the building and his years in it.

It is not surprising, therefore, that Eisenhower played a key role in the building's preservation. In the late 1950s, his Advisory Committee on Presidential Office Space recommended that the building be torn down and replaced with an expensive modern office building. White House historian and scholar William Seale reports that the architect in charge tried to persuade President Eisenhower, who recently had suffered a heart attack, that a new building would not have as many stairs to climb. ''Nonsense,'' said the President, ''My doctors require that I climb so many steps a day for the good of my heart!'' The tide turned at that point, and the building was saved.

Designating the Old Executive Office Building as the Dwight D. Eisenhower Office Building would be a fitting honor to a great American leader in war and in peace, and a fitting recognition of a grand American building. For that reason, this naming is supported by Stephen Ambrose, the well-known Eisenhower biographer; William Seale, the author of the White House Historical Association's history of the White House; Senator Bob Dole, World War II veteran and distinguished public servant; and the Eisenhower family. It is no wonder that S. 1652 has garnered strong and bipartisan support.

Let me extend my appreciation to the Senate leadership for setting aside this day to consider S. 1652. I look forward to its passage by the Senate today, and its ultimate enactment by Congress this year. I thank the Chair.

I ask unanimous consent that letters from Stephen Ambrose, William Seale, and Bob Dole, and an editorial by Jim O'Connell, be printed in the RECORD.

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

AMBROSE TUBBS, INC.
Helena, MT, September 7, 1999.

Senator JOHN CHAFEE,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR CHAFEE: I am eager to join Bob Dole, John Eisenhower, Susan Eisenhower and the many others who are supporting naming the Old Executive Office Building after General and President Eisenhower.

Almost a decade ago I was on a committee to do something to recognize Eisenhower's 100th birthday. Andrew Goodpaster was the chairman. At our first meeting I said we need a statue of him or a building in Washington named for him. I was about laughed out of the room. I was told there was no way the Democrats were going to honor Eisenhower in our nation's capital. I protested—if a statue, put him in uniform, I said: if a building, call it General Eisenhower. Plus which, I said, every general from the Civil War has a square in the nation's capital named for him, usually with a statue. Why not Ike? You can see how far I got.

Renaming the Old Executive Office Building for him would be appropriate as well as much deserved. He served in the building in the early 1930's as an aide to General Douglas MacArthur, then Chief of Staff, U.S. Army. In the late 1950's, as President, Eisenhower saved the building from demolition.

Eisenhower was the leader in war and in peace of the men and women who saved our country and democracy. Surely something can be done in Washington to pay at least a bit of our eternal respect and gratitude to this great man.

Sincerely,

STEPHEN E. AMBROSE.

ALEXANDRIA, VA,
January 13, 1998.

Mr. JAMES J. O'CONNELL,
Vice President, Ceridian Corp.,
Washington, DC.

DEAR MR. O'CONNELL: Thank you for your letter of December 18 about the OEOB. I am interested that you propose that it be named for President Eisenhower. Long ago, Congressman Howard W. Smith told me about a meeting he had with a committee charged with the ''problem'' of that building. An architectural firm was determined to demolish it, and had at least a thousand reasons why the old building needed a new replacement (doubtless in steel and aluminum). The committee was not really happy about it, but listened. Then they had a meeting President Eisenhower attended, fresh from heart-attack recovery. The architect made a very great point about the terrible stairs in the building and how hard they were on heart patients. Eisenhower suddenly interrupted and said something like, ''Nonsense. My doctors require that I climb so many steps a day for the good of my heart.'' Somehow, the tide turned at that point and the old building was saved. Judge Smith concluded with, ''It was a perfectly good building. Well built. No need to destroy it.''

You have a good idea and a perfectly valid one. When in the company of that great structure, and all its complex architectural detailing, I like to think of all the lives that have passed through it, all the great men and even unknown great men and women that make up its story.

Do you think you will have competition from General Grant? The building is usually considered the best example of the ''General Grant'' style of American architecture. I prefer Eisenhower, because it would appear that he was the one who saved it, even before the era of preservation really began.

I appreciate your kind remarks. Certainly I have been lucky to have the White House as a vehicle for my history studies.

Every best wish,

Sincerely,

WILLIAM SEALE.

WASHINGTON, DC,
August 23, 1999.

Hon. JOHN H. CHAFFEE.

It was good to talk to you last week and I'm delighted you support naming the Old

Executive Office Building after President Eisenhower. It's something that will touch the heart of every World War II veteran, indeed of every American who remembers Dwight D. Eisenhower as one of America's greatest 20th century leaders in peace and war.

Our 34th president is virtually unrecognized in the Nation's Capital. Eisenhower biographer Stephen Ambrose agrees fully that no fitting tribute to Eisenhower exists in Washington, DC. Dr. Ambrose supports naming the OEOB after Ike and would be pleased to write a letter voicing this support.

