



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, FRIDAY, SEPTEMBER 26, 1997

No. 131

Senate

The Senate met at 9 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Lord of law and order, we thank You for peace officers who serve in the sheriff and police forces in cities and counties across our land. They serve in harm's way, facing constant danger, so that we may live with security and safety. We thank You for the Capitol Police as well as the security officers and Secret Service who serve with excellence.

Today, we are shocked and grieved by the violent killing of Sheriff's Corporal Walter Hathcock and State Highway Patrol Trooper Lloyd Lowry of Cumberland County, NC. We ask You to comfort and strengthen the families of these men, particularly their children.

Dear God, curb the growth of violence and crime in our Nation. We turn to You for Your help.

Today, here in the Senate, we ask for Your presence and power. Fill this Chamber with Your grace and glory and the Senators with Your wisdom and understanding through our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. ALLARD. Mr. President, this morning the Senate will be in a period of morning business until 10 a.m. with Senator DASCHLE or his designee in control of the time until 9:30 a.m. and Senator COVERDELL or his designee in control of the time from 9:30 a.m. to 10 a.m.

As earlier ordered, following morning business, the Senate will begin consid-

eration of Senate bill 25 regarding campaign finance reform.

The majority leader announced last evening that there will be no rollcall votes during Friday's session of the Senate. In addition, it was announced there will be no rollcall votes during Monday's session of the Senate. Therefore, the next rollcall vote will be the cloture vote on the Coats amendment No. 1249 to the D.C. appropriations bill, occurring Tuesday, September 30, at 11 a.m.

Members can anticipate debate on campaign finance reform through today's and Monday's sessions of the Senate. I thank Members for their attention.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business.

Mr. THURMOND. I ask unanimous consent I be allowed to speak in morning business for up to 10 minutes.

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

Mr. THURMOND. Mr. President, I thank the Chair.

(The remarks of Mr. THURMOND pertaining to the introduction of Senate Resolution 128 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Thank you, Mr. President.

ANTHONY JORDAN, NATIONAL COMMANDER OF THE AMERICAN LEGION

Ms. COLLINS. Mr. President, I rise today with a tremendous sense of pride and great pleasure to inform my colleagues that a citizen of the great State of Maine has been elected national commander of the American Legion.

As many in this Chamber are aware, the American Legion recently held its 79th national convention in Orlando, FL. At the conclusion of that convention, a Maine legionnaire, Anthony Jordan, of Augusta, was elected national commander.

To be selected by your peers to such a prestigious post is a significant accomplishment. For his home State, for his family, for his American Legion post in Wiscasset, ME, and for the thousands of Maine veterans it is a singular honor.

Mr. President, the American Legion chose wisely when it selected Mr. Jordan to lead this organization for the next year. Let me just tell you a bit about Mr. Jordan's background.

Tony Jordan served in the U.S. Army from 1963 to 1965. He joined the American Legion, our Nation's largest veterans organization, in 1971. Mr. Jordan demonstrated an unusual level of personal commitment and leadership in making his commitment to the work of the American Legion, both at the State and the national level.

For example, he served as post commander in Wiscasset and as vice commander of the American Legion Department of Maine. He also served as chairman of the Legion's national membership and post activities committee. He chaired the Foreign Relations Council and the National Security Commission.

In addition, Mr. Jordan also contributed to the Legion as a member of the National Legislative Commission and as liaison to the National Finance Commission.

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



Printed on recycled paper containing 100% post consumer waste

S9989

Finance, foreign relations, national security—that is an impressive and diverse range of committee appointments that make him well qualified to head the American Legion. But the Legion also knew that, when it asked Tony Jordan to take charge, this was an important time for the American Legion and for America's veterans.

Tony Jordan has expressed strong personal sentiments in favor of the constitutional amendment to protect the American flag. Our flag is the symbol for everything for which our Nation stands. Mr. Jordan is standing with those who believe in the integrity of the flag and what it represents—freedom and justice, ideals for which our Nation's veterans risk and, in some cases, gave their lives.

Mr. Jordan is also outspoken in his support of a GI bill of health, the American Legion's response to the challenges being faced by the Department of Veterans Affairs and veterans across this country as they seek to fulfill the promise we made to ensure that our veterans have access to quality health care.

These are only a few examples, Mr. President, of what Mr. Jordan has done on behalf of his country and its largest veterans organization. I know my colleagues will agree that the American Legion chose wisely and well when it elected Anthony Jordan of Augusta, ME, as its national commander. I wish him well in the challenging year ahead.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call.

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

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

CAMPAIGN FINANCE REFORM

Mr. SPECTER. Mr. President, I have sought recognition this morning to compliment our distinguished majority leader, Senator LOTT, for scheduling floor debate on campaign finance reform. I think that this is a very important matter to be debated by the U.S. Senate and, hopefully, to be voted on as to amendments and, ultimately, final passage.