The OEOB, called the ''State, War & Navy Building'' from 1888 until 1947, is Washington's most distinguished office building. Eight future Presidents served in the building before becoming President—Theodore and Franklin Roosevelt, as Assistant Secretaries of the Navy; William Howard Taft, as Secretary of War; Herbert Hoover, as chief of the post-WWI allied relief operations; and Vice Presidents Lyndon Johnson, Gerald Ford and George Bush. Twenty-four secretaries of state served in it.

General Eisenhower himself served in the building from 1929–1935, as senior aide to General Douglas MacArthur and as Army Chief of Operations. Furthermore, noted architect and foremost White House historian William Seale tells us that former Congressman Howard W. Smith credited Eisenhower with saving the building from demolition in the late 1950s. Seale is the author of ''The White House: The History of An American Idea.''

The present name of this 19th century masterpiece is largely an historical accident. After State vacated in 1947, the building became known simply as the ''Executive Office Building.'' When a new executive office building opened on 17th Street in 1965, the Executive Office Building became the ''Old'' Executive Office Building.

Naming the OEOB for Dwight Eisenhower would give us the opportunity to honor the former State, War and Navy Building with a proper name. At the same time, it would pay a unique tribute to Dwight D. Eisenhower, whose contributions to our nation are symbolized by this building that served him well during both his military and presidential careers. I spoke last week with Susan Eisenhower about this proposal, which was brought to her for the family's consideration. Susan, her father John, and other family members are supportive. They were deeply touched that the idea has been suggested and that the Nation might honor President Eisenhower in this way.

Because OEOB is an ''office'' on the GSA Public Buildings Survey, I understand that the Committee on Environment and Public Works would have jurisdiction over legislation to name OEOB after Eisenhower. For many reasons, therefore, you are the best person to champion this legislation in the Senate. I predict many co-sponsors from both sides of the aisle

This year we mark the 30th year since Eisenhower's death. More and more World War II vets are retiring from Congress. We need to act quickly to introduce a bill, report it out of Committee and encourage timely action in the House. I hope you will be able to introduce legislation shortly after the Senate reconvenes in September. I will do everything I can personally to help you round up co-sponsors. And we will get letters of endorsement from individuals and organizations to support your leadership.

I would be delighted to put your staff in touch with a few people who have done the preliminary research on the OEOB. Maybe this would be helpful as your staff works to draft appropriate bill language. We can also provide assistance in drafting a floor statement and a ''Dear Colleague'' letter and lining up cosponsors when you have a draft bill that can be circulated among your Senate colleagues.

I look forward to hearing from you soon and providing any help you need with this important legislation to recognize the leader of The Greatest Generation. This would be particularly appropriate as the American century draws to a close and we enter the new millennium.

Sincerely,

BOB DOLE.

[From the Washington Post, Aug. 10, 1997]

A BUILDING BY ANY OTHER NAME THAN THE OEOB

(By Jim O'Connell)

Now that Congress and the White House have reached agreement on balanced budget legislation, they can turn their attention toward addressing another overdue issue: a new name for the Old Executive Office Building (OEOB). Washington's most remarkable office building, perhaps the finest example of French Second Empire architecture in America, has a name remarkable only for its blandness—and that came to it by default.

The 19th century Victorian masterpiece was begun in 1871 and completed in 1888. Originally, it was called the State, War and navy Building after its first occupants. Twenty-four secretaries of state served there, and the former State, War and Navy libraries recall that illustrious past. Today, the OEOB houses the offices of the vice president.

In 1947, after the last secretary of state vacated the premises, White House offices moved in, and the building came to be known as the Executive Office Building (EOB). That nondescript label reflected the new executive branch tenants—the National Security Council and the Budget Bureau (now the Office of Management and Budget). Never mind that the town had plenty of other executive office buildings.

But in 1965 EOBers faced a dilemma: A new executive office building was about to open just north of the EOB. If the 1965 structure was ''new,'' then the 1888 vintage building must be old. With Washington's fascination with acronyms, the building soon became known as the OEOB. What would architect Alfred B. Mullet have said to that?

This 19th century treasure merits better—much better. Given its role and its location beside the White House, it should have a name that honors one of our presidents. Five possibilities came to mind:

The Roosevelt Executive Office Building. On the plus side, both Roosevelts worked in the building as assistant Navy secretaries. On the minus: Both are memorialized already, Franklin recently in West Potomac Park and Teddy in the woods at Roosevelt Island.

The Grant Executive Office Building. Ulysses S. Grant was president when the groundbreaking for the building occurred in 1871. Also, Second Empire architecture reached its zenith during his presidency—indeed it was sometimes called the ''General Grant Style.'' While the Union general is memorialized at the west front of the Capitol, Washington had no monument to Grant the president.

The Cleveland Executive Office Building. Grover Cleveland was president at the 1888 completion of the building. After four years of living next to the construction project, our 22nd president took a one-term hiatus—coming back to be our 24th president.

The Truman Executive Office Building. President Truman occupied the White House in 1947, when the State Department moved out. At that point, the building's name had to be changed, and the bland EOB name came into use. It seems only fitting that consideration be given to naming the building after ''Harry,'' even if he did call the building ''the greatest monstrosity in America.''

The Eisenhower Executive Office Building. Long before becoming commander of allied forces in Europe in World War II, Dwight D. Eisenhower worked in the building as Army chief of operations and military aide to Chief of Staff Douglas MacArthur. The five-star general's distinguished Army career echoes the building's military past—two bronze Spanish cannons captured in 1898 are still in place at the Pennsylvania Avenue entrance. And Eisenhower no doubt played a role in helping the building survive a 1957 recommendation of the Advisory Committee on Presidential Office Space that EOB be replaced with a modern office complex. The Kennedy Center's Eisenhower Theater is faint praise indeed for this American hero.

After a half-century, it's time to honor the old State, War and Navy Building with a new name and in so doing pay lasting tribute to a former president.

Myself—I like Ike!

Mr. STEVENS. Mr. President, I thank the authors of this legislation for working to bring this bill to the floor. I had the privilege of working under President Eisenhower as Assistant to the Secretary of the Interior and Solicitor of the Interior Department. I am proud to have served under President Dwight D. Eisenhower.

In 1947 President Eisenhower said of our democracy:

> The American system rests upon the rights and dignity of the individual. The success of that system depends upon the assumption by each one of personal, individual responsibility for the safety and welfare of the whole. No government official, no soldier, be he brass hat or Pfc., no other person can assume your responsibilities—else democracy will cease to exist.

This sentiment is still true today. It speaks to the timelessness of President Eisenhower's thoughts and efforts and it offers us a glimpse of how he approached his duties and his life in general.

Ike was a good soldier who got most of his insight into government from his experience at West Point. His focus was on duty, honor and country. To him, the role he was given by the American people is outlined in the Constitution and he followed the language of the Constitution to the best of his ability. Also known as an ''internationalist'', he believed in friendship and peace. Ike ran for President because of concern that too many people were afraid of other countries and believed that if we were to have peace in the world then we need friendships with other countries.

Eisenhower as our leader made many decisions that we live by today. Unlike many who currently seek and obtain political offices, he was concerned with making the right decisions and not with what his legacy would be. Today's leaders should and do build on the leadership of the past—leadership that he provided and taught us to emulate.

The period of Ike's Presidency was an interesting and important period in the history of our country—particularly for my State and the State of my good

friend from Hawaii, Senator INOUYE. President Eisenhower originally opposed statehood for Alaska in his first term. In 1950 you needed a passport or birth certificate to return to the ''south 48'' from Alaska. Today we remember the phrase ''Taxation without representation''. It was true back then, especially for those of us who fought and returned from WWII. It was demeaning and unfair. As everyone knows, we won the statehood fight and it turned out to be good for the people of Alaska and the country as a whole.

In working for Alaska statehood under President Eisenhower I found the ability to work freely, but with his full support. Bill Ewald, a good friend of mine, is quoted in the book ''Eisenhower the President'':

> . . . in the end . . . the greatest glory must go to Eisenhower. He chose his lieutenants, gave them the freedom to think and to innovate, backed them to the hilt despite his qualms, and thus produced an outcome that, in retrospect, remains a triumph of his administration.

Only 40 years later Alaska provides 25 percent of all U.S. oil production, and 50 percent of fish consumed in the United States is caught off Alaska's shores.

Eisenhower believed that a modern network of roads is ''As necessary to defense as it is to our national economy and personal safety''. Under his leadership, the Federal Aid-Highway Act of 1956 authorized 41,000 miles of highways (later adjusted to 42,500) by 1975. By 1980, 40,000 miles were completed. Today there are more than 42,700 miles in the system. Citizens of no nation on Earth can equal the mobility that is available to the majority of Americans via our National Highway System. A study in 1994 found that the fatality rate for interstate highways is 60 percent lower than the rest of the transportation system and the injury rate is 70 percent lower. The U.S. Army cited the Interstate Highway System as being critical to the success of the Desert Shield-Desert Storm Operation because it allowed for the rapid deployment of troops and equipment to U.S. ports for deployment overseas.

In the area of defense, Ike's efforts could not be eclipsed. His leadership in pushing for adequate funding of our defense system led to the successes we enjoy today. With the strongest military power on Earth, and with new and effective weapon systems in our arsenal, we should look to the past and give Ike credit for his vision on our national defense.

In his 1961 farewell address, President Eisenhower said:

> America is today the strongest, the most influential and most productive nation in the world . . . America's leadership and prestige depend, not merely upon our unmatched material progress, riches and military strength, but on how we use our power in the interests of world peace and human betterment.

It was President Eisenhower's hope as we all pursue our careers, regardless of the path we take, that we would remember his words and would do our best to be a ''foot soldier'' in his battle to ''wage peace.'' I still consider myself one of Eisenhower's ''foot soldiers''.

Naming the Old Executive Office Building after President Eisenhower is a fitting tribute to the man who save the world and I am proud to cosponsor this legislation.