I have long believed that campaign finance reform is indispensable in order to take out the tremendous amount of money that is present in Federal elections. For more than a decade, I have worked on the issue to have a constitutional amendment to overrule Buckley versus Valeo with Senator HOLLINGS under the Hollings-Specter amendment. I believe that there is a very important distinction between amending the first amendment and overruling a specific Supreme Court decision, many of which are split decisions.

There are many besides those on the Court who have an understanding of the Constitution. I think the Buckley decision was wrongly decided. When

that decision was handed down, I happened to be in the middle of a contest for the U.S. Senate primary in Pennsylvania running against the then Congressman John Heinz. In the middle of that campaign, the Supreme Court ruled that an individual could spend as much of his or her money as he or she chose. My brother was limited to \$1,000 under the law. He could have helped finance my campaign. With Buckley not being reversed, that has been a major impediment to dealing with these tremendous sums of money, plus the unlimited amount of independent expenditures. We have seen the ravages of soft money. We have seen millions of dollars contributed in Presidential elections, as in 1996, in the context where the candidates are pledged not to spend money beyond the Federal contribution. We have seen these ads which have been classified as "issue ads," which are blatant ads urging the election of one candidate and the defeat of another, on both sides of the aisle.

I have introduced campaign finance reform legislation myself which would deal with the issue of soft money, prohibiting it, and which would define an advocacy ad as one which shows the likeness or name of an individual urging his or her election or his or her defeat. With respect to the independent expenditures, they are touted as independent, but in fact they are not independent expenditures.

My legislation would require that someone who makes a so-called independent expenditure make an affidavit to that effect, with strict penalties for perjury on the affidavit form showing the individual making it what the consequences are. That would then be filed with the FEC, with the requirement that the candidate on whose behalf the expenditure was made, plus the campaign manager, make a tough affidavit, so that you do not have the feeling that there is really no enforcement or enforcement so much after the fact that it is irrelevant.

In order to deal with the problem of unlimited expenditures by individuals, my bill provides for a Federal provision analogous to the Maine "standby public financing provision," which provides that if candidate A spends \$15 million of his or her own money, then candidate B will have that matched by the Government. I am against generalized Federal funding. However, I do believe that such a provision would be a deterrent so that there would not be the necessity, or at least a very limited amount of governmental money put in the campaigns if they knew there would be no advantage because the Government would match it for his or her opponent.

My bill further builds upon what we have seen in the Governmental Affairs hearing, to require that there be a limit and reporting on contributions to legal defense funds, which are a first cousin to campaign contributions. We saw in the testimony involving Charlie Trie, coming into the legal defense

funds, pouring out hundreds of thousands of dollars. My bill further tightens the requirements as to foreign contributions which we saw on the Young development matter, where the money had a foreign origin and ended up in a political campaign committee.

I had been unwilling to cosponsor McCain-Feingold as long as it had the provision calling for lesser expenses or free television time, because I think that provision is unconstitutional, in violation of the fifth amendment as the taking of property without due process of law. I know the arguments that they are public airwaves, but once the situation has been established on a property right, I think that constitutes a taking. I discussed that matter with Senator MCCAIN some time ago, and once he says that provision is going to go, I am prepared to cosponsor McCain-Feingold. Last year, when the subject came up, I voted for cloture on McCain-Feingold. Although I didn't agree with all of its provisions, I thought the matter should come to the Senate floor and be voted upon.

Regrettably, we will probably not have campaign finance reform, or we won't have campaign finance reform until there is a demand by the American people that we do so. Only that kind of a demand will move the Congress. My own sense is that we are far short of the 60 votes for cloture for cutting off debate. But I think there may be 8, 10, 12, maybe even more, Senators who would be influenced by a very strong constituent demand. That influences us from a very realistic sense. Regrettably, our hearings this week in Governmental Affairs have not been covered because there is no scandal. The media and the public are attracted, regrettably, only to scandal. It is my hope that as we move ahead in Governmental Affairs, we will have more public attention.

Last week, when we had the testimony as to Roger Tamraz and his \$300,000 contribution and the testimony about John Huang asking for money in the White House at a coffee, which the President, apparently, condoned, and the testimony about the man in the line giving the President a card suggesting millions of dollars of contributions and later being contacted by a Presidential aide, had that been on national television, I think the public might well be aroused. It is my hope that the debate here will be spirited. I think, realistically, Senate debates are unlikely to lead the American people to catch fire on this issue. But perhaps our Governmental Affairs hearings can do that, or supplement it by media attention generally.

I think it is a very useful thing to move ahead with these debates on campaign finance reform. Again, I compliment Senator LOTT for scheduling them, and I look forward to participating in those debates, aside from this brief comment in morning business.

I yield the floor.

Mr. BURNS addressed the chair.