Mr. HAGEL. Mr. President, I join the chorus of voices calling for the Old Executive Office Building to be renamed in honor of Dwight D. Eisenhower.

President Eisenhower had a direct connection to the building. He worked there as an aide to Gen. Douglas MacArthur, and as Army Chief of Operations. As President, he saved the building from demolition.

But of course the reasons for commemorating President Eisenhower in this way are far more profound than his historical connection to the building.

At the close of this century, America is the world's lone superpower—due in large part to the leadership of President Eisenhower from 1953–60, the years when the course to our current position of supremacy was being charted.

A world power structure going back several centuries was shattered by World War II. America had made a grave mistake after World War I by retreating into isolationism. Fortunately, after the Second World War, the United States recognized its responsibility to assume leadership of the free world in the global confrontation with communism. The man most responsible for solidifying America's postwar position was Dwight D. Eisenhower.

Eisenhower, former supreme allied commander in World War II and then supreme commander of the new North Atlantic Treaty Organization, understood perhaps better than any man of his time how the world was interconnected—and how America's destiny was intertwined with the destinies of its friends and enemies throughout the world. He was not afraid to lead in foreign policy.

Nor was he afraid to lead in domestic policy, especially in race relations. We think of the 1960s as the decade of civil rights, but it was President Eisenhower who ordered the complete desegregation of the Armed Forces. It was President Eisenhower who sent Federal troops to Little Rock, Arkansas, to guarantee compliance with a court order for school desegregation.

Naming the Old Executive Office Building for Dwight D. Eisenhower is a fitting way to honor the many ways he contributed to the building of the greatest nation the world has ever seen.

Mr. ROBERTS. Mr. President, I rise in strong support of the Environment and Public Works Committee legislation to name the Old Executive Office Building after one of Kansas' sons, former President Dwight David Eisenhower.

Although Congress is portrayed in the press as mired in gridlock over budget caps and campaign finance reform, the Senate does rise above the daily political battles and pass commonsense bipartisan legislation that the American public is often unaware of because it lacks the sizzle for front page headlines or evening news sound bites.

The Senate passage of S. 1652 formally recognizes former President Eisenhower's dedication and faithfulness to the United States. This Kansan rose from his commission as a second lieutenant of Infantry at West Point to Supreme Commander of the Allied Expeditionary Forces, where he directed one of the most ambitious invasions in military history.

At the end of his military career, Eisenhower embarked on his successful candidacy for President of the United States. Eisenhower's biographer, Stephen Ambrose, wrote in his introduction to ''Eisenhower The President'' that ''Dwight Eisenhower is one of only two Republicans (the other was Grant) to serve two full terms as President. Along with the two Roosevelts, he is the only twentieth-century President who, when he left office, still enjoyed wide and deep popularity. And he is the only President in this century who managed to preside over eight years of peace and prosperity.''

America liked Ike.

We in Kansas are always honored when we can share our admiration for Dwight David Eisenhower with the rest of the Nation including the Dwight David Eisenhower National Highway System and the Eisenhower Presidential Center in Abilene, Kansas.

My own family has strong ties to Ike and the Eisenhower years. My father, Wes, played a key role in Eisenhower's presidential nomination and his election. He served as Republican national chairman for Ike.

Naming the Old Executive Office Building after former President Eisenhower is fitting because this building is almost as historic as the White House. Former Presidents Theodore and Franklin D. Roosevelt, Taft, Johnson, Ford, and Bush, and Eisenhower himself, all had offices in this building before becoming President. This ornate building is one of the most impressive buildings in Washington and some believe its style epitomizes the optimism and exuberance of the post-Civil War period when it was constructed. Throughout his government career, Ike also conveyed these feelings to his troops and the American people therefore this recognition is well-deserved.

I am glad that my Senate colleagues agreed to expedite the passage of this bill and hope the other body takes quick action. It builds on last week's celebration in Kansas of former President Eisenhower where the State of Kansas made his birthday Dwight D. Eisenhower Day in Kansas. More importantly, our state leaders provided schools with curricula on Eisenhower

to teach and remind children of this great leader.

For my colleagues reading and information, I ask unanimous consent that an editorial from the Topeka Capital Journal be printed in the RECORD.

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

DWIGHT D. EISENHOWER FINALLY GETS HIS DAY

It is not hyperbole at all to say this: Dwight D. Eisenhower stands as one of the 20th century's towering figures—and among what may have been history's most heroic generation, he was a giant.

This Kansas-reared man's memory is still celebrated today in the hamlets of Europe he helped free from Nazi oppression and occupation as supreme Allied commander in World War II.

Meanwhile, in a wax museum dedicated to all the U.S. presidents in Gettysburg, Pa., Eisenhower's likeness has been lifted out of its chronological place and given its own spotlight for visitors to appreciate. His life, his career, his achievements, his impact on the world were that significant.

Yet, the state that claims him, and which he claimed as a youth and at his death in 1969, has done precious little to observe his honored place in history.

Until now.

This week, Abilene, site of the Eisenhower Library and Museum, feted the 34th president in a three-day celebration ending today with a conclusion of a Veterans of Foreign Wars vigil at 8 a.m., wreath layings at 10:30 and 11 a.m., a children's bicycle parade at 1:30 and the unveiling at 2 p.m. of a statute of a boyish Eisenhower at the downtown mini-park.

Thursday, on his birthday and officially Dwight D. Eisenhower Day in Kansas, schoolchildren released balloons, heard music and speeches (including one by Ike's granddaughter, Anne Eisenhower) and celebrated with a birthday party and concert that night.

Just as important, curricula on Eisenhower was sent to schools statewide.

It's hard to believe we've gone this long before proclaiming a day for Eisenhower—the state's most famous and celebrated figure.

''He really is a world-renowned figure,'' said state Sen. Ben Vidricksen, R-Salina, who sponsored the legislation leading to this long-overdue observance.

Though born in Denison, Texas, Eisenhower spent his formative years in Abilene, Kan., where they regard him as a local boy who grew to become a hero.

''He was a wonderful role model,'' said Kim Barbieri, education specialist with the Eisenhower Foundation.

''Even his critics never questioned his honesty and sincerity,'' said one author. ''As a general, he commanded the greatest army in history. As a president, he dedicated himself to fighting for peace.''

Indeed, though a product of the military, Eisenhower once warned the American people to guard against ''the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex.''

Though his was one of the poorer families in Abilene, it was predicted in the Abilene High School year-book in 1909 that Eisenhower would go on to be president—Dwight's brother, Edgar Eisenhower, that is. Dwight was supposed to go on to be a history professor at Yale.

The prediction was off slightly, of course. And because of that, the world is a better place—and millions of people are free today.

Mr. BROWNBACK. Mr. President, I rise today to add my support to S. 1652, a bill to designate the Old Executive Office Building located at 17th and Pennsylvania, here in the District of Columbia, and the Dwight D. Eisenhower Executive Office Building.

I remind my colleagues of the many accomplishments and selfless contributions of our 34th President. His strong character and remarkable achievements have made him a role model for many young people worldwide. As a native of Kansas myself, it is an honor to commemorate this fellow Kansan by associating his name with a remarkable architectural landmark like the Old Executive Office Building.

Born 25 years after the end of the civil war, Dwight David Eisenhower was the third son of David and Ida Eisenhower. He spent his formative years sharing a crowded house with five brothers in Abilene, Kansas. He sought and received an appointment to West Point. In 1927 he entered Army War College here in Washington, DC. His early Army career saw rapid advancement through the ranks. Within 11 years, he was chief military aide to Gen. Douglass MacArthur and by the age of 40 served as Army Chief of Operations. While holding these positions, Eisenhower occupied several offices in the Old Executive Office Building and spent many hours walking the white marble tile corridors.

On June 6, 1944, he was Supreme Commander of the D-Day Normandy invasion. Through his actions and duties, his name became synonymous with heroism. Just 6 months later, he was promoted to U.S. Army's highest ranking, General of the Army.

After the war, Eisenhower's popularity with the American people soared. In 1948, he actually received the nomination for President from both political parties but declined the honor. Instead, he became the president of Columbia University in New York City. Fear of communist built-up and disappointment with the mismanagement of the Korean war, convinced Eisenhower that he had a duty to run, and in 1952 he received the Republican nomination for President.

Eisenhower's two terms as President of the United States saw many progressive and important accomplishments. After inauguration, he signed a truce that brought an armed peace along the border of South Korea and effectively ended the war. In 1956, he sponsored the first civil rights bill since Reconstruction. Eisenhower signed legislation creating the National Aeronautics and Space Administration and witnessed Alaska and Hawaii become States. His public works programs included the Saint Lawrence Seaway in 1954 and the Interstate Highway System in 1956, the largest construction project in history. Perhaps Eisenhower's greatest feat during his presidency was making and keeping the peace with communist countries. Eisenhower seldom boasted, but he once summed up one of the proudest accomplishments of his presidency in these words: ''The United States never lost a soldier or a foot of ground in my administration. We kept the peace. People asked how it happened—by God, it didn't just happen, I'll tell you that.''

Dwight D. Eisenhower attributed his success and good fortune to ''. . . a lifetime of continuous association with men and women . . . who . . . gave others inspiration and guidance.'' His parents, church, and community were first among them. The small town environment of Abilene, Kansas taught him ambition without arrogance and self-dependence with a concern for others. President Eisenhower never forgot where his strength or that of the Nation came from. In June of 1954, an amendment was made to add the words ''one Nation under God'' to the Pledge of Allegiance. Eisenhower remarked, ''In this way we are reaffirming the transcendence of religious faith in America's heritage of future; in this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace and war.''

So, in renaming this most historic structure, we celebrate not only the accomplishments of President Eisenhower, but the strong, loving family and nurturing community of his youth which helped propel him to greatness. These are the values with which we attempt to equip our children and prepare great leaders for our future.

Many of the young people of our country have little or no idea who this great American was or what his leadership in both war and peace meant to the nation and the world. It is my hope that when Americans visit the Dwight D. Eisenhower Executive office Building, a curiosity about his heritage is evoked in children and adults alike, and people are inspired by his example.

I encourage all Senators to support this bipartisan legislation and honor our former President and wartime leader Dwight D. Eisenhower.

Mr. SPECTER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1652) was read the third time and passed, as follows:

S. 1652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING.

The Old Executive Office Building located at 17th Street and Pennsylvania Avenue, NW, in Washington, District of Columbia, shall be known and designated as the ''Dwight D. Eisenhower Executive Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to

the Dwight D. Eisenhower Executive Office Building.

CYSTIC FIBROSIS AWARENESS WEEK

Mr. SPECTER. Mr. President, I ask unanimous consent that S. Res. 190 be discharged from the Judiciary Committee and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 190) designating the week of October 10, 1999, through October 16, 1999, as ''National Cystic Fibrosis Awareness Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. CAMPBELL. Mr. President, today I urge my colleagues to support passage of the pending resolution, Senate Resolution 190, designating October 10, 1999, through October 16, 1999, as ''National Cystic Fibrosis Awareness Week.'' I introduced this legislation in September and am pleased that it garnered such strong bipartisan support from my Senate colleagues. I am hopeful that greater awareness of cystic fibrosis, CF will lead to a cure.

Incredibly, CF is the number one genetic killer in the United States. Approximately 30,000 Americans suffer from the life-threatening disease. Today, the average life expectancy for someone with CF is 31 years. We must do what we can to change that.

I urge my colleagues to support final passage of this resolution so that we can move one step closer to eradicating this disease.

Mr. SPECTER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to S. Res. 190 be printed in the RECORD.

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

The resolution (S. Res. 190) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 190

Whereas Cystic Fibrosis is the most common fatal genetic disease in the United States, for which there is no known cure;

Whereas Cystic Fibrosis, characterized by digestive disorders and chronic lung infections, has been linked to fatal lung disease;

Whereas a total of more than 10,000,000 Americans are unknowing carriers of Cystic Fibrosis;

Whereas 1 out of every 3,900 babies in the United States are born with Cystic Fibrosis;

Whereas approximately 30,000 people in the United States, many of whom are children, suffer from Cystic Fibrosis;

Whereas the average life-expectancy of an individual with Cystic Fibrosis is age 31;

Whereas prompt, aggressive treatment of the symptoms of Cystic Fibrosis can extend the lives of those who suffer with this disease;

Whereas recent advances in Cystic Fibrosis research have produced promising leads in relation to gene, protein, and drug therapies; and

Whereas education can help inform the public of Cystic Fibrosis symptoms, which will assist in early diagnoses, and increase knowledge and understanding of this disease: Now, therefore, be it

Resolved, that the Senate—

(1) designates the week of October 10, 1999, through October 16, 1999, as National Cystic Fibrosis Awareness Week;

(2) commits to increasing the quality of life for individuals with Cystic Fibrosis by promoting public knowledge and understanding in a manner that will result in earlier diagnoses, more fund raising efforts for research, and increased levels of support for Cystic Fibrosis sufferers and their families; and

(3) requests the President to issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities.

NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK

Mr. SPECTER. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 199 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 199) designating the week of October 24, 1999, through October 30, 1999, and the week of October 22, 2000, through October 28, 2000 as ''National Childhood Lead Poisoning Prevention Week.''

There being no objection, the Senate proceeded to consider the resolution.

AMENDMENT NO. 2318

Mr. SPECTER. Mr. President, I understand Senator REED has an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for Mr. REED, proposes an amendment numbered 2318.

The amendment is as follows:

On page 2 line 8, strike ''day'' and insert ''weeks''.

Mr. SPECTER. Mr. President, I ask unanimous consent that the amendment be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, with no intervening action, and any statements relating to the resolution be printed in the RECORD.

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

The amendment (No. 2318) was agreed to.

The resolution (S. Res. 199), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 199

Whereas lead poisoning is a leading environmental health hazard to children in the United States;

Whereas according to the United States Center for Disease Control and Prevention, 890,000 preschool children in the United States have harmful levels of lead in their blood;

Whereas lead poisoning may cause serious, long-term harm to children, including reduced intelligence and attention span, behavior problems, learning disabilities, and impaired growth;

Whereas children from low-income families are 8 times more likely to be poisoned by lead than those from high income families;

Whereas children may become poisoned by lead in water, soil, or consumable products;

Whereas most children are poisoned in their homes through exposure to lead particles when lead-based paint deteriorates or is disturbed during home renovation and repainting; and

Whereas lead poisoning crosses all barriers of race, income, and geography: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 24, 1999, through October 30, 1999, and the week of October 22, 2000, through October 28, 2000, as ''National Childhood Lead Poisoning Prevention Week''; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

ORDERS FOR TOMORROW

Mr. SPECTER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, October 20. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on the motion to proceed to S. 1692, the partial-birth abortion bill as under the previous order.

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

PROGRAM

Mr. SPECTER. Mr. President, for the information of all Senators, the Senate will resume consideration of the motion to proceed to the partial-birth abortion bill tomorrow morning. By previous order, a vote on the motion will occur after 20 minutes of debate. Therefore, Senators can expect the first vote at 9:50 a.m. If the motion is adopted, it is anticipated the Senate will continue debate on the bill throughout the day. It is the hope of the majority leader an agreement can be reached with regard to amendments so that the bill can be completed prior to the close of business on Thursday. The Senate may also consider any appropriations conference reports available for action.

ORDER FOR ADJOURNMENT

Mr. SPECTER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator EDWARDS and my remarks.

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

CAMPAIGN FINANCE REFORM

Mr. SPECTER. Mr. President, I voted in favor of cloture on the amendment denominated the Daschle amendment, which was the Shays-Meehan bill, because I believe comprehensive campaign finance reform is highly desirable. The bill, as embodied in the Daschle amendment, would eliminate soft money for all issue advertising. I believe that is sound.

I voted to oppose cloture to the Reid amendment, which would curtail soft money for issue advertising for only six committees: The Republican National Committee, the Democratic National Committee, the Republican Senatorial Campaign Committee, the Democratic Senatorial Campaign Committee, the Republican House Campaign Committee, and the Democratic House Campaign Committee.

It is my view that if soft money is to be prohibited on issue advertising, then soft money should be prohibited across the board. To approve the lesser provisions of the Reid amendment, which would affect only six political campaign committees, would be unfair, because other organizations could use soft money for issue advertising.

That is the distinction on my vote on the Daschle amendment where I voted for cloture contrasted with the Reid amendment where I opposed cloture.

Furthermore, I believe the comprehensive reform embodied in the Shays-Meehan bill is what ought to be adopted. The bill has another very important provision; and that is the provision relating to the changing of the definition of ''express advocacy'' and ''issue advocacy.'' At the present time, issue advocacy would incorporate an advertisement, which could detail the ways one candidate is bad, and his opponent is good. But as long as the ad did not say, ''Vote for the opponent; vote against the candidate,'' it is considered issue advertising. That is totally unrealistic. Shays-Meehan would make an important change on that provision.

I would add one caveat as to constitutionality. All of this is subject to some very stringent tests under the Buckley decision. I believe before we are going to get comprehensive campaign reform, we need to overrule the decision of the Supreme Court of the United States in Buckley v. Valeo.

Senator HOLLINGS and I have proposed constitutional amendments now for more than a decade. I would not consider amending the language of the first amendment, but I disagree when a Supreme Court decision, made by a divided Court—says that money is equivalent to speech for the individual person but not for contributors. I ran in 1976 in a contested primary against my good friend, the late Senator John Heinz. In the middle of that campaign, the Supreme Court of the United States decided that an individual can spend millions, where my opponent spent a considerable amount of money—but as my brother he was limited to a $1,000 contribution. His speech as an individual contributor, was limited in the context, where my brother could have financed a campaign. Ultimately, we are going to have to change the Buckley decision.

To repeat, I would not change the language of the first amendment. But, I think other legal judgments, perhaps mine included, would be as good as the Supreme Court Justices who decided Buckley v. Valeo.

But I do believe that if there is to be a curtailment of soft money, it ought to be done as Shays-Meehan did it in the Daschle amendment; not with the Reid amendment, which would limit only six political committees and leave others in a position to finance soft money campaigns, which would be an uneven playing field and unfair.

Mr. EDWARDS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. EDWARDS. Mr. President, our political process is diseased. The virus causing that disease is money. The worst virus of all is what is known as soft money. The people of America, including folks I grew up with in a small town in North Carolina, no longer believe their vote matters. As a result, they do not go to the polls; they do not participate. They have completely disengaged with their Government and the political process.

We have to do something in the Senate to bring those people back, to make the people all over this country believe again that this is their Government. We have to make people believe again that their Government up in Washington is not some foreign thing that has nothing to do with them and nothing to do with their lives, but, in fact, they have ownership of this Government; this is their Government. It doesn't belong to the Senators who participate in this body; it belongs to the people, every single one of them. We must make them believe again that when they go to the polls and vote, their vote counts every bit as much as anybody else's vote and that their voice in the process is as loud and clear as anybody else's.

The reality is, people have disengaged for a two major reasons. One is the influx of big money. I don't think it is an accident that during the widening of the soft money loophole and the boom of big soft money contributions over the last several years that allows people to write checks for $100,000, $200,000, $500,000, completely unregulated, unmonitored—that during this same period of time voter turnout has steadily declined.

The simple reason for that is, average Americans, average North Carolinians, believe their voice is being drowned out by big money. These people, who have good sense, their gut tells them that when somebody else writes a check for $100,000—first of all, most of them can't afford to write a check for $25 for a political candidate, much less $100,000—that there is no way in their life experience they are going to be listened to, that they are going to have the access to their Senator or to their Congressman that the person who writes these big money checks has. It is just that simple. They are not on a first-name basis with their Senator, they are not on a first-name basis with their Congressman, but these people who write $100,000 checks are.

We have to do something about that. That problem—that cynicism, the distrust, the belief that Government up in Washington has nothing to do with them—is what keeps them from going to the poll.

Unfortunately, this problem of the influence of big money is compounded when they turn on their television sets in October before an election, and what do they see on television? They see hateful negative personal attacks, many of which are funded with big money, soft money, unregulated money contributions. These negative political ads are the second major reason people are not engaged in the political process. It is the reason that they don't vote and that they are cynical about government and cynical about politics. It is also the reason they don't encourage their kids to get involved in government. It is the reason they themselves don't participate, because they believe in their hearts that the process has been corrupted. The result of that corruption is, they want nothing to do with it. They don't want their family to have anything to do with it. They don't want their kids to have anything to do with it.

It used to be that public service was a very noble calling, before this extraordinary influx of big money and these spiteful advertisements we have seen over the last few years. We have to do everything in our power to return power in this Government where it started and where it belongs, which is with average Americans going to the polls.

One of my constituents wrote to me. I think he said it very well. I am quoting Jason McNutt. He said:

> Our democracy is threatened by the amounts that wealthy special interests are spending on politics. Ordinary citizens like myself have very little influence. . . The American democracy has been corrupted by big money.

He is exactly right. Mr. McNutt is expressing a feeling that, at a gut level, people all over this country have. And that feeling of disenchantment is what we have to address.

I heard an extended debate last week between Senator MCCAIN, who has shown great and courageous leadership on this issue, and another Senator. Basically the interchange was, point out to us what Senators have been corrupted. A large part of the debate had to do with questions and answers about which Senators had been corrupted.

I have been in the Senate for about 9 months.

The men and women I serve with here are far from corrupt. They are hard-working people who do what they think is right and, even when we disagree, I have enormous respect for my colleagues in this body. That respect has done nothing but grow during the time I have been here.

The problem with the debate, though, is it is not about what Senators are corrupt. That focus is wrong. That is about us. This debate is not about us. This debate is about the folks who have quit voting. It is about parents who don't want their kids involved in politics, who don't want their kids involved in Government. They have this feeling in their stomach that there is something wrong. They could not articulate to you with great specificity what is wrong, but they know something is wrong. There is no place I would put greater confidence than in the gut understanding of the American people. It is the reason they are not voting anymore and not participating.

The single biggest loophole that we have today is soft money. I strongly support comprehensive, across-the-board campaign finance reform, to return power to regular people. But the reality is that what we have a chance of passing in this Congress is a ban on soft money. That doesn't solve the problem, there is no question about that; we will continue to have other problems in other areas. But if we keep putting this off, not addressing the issue and voting it down on a procedural basis, even though a majority of the Senators voted in favor of campaign finance reform, we have not sent the right signal to the American people. We have a responsibility—I believe I have a personal responsibility to the people that I represent all over North Carolina—to say that we are going to do what we can do. We are going to send you a powerful signal that we are starting the process of solving this huge problem.

The simplest way to send that signal is to ban soft money—to ban it tomorrow. Let's put a stop to this unregulated flow of huge sums of money that are coming into our political system. This ban alone won't solve the problems facing our political system. Nobody believes it will. But it will send a powerful message across this country that we care, that the people in this Senate care about how average Americans feel about the process. Because if we don't ban soft money, we send the signal that we don't care, that all we care about is ourselves, our own elections, and we don't care about the people out there across this country who are no longer going to the polls. We have to do something about that. They need to hear a loud and powerful message from us.

We can address the other issues as we go forward. But, first, we have to make it clear to the people of America that we are willing to do something and that we are focused on them, their concerns, and their worries and not just ourselves and our elections. That is what we need to do, Mr. President.

The bottom line is, we ultimately have to return power in this Government to where it started, which is with regular people going to the polls. We have to return democracy to its roots, because that is how this country began. Over the course of the last 200 years—particularly over the course of the last 10 years—that has changed. Folks back home know in their hearts and souls, without seeing it, that these powerful people who write big checks, the big special interests, are having an enormous influence over what happens up here. It bothers them. You know, it ought to bother them, because they are right. We have to say something back to these people who are worried, who aren't voting anymore and don't want their kids involved in Government and politics. I, myself, in my last campaign, made a decision not to accept contributions from PACs and Washington lobbyists, which is nothing but a small step along this road. But we as a body have to send a message, and that message should be loud, clear, and unequivocal. The message is that we are returning power in your democracy to you.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:25 p.m., adjourned until Wednesday, October 20, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 19, 1999:

DEPARTMENT OF JUSTICE

DONNA A. BUCELLA, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS VICE CHARLES R. WILSON, RESIGNED.